

**City of Laguna Woods
Agenda Report**

DATE: May 28, 2014 Adjourned Regular City Council Meeting
TO: Honorable Mayor and City Councilmembers
FROM: Christopher Macon, City Manager
AGENDA ITEM: Red Light Photo Enforcement Program

Recommendation

A. Approve a Memorandum of Understanding between the City and Redflex Traffic Systems, Inc. modifying and extending the existing automated red light photo enforcement system agreement; and authorize the City Manager to execute the agreement, subject to approval as to form by the City Attorney.

OR

B. Take no action regarding modification or extension of the existing automated red light photo enforcement system agreement between the City and Redflex Traffic Systems, Inc., which will end on June 30, 2014.

Background

In 2005, the City Council approved an agreement with Redflex Traffic Systems, Inc. for red light photo enforcement at the intersections of El Toro Road/Moulton Parkway and Laguna Woods Village Gate 12/Moulton Parkway. Amendments to the agreement, including term extensions, were approved in 2010, 2011, 2012, and 2013. The agreement will end on June 30, 2014 unless extended.

Discussion

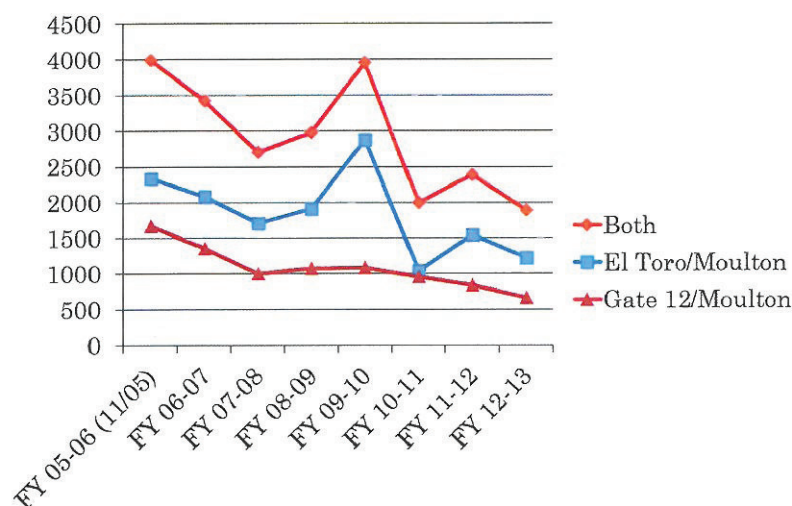
Citations Issued

The red light photo enforcement program has averaged 2,919 citations each fiscal year since the first citation was issued in November 2005, ranging from a low of

1,886 in Fiscal Year 2012-13 to a high of 3,997 in Fiscal Year 2005-06. Of those, approximately 63% are issued for the El Toro Road/Moulton Parkway intersection and 37% are issued for the Village Gate 12/Moulton Parkway intersection.

In the first year of the program, nearly 4,000 citations were issued, after which the total number of citations at both intersections gradually declined before reaching 2,711 in Fiscal Year 2007-08. Citations then rose to match the first year’s total of just under 4,000 in Fiscal Year 2009-10. In the most recent fiscal years, the total number of citations has decreased due, in part, to camera downtime caused by the Moulton Smart Street construction. A total of 2,386 and 1,886 citations were issued in fiscal years 2011-12 and 2012-13, respectively.

