



City of Del Mar Staff Report



TO: Honorable Mayor and City Council Members

FROM: Mark Delin, Assistant City Manager
Via Scott W. Huth, City Manager

DATE: September 15, 2014

SUBJECT: Report on Redflex Red Light Camera Program

REQUESTED ACTION/RECOMMENDATION:

Receive report on the City's Red Light Camera Program and provide direction as appropriate.

DISCUSSION/ANALYSIS:

In its meeting of October 7, 2003, the City Council authorized the execution of a contract with Redflex Traffic Systems for the installation of three automatic red light photo enforcement cameras. The staff report cited an increasing number of red light violations in the City, and the decision to install the cameras was made upon recommendations of the Traffic and Parking Advisory Committee and staff after evaluating a system installed in the City of El Cajon. While the cameras were provided by Redflex, the City paid the costs of conduits, new LED traffic signals, signage, as-built engineering drawing, and an engineering analysis of signal timing patterns. Costs to the City were estimated at about \$12,000 for each of the three installations. The compensation options in the 2003 contract permitted a per-ticket payment to Redflex.

In 2009, the City's contract was renewed, and amended to comply with California Vehicle Code 21455.5 (h)(1) which required that the red light camera equipment manufacturer or supplier not receive compensation based upon the number of citations issued, or as a percentage of revenue generated. The current contract complies with this requirement via a monthly flat rental fee, which has been index to the Consumer Price Index. The current contract is a 7-year term, with three optional 1-year extensions. The 7-year term expires in June 2016. The City currently pays \$1,577.51 per month for each of the three cameras, or \$56,790 per year. Typically revenues from tickets have exceeded the monthly rental cost of the cameras, but do not cover the costs for the Sheriff's Detective to review the tickets and to represent the City in court. A fully burdened Sheriff's Detective costs the City about \$260,000 per year (this includes all

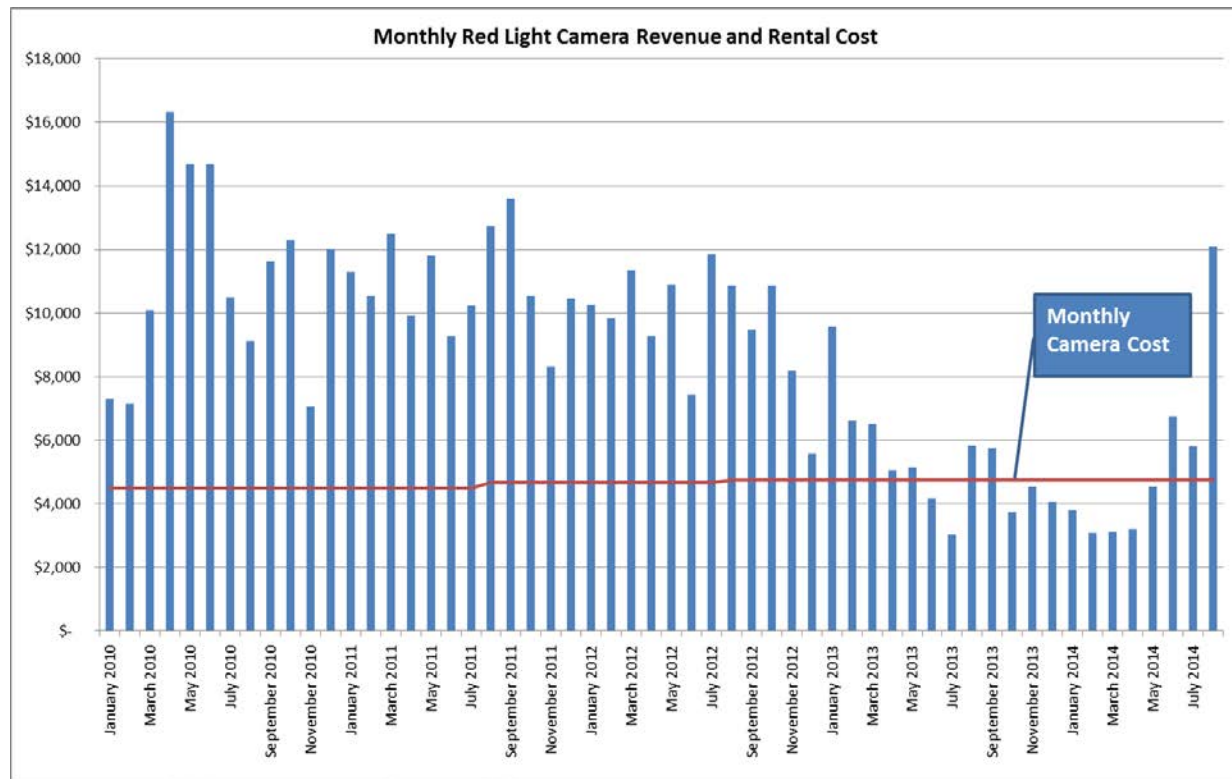
City Council Action:

allocated supervision, dispatch, radio and vehicle, crime analysis, indirect, etc.) and about one quarter of this time, or about \$65,000 is allocated to the review of the red light camera tickets.

