



AGENDA STAFF REPORT

DATE: July 5, 2017

TO: Honorable Mayor and Members of the City Council

APPROVED BY: Alma Martinez, City Manager

PREPARED BY: Jose E. Ometeotl, Director of Finance

SUBJECT: Redflex Photo Red Light Enforcement Program – Agreement Renewal

Recommendation:

Staff recommends that the City Council adopt the attached resolution entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LYNWOOD TO RENEW THE EXISTING AGREEMENT WITH REDFLEX TRAFFIC SYSTEMS FOR FOUR (4) YEARS AND AUTHORIZE THE MAYOR TO EXECUTE THE AGREEMENT".

Background:

The California Legislature enacted legislation authorizing cities to use automated enforcement systems to issue Citation Notices for red light violations. In 2003, the City of Lynwood initiated this effort to reduce the number of accidents and associated injuries and deaths due to red light violations.

In December 2014, the City Council entered into a three (3) year contract renewal with Redflex Traffic Systems, Inc. for the installation of automated red-light photo enforcement cameras in various locations throughout the City.

There are 2 approaches installed in one direction (westbound) only:

1. Westbound on Long Beach Boulevard @ Imperial Highway (installed January 2005)
2. Westbound on Atlantic Avenue @ Imperial Highway (installed July 2008)

All repairs and maintenance of the camera systems and related equipment are the sole responsibility of Redflex, including but not limited to maintain the casings of the cameras included in the Redflex System and all other equipment in reasonably clean and graffiti free condition.

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Discussion & Analysis:

As a means to enhance public safety the City entered into a contract with Redflex Traffic Systems, Inc. in 2003 to address community and traffic safety. The mission and focus of the photo enforcement program is to improve vehicular safety at subject intersections. The program is designed to reduce broad-side traffic collisions which typically produce severe injuries. In addition, the program focuses on improving overall traffic and pedestrian safety.

All potential citations are forwarded from Redflex to our Traffic Detective at the Century Sheriff's Station where they are reviewed by traffic enforcement deputies and then forwarded for processing. All citations issued as a result of a red-light violation are paid through the Municipal Court system and a check is forwarded to the City of Lynwood on a monthly basis. All revenue is restricted and must be utilized for public safety purposes as prescribed by law is deposited in the General and Traffic fund accounts. Lynwood uses these funds for law enforcement and traffic safety activities.

Redflex Statistics for 2016

- 13,324 red-light camera violations were processed in 2016
- 7,739 were available for prosecution
 - 4,962 at Imperial Highway/Atlantic Avenue
 - 2,777 at Imperial Highway/ Long Beach Boulevard

The base fine amount of a red-light camera ticket (23152(a) or (c)) is \$100.00. The city receives \$80.00 each.

At \$80.00 per violation with 7,739 prosecutable violations a total of \$619,120.00 could potentially be collected by the city for Red Light Camera violations in 2016.

The proposed new Agreement is attached as Exhibit "A".

As this contract expired in June 2017 Redflex was/is being paid on a month to month basis during negotiations.

Fiscal Impact:

After negotiations with Redflex, Staff is recommending the continuation of our current service level for a Fixed Fee of \$6,800 per month (\$3,400 per camera approach) per month @ \$81,600 annually, and \$326,400 for the duration of the 4-year contract.

In addition, each year on the anniversary date of the contract, the pricing will increase by the Consumer Price Index (CPI). CPI will be derived from the publication of the U.S. Department of Labor Consumer Price Index for U.S. City average.

If the City is interested in adding additional approaches the Fixed Fee Price will be increased proportionally by mutual agreement between both parties.

Attachments:

Exhibit "A" – Proposed Agreement

Coordinated With:

City Attorney's Office
Finance Department
Sheriff's Department

STATE OF CALIFORNIA)
) §
COUNTY OF LOS ANGELES)

I, the undersigned, City Clerk of the City of Lynwood, do hereby certify that the above and foregoing Resolution was duly adopted by the City Council of the City of Lynwood at its regular meeting held in the City Hall of said City on the _____ day of _____ **2017**, and passed by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Maria Quinonez, City Clerk

STATE OF CALIFORNIA)
) §
COUNTY OF LOS ANGELES)

I, the undersigned City Clerk of the City of Lynwood, and Clerk of the City Council of said City, do hereby certify that the above and foregoing is a full, true and correct copy of **Resolution No.** _____ in my office and that said Resolution was adopted on the date and by the vote therein stated.

