

City of Laguna Woods Agenda Report

FOR: June 29, 2011 City Council Meeting

TO: Honorable Mayor and Councilmembers

FROM: Douglas C. Reilly, Assistant City Manager *Dall*

AGENDA ITEM: Red Light Cameras

Recommendation

Approve an amendment to the contract with Redflex Traffic Systems, Inc. to extend the term for six months to December 31, 2011 and lower the monthly payment for services to \$4,000 per approach per month; and authorize the City Manager to execute the contract amendment, subject to approval as to form by the City Attorney.

Background

In June 2005, the City Council approved a contract with Redflex Traffic Systems, Inc. for automated red light photo enforcement equipment and services for a combined total of five approaches at the intersections of Moulton Parkway/El Toro Road and Moulton Parkway/Gate 12. In January 2010, the City Council approved a contract amendment that extended the term for eighteen months, removed the cost neutrality contract provision and established a set monthly fee of \$5,000 per approach. The contract term will end on July 11, 2011 without further action by the City Council.

Discussion

Use of cameras for the enforcement of red light running violations at signalized intersections has become more challenging over the past two years. The following issues have arisen over use of automated red light camera systems:

- Courts are requiring city attorneys to be present during case hearings to present evidence and cross-examine defendants;

- Courts are ruling against use of automated system evidence without chain of control testimony from red light camera contractors and the authorizing Sheriff's Deputy;
- Class action lawsuits have been filed that have resulted in payment of significant legal fees and may result in repayment of fines;
- Members of the state legislature are increasingly introducing bills to further restrict use of red light camera systems; and
- Some cities are deciding to end their red light camera programs, with the City of Los Angeles as the most significant recent example.

Red light photo enforcement systems are still being utilized in over 40 cities across California, including Santa Ana, San Juan Capistrano, Los Alamitos and Garden Grove in Orange County. Local law enforcement agencies have found that the use of red light cameras can reduce red light running and the corresponding number of accidents at equipped intersections.

Staff believes that the program offers public safety benefits by reducing the chance of pedestrian injuries and vehicle accidents. Data collected regarding numbers of citations issued and vehicle accidents are difficult to use in determining the effectiveness of the program. The number of citations vary year to year and the number of accidents per year has remained low (a range of 0 to 9 red light running accidents yearly, or an average of 3 accidents each year from FY 01-02 to FY 09-10).

The six month extension will allow staff to work with the Public Safety Committee, City Attorney, Sheriff's Department and Redflex to perform further analysis of program effectiveness and develop options to either modify or terminate it.

Committee Action

The Public Safety Committee is scheduled to review the automated red light program over the next three months and plans to make program recommendations to the City Council for its consideration no later than October 2011.

Fiscal Impact

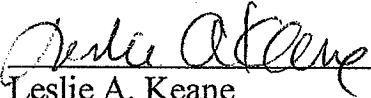
The FY 11-12 budget contains \$347,414 in red light camera revenues and \$400,473 in corresponding expenditures, which include the reduced monthly fee of \$4,000 per approach per month, or \$240,000 per year, reflected in the contract amendment; \$101,773 for half-time of the traffic enforcement deputy; and \$58,700 for city attorney services. As noted during discussions of the budget, it is difficult to project

annual revenues and expenditures related to red light cameras since they can fluctuate so widely, depending on the number of citations and the cost of prosecuting cases in court.

Conclusion

The City's contract with Redflex Traffic Systems for automated red light photo enforcement ends on July 11, 2011. Recent court cases and decisions, and pending legislation, have made this program more challenging, however, staff believes that the program offers public safety benefits that need to be analyzed further. Approval of the contract amendment will reduce the monthly cost of red light camera services and allow staff time to work with the Public Safety Committee to develop recommendations on program changes or termination for Council consideration later this year.

Approved by:



Leslie A. Keane
City Manager

Attachment: Second Amendment to Agreement

**SECOND AMENDMENT TO THE AGREEMENT
BETWEEN
THE CITY OF LAGUNA WOODS
AND
REDFLEX TRAFFIC SYSTEMS, INC.
FOR
AUTOMATED RED LIGHT PHOTO ENFORCEMENT SYSTEM**

This Second Amendment ("Second Amendment") to the Agreement ("Agreement") between Redflex Traffic Systems, Inc. ("Redflex") and the City of Laguna Woods ("City"), dated July 11, 2005, shall become effective July 1, 2011.

RECITALS

WHEREAS, Redflex has exclusive knowledge, possession and ownership of certain equipment, licenses, applications, and citation processes related to digital photo red light enforcement systems; and

WHEREAS, the City desires to continue to engage the services of Redflex to provide certain equipment, processes and back office services so that authorized staff of the City are able to monitor, identify and enforce red light running violations; and

WHEREAS, it is a mutual objective of both Redflex and the City to reduce the incidence of vehicle collisions at the traffic intersections and city streets that will continue to be monitored pursuant to the terms of the Agreement as expressly modified herein; and

NOW THEREFORE, in consideration of the mutual covenants contained herein, and for other valuable consideration received, the receipt and sufficiency of which are hereby acknowledged, the Parties amend the Agreement as follows:

AMENDED TERMS AND CONDITIONS

1. Extension of Term. Section 1. Term of the First Amendment to the Agreement is amended as follows:

"The term of the Agreement shall be from July 11, 2005 to December 31, 2011."

2. Compensation & Pricing Modification. The language in Exhibit "D", entitled "Compensation & Pricing," of the Agreement is replaced in its entirety by the following:

"Commencing on July 1, 2011, Redflex shall provide City with a full turnkey automated red light photo enforcement system at the following five intersection approaches:

- 1) El Toro Road Westbound at Moulton Parkway with Right on Red violation enforcement
- 2) El Toro Road Eastbound at Moulton Parkway with Right on Red violation enforcement