How the Ticket Process Works

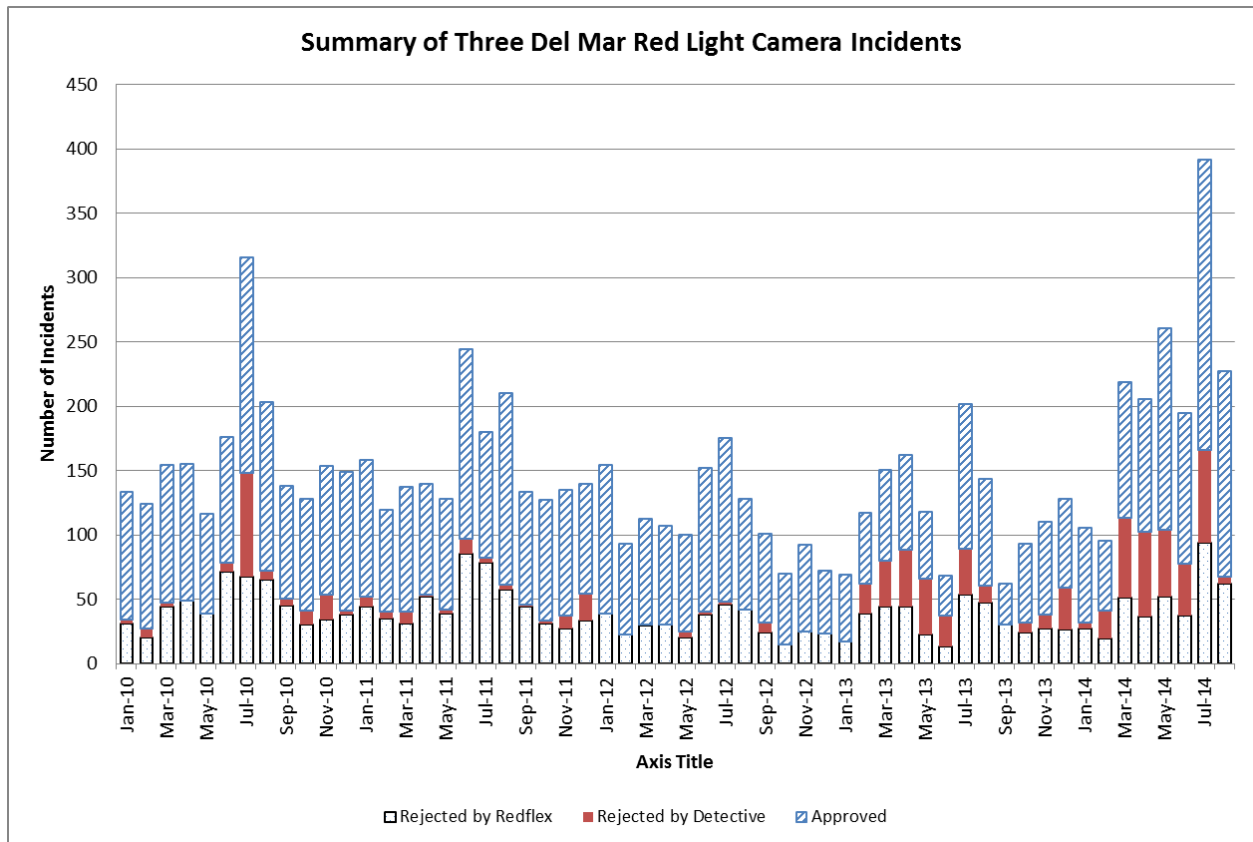
The video cameras record violations of the red-light signal. The videos are then reviewed by Redflex officials to ensure that they meet the standards for prosecution established by the City. Each City establishes its standards for review by Redflex, and Redflex forwards all tickets that meet these criteria to the Sheriff Detective for review. If the Detective agrees that the citation is valid, then it is mailed to the violator with a court appearance date. The violator may elect to pay the ticket, or may request a court date. If a court date is requested, a date is set for appearance and a subpoena is sent to the officer. The officer requests a Courtpack from Redflex which contains the documents needed for prosecution, such as the photographic evidence, and documentation that the system was serviced, maintained and operating properly at the time of the incident.

