


City of Laguna Woods Agenda Report

DATE: April 17, 2013 City Council Meeting
TO: Honorable Mayor and City Councilmembers
FROM: Christopher Macon, Director of Public Safety 
AGENDA ITEM: Red Light Photo Enforcement Program

Recommendation

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.

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. Modifications to the agreement, including term extensions, were approved in 2010, 2011, and 2012. The existing agreement will end on June 30, 2013 unless the City Council exercises the 12 month term extension provided for in the agreement.

Discussion

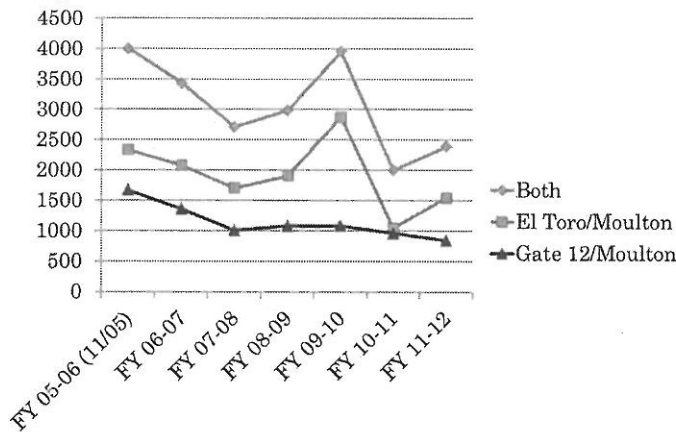
Citations Issued

The red light photo enforcement program has averaged 3,066 citations each fiscal year since the first citation was issued in November 2005, ranging from a low of 2,001 in Fiscal Year 2010-11 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 a

low of 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 Fiscal Year 2010-11, the total number of citations decreased to 2,001 as a result of significant camera downtime caused by Phase 1 of the Moulton Smart Street construction. Citations issued in the current fiscal year are anticipated to be 10% lower than the 2,386 citations issued in Fiscal Year 2011-12. The final phase of the Moulton Smart Street construction is expected to cause intermittent camera downtime throughout 2013.

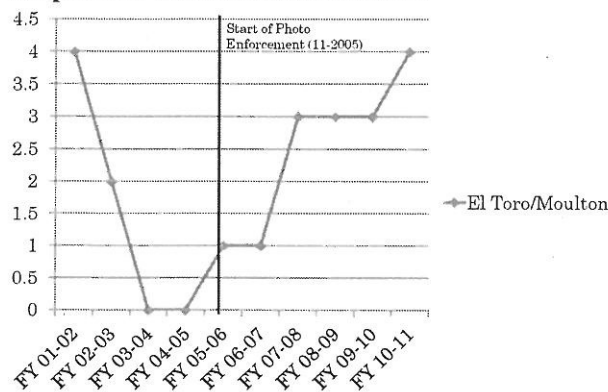
Graph 1: Citations Issued



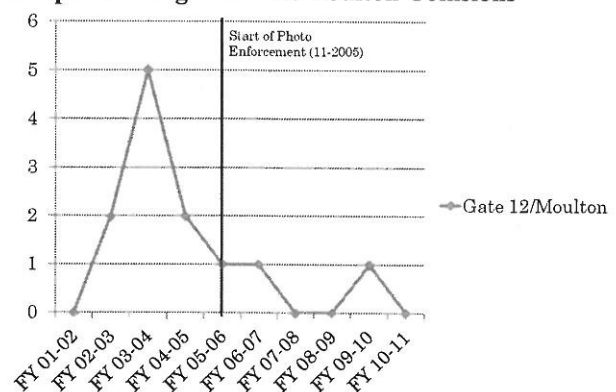
Collisions

In 2011, staff reviewed 10 years of collision data and found that the number of collisions related to signal violations at the two photo enforced intersections has fluctuated slightly but not changed in any significant manner. 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.

