

# Agenda Report

**TO:** CITY COUNCIL **DATE:** June 13, 2005

**THROUGH:** PUBLIC SAFETY COMMITTEE

**FROM:** CITY MANAGER

**SUBJECT:** AMENDMENT TO SERVICES AGREEMENT NO. 17,712  
BETWEEN THE CITY AND NESTOR TRAFFIC SYSTEMS, INC.  
TO EXPAND THE AUTOMATED RED LIGHT CAMERA  
ENFORCEMENT PROGRAM

## **RECOMMENDATION**

It is recommended that the City Council:

Authorize the City Manager to amend Traffic Signal Violation Video-Monitoring Services Agreement No. 17,712 with Nestor Traffic Systems, Inc. to incorporate the conditions outlined in the background section of this report for the expansion of the automated red light camera enforcement program.

## **BACKGROUND**

On July 23, 2001, the City Council authorized the City Manager to enter into a service agreement with Nestor Traffic Systems, Inc. (NTS) to provide Automated Red Light Camera Enforcement Services in the City at five intersections. The agreement was executed on June 24, 2002 and, as negotiated, included a Phase 1 pilot program at two intersections with an option to expand the system under Phase 2 to an additional three intersections depending on the system's performance after 12 to 18 months of evaluation. This limited the City's financial exposure, while gaining valuable experience during its initial deployment.

The first Red Light Camera (RLC) was activated on June 10, 2003 for the north and south approaches of Lake Avenue at Union Street and the second was activated on December 16, 2003 for the north and south approaches of Marengo Avenue at Union Street.

A review of traffic collision history for the first four approaches after RLC activation revealed mixed results. There was a slight overall reduction of broadside collisions. However, documented evidence from other agencies has shown that the program can significantly improve traffic safety in the long term. For example, the City of Long Beach has experienced as much as a 35% reduction of total collisions at RLC locations after four years. Based on this, staff is recommending the continuance and expansion of the program.

It is anticipated that the expansion of the program will require one new FTE police officer to support the program.

### **CONDITIONS**

In the existing agreement, the fees are tiered, ranging from \$7,750 to \$12,000 per month, per approach, depending on the number of average monthly citations issued. In September 2003, Assembly Bill 1022 became law and required that automated red light camera vendors be paid a flat monthly fee, which cannot be based on the number of citations issued. This law essentially made the current tiered monthly fee noncompliant. To reduce the fees and comply with AB 1022, staff negotiated a flat monthly fee with NTS for \$4,900 a month per RLC approach, pursuant to the following mutually agreed upon conditions.

- 1) The new monthly per approach fee will apply to all new approaches activated up to a total of 11 approaches including the existing RLC locations under Phase 1.
- 2) The Phase 1 monthly approach fee for the four existing approaches at Lake/Union and Union/Marengo under the current agreement will continue and will be adjusted to the \$4,900 monthly approach fee after the activation of the first new approach under the Phase 2 expansion.
- 3) The new contract will include a 30-day warning period beginning with the activation date for each new RLC approach.
- 4) The five year contract term will commence after the activation of the last approach of at least nine and up to 11 approaches.
- 5) During the life of the agreement, NTS will be willing to relocate the RLC cameras to different locations at NTS's sole cost provided the new agreement term for the relocated equipment is mutually agreed to by the City.
- 6) The above conditions would supersede any conflicting provisions of the current agreement and remaining pertinent conditions will still apply.

### **NEW RLC LOCATIONS**

On March 28, 2005 Public Safety Committee meeting, staff presented potential locations for new RLC installations based on two criteria. The first criterion is based on a safety need: where the intersection ranks in terms of the highest number of traffic collision types (broadside, 90-degree collisions) that are susceptible to correction by the RLC. The second criterion is based on projected violations so that the program can remain cost neutral; projected violation fines will pay for the cost of running the program.

The Committee agreed with the criteria and methodology used for selection. Subsequent to that meeting, staff met with our RLC vendor to determine the feasibility of installing RLC at other locations that are within the top High Incidence Intersection Report but were not previously considered due to physical design constraints such as proximity with freeway bridges, and other factors. Our field investigations revealed that additional locations are feasible and were further explored. Staff is recommending that RLC be installed at the following RLC approaches:

- 1) Westbound Union Street at Marengo Avenue
- 2) Northbound San Gabriel Boulevard at Foothill Boulevard
- 3) Southbound San Gabriel Boulevard at Foothill Boulevard
- 4) Northbound Marengo Avenue at Corson Street
- 5) Eastbound Corson Street at Marengo Avenue
- 6) Eastbound Walnut Street at Pasadena Avenue

It should be noted that approaches 4 through 6 are Caltrans-owned intersection, and will be subject to a Caltrans encroachment permit. Upon approval of this amendment to the agreement, staff anticipates that the first three new RLC installations can be activated in August 2005.

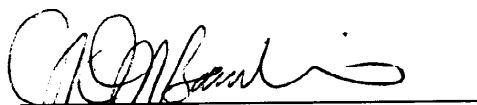
**FISCAL IMPACT**

Upon approval of this amendment to the agreement, the revenue and expenses for the expansion of the RLC program will be included in the FY 2006 Recommended Operating Budget for the Department of Transportation, as presented to the Finance Committee. This budget will include expanded program costs for NTS, electrical and administration costs. The request for one new FTE police officer is already included in the recommended budget for the Police Department. The increased costs will be offset by the projected increase in RLC revenues.

Respectfully submitted,

  
CYNTHIA J. KURTZ  
City Manager

Prepared by:

  
NORMAN BACULINAO  
Traffic Engineering Manager

Approved by:

  
JOYCE Y. AMERSON  
Director of Transportation