While always variable from month to month, red-light camera revenues have declined markedly starting in the beginning of 2013, with a sharp increase for August 2014.



Staff has analyzed this drop off in revenues and has determined that several factors are responsible for this. The graph below is a summary of all incidents processed at the

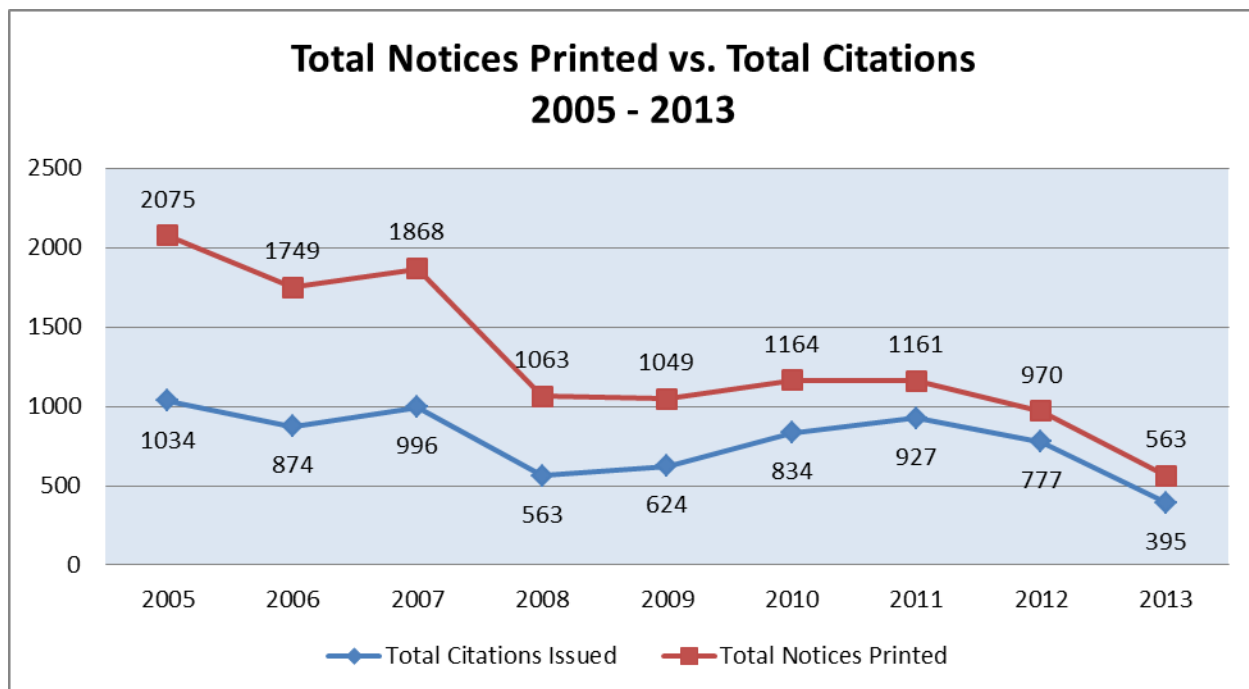
City's three red-light camera locations: Northbound Camino del Mar at Via de la Valle, Southbound Camino del Mar at Via de la Valle, and Northbound Camino del Mar at Del Mar Heights.



City Analysis and Response Plan

Staff has evaluated the Redflex camera data by camera, and working with Redflex and the Sheriff, has identified several reasons for the drop-off in revenues, as well as solutions, most of which have been implemented if applicable.

1. Familiarity with the camera locations. After time, red-light cameras tend to accomplish their purpose, which is to increase adherence to traffic control signals. Looking at the history of red-light violations that have occurred since the installation of the cameras shows this to be true. Both captured incidents and violations forwarded to the courts have decreased as demonstrated in the graphic below.



Solution: Staff has requested that Redflex evaluate other possible intersections for the camera locations. The City's camera located at Northbound Camino del Mar at Via de la Valle has historically captured few violations, indicating that red light compliance is already high at that location. Once the Redflex analysis is complete, the City may relocate this camera to a different location.

2. More rigorous court standards for driver identification, and the need for higher resolution cameras. Courts are more likely to not issue a ticket if the picture is slightly unclear, or the driver's face is partially obstructed. The courts do not maintain the records of how many tickets are issued versus rejected in court.