Maria Quinonez, City Clerk

**FIRST AMENDMENT TO THE EXCLUSIVE AGREEMENT BETWEEN THE CITY OF
LYNWOOD AND REDFLEX TRAFFIC SYSTEMS, INC. FOR TRAFFIC CAMERA
SAFETY IMPROVEMENT PROGRAM**

This First Amendment to the Exclusive Agreement Between the City of Lynwood and Redflex Traffic Systems, Inc. for Traffic Camera Safety Improvement Program ("First Amendment") is entered into this _____ day of _____ 2017 (the "Execution Date") by and between Redflex Traffic Systems, Inc. ("Redflex") and the City of Lynwood, California (the "City") (individually a "Party"; collectively, the "Parties").

RECITALS

- A. On July 1, 2014, Redflex and the City entered into the Exclusive Agreement Between the City of Lynwood and Redflex Traffic Systems, Inc. for Traffic Camera Safety Improvement Program (the "Original Agreement");
- B. The Original Agreement is set to expire on July 1, 2017;
- C. The Original Agreement may be amended by written agreement signed by both Parties; and
- D. Redflex and the City desire to extend the Term of the Original Agreement and otherwise modify the Original Agreement as set forth below.

The parties agree as follows:

TERMS AND CONDITIONS

1. Term of Agreement. Section 2 of the Original Agreement shall be extended for an additional four (4) years commencing on July 1, 2017 and ending on July 1, 2021.

2. Notices. Section 9.1 of the Original Agreement is amended to change the notice address for Redflex to the following:

Redflex Traffic Systems, Inc.
Attn: Legal Department
5651 W. Talavi Blvd., Suite 200
Glendale, AZ 85306
Facsimile: (623) 207-2056
Email: legaldepartment@redflex.com

The amendment to Section 9 as outlined in this First Amendment is effective immediately, and all notices shall be served on Redflex at the address listed in this First Amendment.

(This Part Intentionally Left Blank)

3. Enforceability of Non-Amended Terms and Conditions. Except as expressly amended in this First Amendment, the terms and conditions of the Original Agreement shall remain in full force and effect. To the extent that this First Amendment conflicts with the terms and conditions of the Original Agreement, this First Amendment shall control. Any capitalized terms not defined in the First Amendment shall have the meanings ascribed to them in the Original Agreement.

CITY OF LYNWOOD, CALIFORNIA

REDFLEX TRAFFIC SYSTEMS, INC.

Name:
City Manager

Michael Finn
CEO and President

Attest:

Name:
Position:

Approved as to Content:

Name:
Position:

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LYNWOOD TO RENEW THE EXISTING AGREEMENT WITH REDFLEX TRAFFIC SYSTEMS FOR FOUR (4) YEARS AND AUTHORIZE THE MAYOR TO EXECUTE THE AGREEMENT

WHEREAS, the California Vehicle Code Section 21455.5 authorizes the implementation of Automated Red-Light Photo Enforcement Programs and the use of such cameras, and resulting traffic citations, which helps promote traffic safety as part of a comprehensive community safety program; and

WHEREAS, in cities where photo enforcement technology has been deployed, red light violations, traffic collisions, and resulting injuries and fatalities have been significantly reduced at most locations over a period of several years; and

WHEREAS, the combined use of digital video and digital still images will significantly increase the City's total citation yield rates, reduce the number of red light violations that are contested and dismissed, provide the greatest compliance to the applicable California Vehicle Codes, and ultimately result in the greatest reduction in collision statistics.

NOW, THEREFORE, the City Council of the City of Lynwood does hereby find, proclaim, order and resolve as follows:

Section 1. The City Council approves the agreement for photo red light enforcement cameras.

Section 2. That the City Council authorizes the renewal of the agreement with Redflex Traffic Systems for a four (4) year contract in the amount of \$326,400 with renewal options for the installation of additional red-light photo enforcement approaches within the four-year contract.

Section 3. This resolution shall take effect immediately upon its adoption.

Section 4. The City Clerk shall certify as to the adoption of this City Council Resolution

PASSED, APPROVED AND ADOPTED this 5th day of July, 2017.

Maria T. Santillan-Beas, Mayor
City of Lynwood

Attest:

Maria Quinonez, City Clerk

Alma Martinez, City Manager

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

Noel Tapia, City Attorney

Jose Ometeotl, Director of Finance