Graph 1: Citations Issued

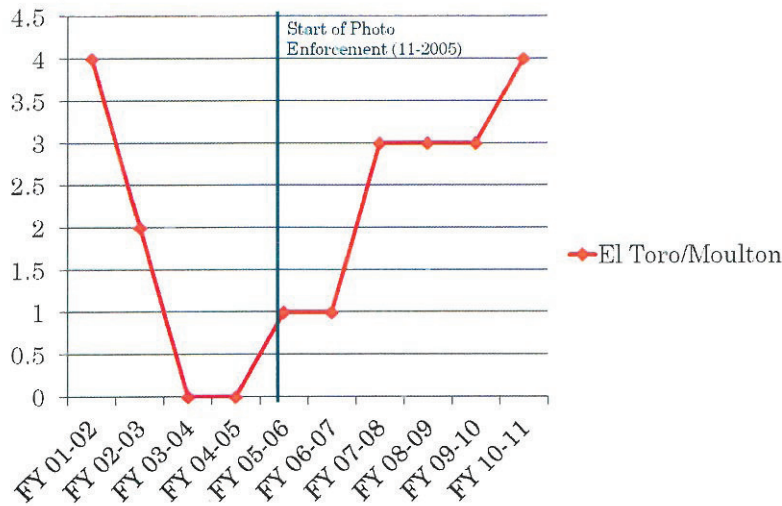


Collisions

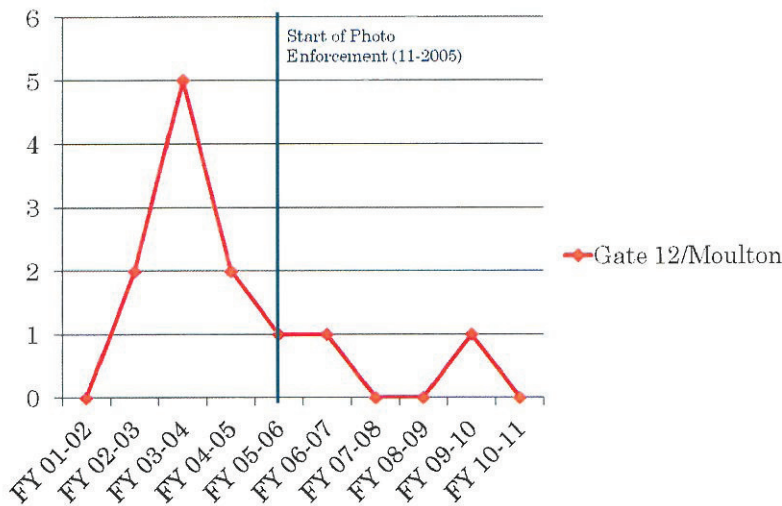
Staff studied incidents over a 10-year period of time (Fiscal Year 2001-02 through 2010-11) and found that the number of collisions related to signal violations at the two photo enforced intersections fluctuated slightly, but did not change in any significant manner after initiation of the red light photo enforcement program. The El Toro Road/Moulton Parkway intersection averaged 2.1 signal violation-related collisions per year, with a high of four collisions per year. The Laguna Woods Village Gate 12/Moulton Parkway intersection averaged 1.2 signal violation-related collisions per year, with a high of five collisions per year.

Opponents of red light photo enforcement programs often cite an alleged increase in rear end collisions as a consequence of the use of cameras. During the same 10-year period, there was no significant change in the number of rear end collisions.

Graph 2: El Toro/Moulton Collisions – Signal Violations



Graph 3: Gate 12/Moulton Collisions – Signal Violations



Alternative Enforcement Methods

Due to the size and structure of the intersections, the Orange County Sheriff’s Department is unable to provide an alternative level of comparable red light signal-related enforcement to the red light photo enforcement program. A motor deputy or specially assigned teams could provide limited amounts of enforcement; however, photo enforcement remains the most comprehensive method of enforcing red light signal-related traffic laws at both intersections throughout the day.

Fiscal Impact

Redflex currently charges the City a monthly fee of \$3,000 per approach (five total approaches for \$180,000 per year), which includes the capture and processing of

red light violations – including right turn violations – within range of the cameras. Monthly fees would remain unchanged if the agreement is extended.

The red light photo enforcement program is a time intensive operation that requires a Sheriff's deputy to issue citations, research the identity of drivers who are not the registered owners of vehicles involved in violations, and appear in court (generally on a weekly basis). An attorney is also required to appear on behalf of the City. Repeated legal challenges have increased the cost of legal services in recent years and are expected to continue. City staff time is required to manage the agreement with Redflex and respond to public records/discovery requests. On occasion, staff are also required to testify in court regarding program procedures.

Expenditures related to the red light photo enforcement program have historically been partially offset by California Vehicle Code Fines and State Supplemental Law Enforcement Services Funding (SLESF/SLESA). If the agreement is not extended and the program ends, the City would continue to receive SLESF/SLESA funding for other law enforcement-related purposes, but would no longer receive California Vehicle Code Fine revenue associated with red light citations. Due to reductions in both expenditures and offsetting revenues, the net fiscal impact is anticipated to be minimal and could be accommodated in the City's Fiscal Year 2014-15 budget.

Conclusion

The existing automated red light photo enforcement system agreement between the City and Redflex Traffic Systems, Inc. will end at the close of the current fiscal year (June 30, 2014). Staff is seeking direction from the City Council regarding the future of the red light photo enforcement program.

Attachment: A – Draft Memorandum of Understanding

**Memorandum of Understanding
between
Redflex Traffic Systems, Inc.
and the
City of Laguna Woods**

This Memorandum of Understanding ("MOU") is made and entered into this _____ day of _____ 2014 ("Effective Date") by and among Redflex Traffic Systems, Inc. ("Redflex"), a Delaware corporation, and the City of Laguna Woods, a California municipal corporation ("City"). Redflex and the City are collectively referred to as the "Parties."

1. On July 11, 2005 the Parties entered into an Agreement for automated red light photo enforcement systems. The Agreement was amended in 2010, 2011, 2012, and 2013 (collectively the "Agreement").
2. The term of the Agreement will end on June 30, 2014 unless the City and Redflex mutually agree to an extension of the Agreement.
3. Redflex desires to assist the City with temporarily reducing the financial cost of operating the red light photo enforcement systems due to unique conditions that exist currently for the City.

NOW THEREFORE, with no other changes to the terms or conditions of the Agreement, Redflex and the City hereby agree:

1. Upon the Effective Date, the term of the Agreement shall be extended for twelve (12) months beginning on July 1, 2014 and ending on June 30, 2015. This extension shall be without prejudice to the City's termination rights under the Agreement.
2. Redflex shall continue to charge the City \$15,000 per month for twelve (12) months beginning on July 1, 2014 and ending on June 30, 2015, which represents a decrease in the amount that the City would otherwise owe Redflex under the Agreement by \$6,250 per month.

IN WITNESS WHEREOF, the Parties hereto have caused this MOU to be executed the day and year first above written.

CITY OF LAGUNA WOODS:

By _____
Christopher Macon, City Manager

Date

REDFLEX TRAFFIC SYSTEMS, INC.:

By _____
Jim Saunders, President and CEO

Date

APPROVED AS TO FORM:

David B. Cosgrove, City Attorney

Date