Solution: Ensure that the City has the best, highest resolution cameras available. Redflex has replaced two of the main cameras and computers in February 2014, and two face cameras were upgraded in June. In July, the main camera and computer, and face camera was upgraded at the remaining intersection. The Courts have now required a new subpoena system through which the City Attorney must issue the subpoena to Redflex to provide the necessary records. This was formerly done by the Deputy District Attorney. The Sheriff believes that this will streamline the process and decrease rejections by the Court. [This process was used for the first time on September 4, 2014, and all citations were approved by the Court.]

The new computers are better equipped to detect violations, and have resulted in many more incidents being captured, as can be seen beginning in March 2014 in the incident summary table.

3. Increased rejections by Detective. Due to the increased review standards, and the difficulties in getting citations upheld by the Courts, the Sheriff's Detective began rejecting a very large number of tickets, compared to prior years, starting in February 2013.

Solution: A new Detective has been assigned to do the reviews, and is undergoing training. In the interim, the tickets are being reviewed by a highly experienced Community Service Officer. We have already seen an increase in the citations forwarded to the Courts.

4. Reduced and slower payments. The courts have indicated that more tickets are being paid on installment plans, and more tickets are going unpaid, and going to collection agencies.

Solution: The City has no recourse on this issue. The Courts' staff has indicated that they expect that as the economy continues to struggle, that ticket nonpayments will continue, and that the tickets that are financed over time will cause slower revenue receipts for the City.

5. Lack of monitoring program. Over time, the red-light camera program has been transferred from the Park Ranger to the Public Works Department to the City Manager, and lost in transition has been the knowledge of how the system works, City access to the Redflex system, and knowledge of what reports can be generated .

Solution: City Manager staff now has login access to the Redflex camera system, as does Sheriff's Captain Adams-Hydar. Staff can now regularly log into the system to monitor its performance, without waiting for tickets to travel through the court system and revenues to accrue from the program.

In conclusion, staff and the Sheriff believe that the red-light camera program continues to enhance traffic safety in Del Mar in a cost-effective manner. If we were to fund a Traffic Deputy to cover these intersections instead of the cameras, costs would be far higher. Staff is looking at ways to reduce the costs of the ticket review by the Sheriff, through possibly the sharing of a Community Service Officer based out of the Encinitas station.

Staff's recommendation is to continue the red-light camera program, and evaluate the program again when the contract comes up for renewal. We also believe that with the upgrades in cameras and computers, a newly training reviewer from the Sheriff, and the new subpoena process, we will receive an uptick in revenues which will help offset the costs of the program. We do not believe that revenues will exceed the cost of the camera rental and the review costs of the Detective, but public safety, and not revenue, is the purpose of the red-light camera program.

FISCAL IMPACT:

Annual camera rental costs are \$56,790 per year for Fiscal Year 2014-2015, subject to a Consumer Price Index-based increase if requested by Redflex. Sheriff staff costs to review the tickets are \$65,000 per year, for a total of \$121,790, though under the current Sheriff contract, the City is obligated to pay for the Detective's time whether he/she reviews the tickets or not. Red-light camera revenues for Fiscal Year 2014-2015 are currently budgeted at \$40,000, although with the process improvements and new equipment, they are anticipated to increase markedly.

PRIOR CITY COUNCIL REVIEW:

The City Council authorized the City Manager to execute a revised contract with Redflex Traffic Systems on June 22, 2009.

ATTACHMENTS:

Attachment A: CA Vehicle Code Section 21455.5

ATTACHMENT A



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Motor Vehicles

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V C Section 21455.5 Traffic Signal Automated Enforcement Photographic Records

Traffic Signal Automated Enforcement: Photographic Records

21455.5. (a) The limit line, the intersection, or a place designated in Section 21455, where a driver is required to stop, may be equipped with an automated traffic enforcement system if the governmental agency utilizing the system meets all of the following requirements:

(1) Identifies the system by signs posted within 200 feet of an intersection where a system is operating that clearly indicate the system's presence and are visible to traffic approaching from all directions in which the automated traffic enforcement system is being utilized to issue citations. A governmental agency utilizing such a system does not need to post signs visible to traffic approaching the intersection from directions not subject to the automated traffic enforcement system. Automated traffic enforcement systems installed as of January 1, 2013, shall be identified no later than January 1, 2014.

(2) Locates the system at an intersection and ensures that the system meets the criteria specified in Section 21455.7.

(b) Prior to issuing citations under this section, a local jurisdiction utilizing an automated traffic enforcement system shall commence a program to issue only warning notices for 30 days. The local jurisdiction shall also make a public announcement of the automated traffic enforcement system at least 30 days prior to the commencement of the enforcement program.