Graph 2: El Toro/Moulton Collisions



Graph 3: Village Gate 12/Moulton Collisions



Effect on Rear End Collisions

Opponents of red light photo enforcement programs often cite an alleged increase in rear end collisions as a consequence of the use of cameras. There has been no significant change in the number of rear end collisions at either intersection.

Alternative Enforcement Methods

The Orange County Sheriff's Department is unable to provide a comparable level of enforcement to the red light photo enforcement program due to the size and structure of the intersections. A motorcycle deputy could provide limited amounts of enforcement; however photo enforcement remains the most effective method of enforcing red light violations at both intersections.

If the program ends, the City's deputy currently assigned to the red light photo enforcement program would be able to spend approximately 20 additional hours in the field per week providing front-line traffic and law enforcement services. City staff that provide program support would be assigned to other projects.

The City Council could take the following actions concerning the future of the red light photo enforcement program:

1. Take no action and allow the current agreement to end on June 30, 2013; or
2. Extend the agreement for an additional term under new conditions.

Staff is recommending approval of a memorandum of understanding (MOU) to the existing agreement that would reduce the cost of the program and extend the term for 12 months through June 30, 2014. The City Council would continue to have the ability to terminate the agreement, without cause, with 45-days notice.

Fiscal Impact

The City's existing agreement with Redflex includes a monthly fee of \$3,000 for each of the five red light photo enforced approaches (\$15,000 per month). Under the terms of the MOU entered into in June 2012, Redflex lowered the monthly fee by \$7,500 for a period of nine months ending in March 2013 (savings of \$67,500). The proposed MOU would lower the monthly fee by \$6,250 per month beginning in April 2013 for 15 months through the end of the proposed extended term in June 2014. This would result in an unanticipated additional savings of \$18,750 in the current fiscal year and a savings of \$75,000 in the upcoming fiscal year. Overall, staff anticipate that this would cause the program to either break even or generate

some revenue, depending on the amount of legal services and staff time required, as well as the receipt of State grant funds and other revenues.

The red light photo enforcement program is a time intensive operation that requires a dedicated deputy to issue citations and appear in court. Unlike the majority of cities in California, 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 is also required to testify in court concerning initial camera procedures.

Expenditures related to the red light photo enforcement program have historically been offset by Vehicle Code Fines and California Supplemental Law Enforcement Services Funding (SLESF). Despite legislative improvements related to the State's granting of SLESF funds, staff continues to view the \$100,000 per year that the City receives as uncertain, particularly in light of the State's ability to delay and modify terms of payment. Vehicle Code Fines also continue to fluctuate. At this point, staff anticipate that current year fines will at least be received as budgeted.

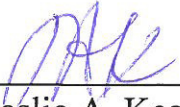
Advisory Committee Action

At their meeting on April 9, 2013, the Public Safety Committee unanimously voted to recommend that the City Council approve a memorandum of understanding with Redflex, including a 12-month term extension and cost reduction. Members of the Committee also encouraged the City to evaluate the use of in-pavement crosswalk lighting, permanent speed signs, and permanent prepare to stop signs as a means of improving intersection visibility and reducing red light violations.

Conclusion

The red light photo enforcement program allows the City to provide a level of traffic enforcement that would otherwise not be possible. The proposed MOU with Redflex would continue the program through June 2014 at a reduced cost.

Approved by:



Leslie A. Keane, City Manager

Attachment: 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 April 2013 ("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, and 2012 (collectively the "Agreement").
2. The term of the Agreement will end on June 30, 2013 unless the City exercises its right to extend the term of the Agreement for up to one (1) additional twelve (12) month period.
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, 2013 and ending on June 30, 2014. This extension shall be without prejudice to the City's termination rights under the Agreement.
2. Redflex will decrease the amount the City would otherwise owe Redflex under the Agreement by \$6,250 per month for fifteen (15) months beginning on April 1, 2013 and ending on June 30, 2014.

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 _____
Leslie A. Keane, City Manager

Date

REFLEX TRAFFIC SYSTEMS, INC.:

By  _____
Robert DeVincenzi, CEO

4-5-13

Date

APPROVED AS TO FORM:

David B. Cosgrove, City Attorney

Date