(c) Only a governmental agency, in cooperation with a law enforcement agency, may operate an automated traffic enforcement system. A governmental agency that operates an automated traffic enforcement system shall do all of the following:

(1) Develop uniform guidelines for screening and issuing violations and for the processing and storage of confidential information, and establish procedures to ensure compliance with those guidelines. For systems installed as of January 1, 2013, a governmental agency that operates an automated traffic enforcement system shall establish those guidelines by January 1, 2014.

(2) Perform administrative functions and day-to-day functions, including, but not limited to, all of the following:

(A) Establishing guidelines for the selection of a location. Prior to installing an automated traffic enforcement system after January 1, 2013, the governmental agency shall make and adopt a finding of fact establishing that the system is needed at a specific location for reasons related to safety.

(B) Ensuring that the equipment is regularly inspected.

(C) Certifying that the equipment is properly installed and calibrated, and is operating properly.

(D) Regularly inspecting and maintaining warning signs placed under paragraph (1) of subdivision (a).

(E) Overseeing the establishment or change of signal phases and the timing thereof.

(F) Maintaining controls necessary to ensure that only those citations that have been reviewed and approved by law enforcement are delivered to violators.

(d) The activities listed in subdivision (c) that relate to the operation of the system may be contracted out by the governmental agency, if it maintains overall control and supervision of the system. However, the activities listed in paragraph (1) of, and subparagraphs (A), (D), (E), and (F) of paragraph (2) of, subdivision (c) shall not be contracted out to the manufacturer or supplier of the automated traffic enforcement system.

(e) The printed representation of computergenerated information, video, or photographic images stored by an automated traffic enforcement system does not constitute an out-of-court hearsay statement by a declarant under Division 10 (commencing with Section 1200) of the Evidence Code.

(f) (1) Notwithstanding Section 6253 of the Government Code, or any other law, photographic records made by an automated traffic enforcement system shall be confidential, and shall be made available only to governmental agencies and law enforcement agencies and only for the purposes of this article.

(2) Confidential information obtained from the Department of Motor Vehicles for the administration or enforcement of this article shall be held confidential, and shall not be used for any other purpose.

(3) Except for court records described in Section 68152 of the Government Code, the confidential records and information described in paragraphs (1) and (2) may be retained for up to six months from the date the information was first obtained, or until final disposition of the citation, whichever date is later, after which time the information shall be destroyed in a manner that will preserve the confidentiality of any person included in the record or information.

(g) Notwithstanding subdivision (f), the registered owner or any individual identified by the registered owner as the driver of the vehicle at the time of the alleged violation shall be permitted to review the photographic evidence of the alleged violation.

(h) (1) A contract between a governmental agency and a manufacturer or supplier of automated traffic enforcement equipment shall not include provision for the payment or compensation to the manufacturer or supplier based on the number of citations generated, or as a percentage of the revenue generated, as a result of the use of the equipment authorized under this section.

(2) Paragraph (1) does not apply to a contract that was entered into by a governmental agency and a manufacturer or supplier of automated traffic enforcement equipment before January 1, 2004, unless that contract is renewed, extended, or amended on or after January 1, 2004.

(3) A governmental agency that proposes to install or operate an automated traffic enforcement system shall not consider revenue generation, beyond recovering its actual costs of operating the system, as a factor when considering whether or not to install or operate a system within its local jurisdiction.

(i) A manufacturer or supplier that operates an automated traffic enforcement system pursuant to this section shall, in cooperation with the governmental agency, submit an annual report to the Judicial Council that includes, but is not limited to, all of the following information if this information is in the possession of, or readily available to, the manufacturer or supplier:

(1) The number of alleged violations captured by the systems they operate.

(2) The number of citations issued by a law enforcement agency based on information collected from the automated traffic enforcement system.

(3) For citations identified in paragraph (2), the number of violations that involved traveling straight through the intersection, turning right, and turning left.

(4) The number and percentage of citations that are dismissed by the court.

(5) The number of traffic collisions at each intersection that occurred prior to, and after the installation of, the automated traffic enforcement system.

(j) If a governmental agency utilizing an automated traffic enforcement system has posted signs on or before January 1, 2013, that met the requirements of paragraph (1) of subdivision (a) of this section, as it read on January 1, 2012, the governmental agency shall not remove those signs until signs are posted that meet the requirements specified in this section, as it reads on January 1, 2013.

Amended Sec. 1, Ch. 511, Stats. 2003. Effective January 1, 2004.

Amended Sec. 230, Ch.328, Stats. 2010. Effective January 1, 2011.

Amended Sec. 3, Ch. 735, Stats. 2012. Effective January 1, 2013.

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