

CITY OF OAKLAND

AGENDA REPORT

2010 APR 15 PM 5:15
Office of the City Administrator

Attn: Dan Lindheim
From: Police Department
Date: April 27, 2010

Re: An Informational Report from the Office of Chief of Police Detailing the Status of Installing Red Light Camera Enforcement Systems in the City, Including any Obstacles, Issues, or Problems

SUMMARY

As requested by the Public Safety Committee on March 9, 2010, staff has prepared an informational report detailing the status of the Red Light Camera Enforcement Systems (RLCES).

FISCAL IMPACT

As previously reported, the cost (per installation) of the RLCES ranges from \$5,000 to \$6,000 per month depending on the number of lanes being monitored; however, actual pricing is determined on an intersection specific basis¹. PG&E's one-time connection cost has ranged from \$2,734 to \$14,124 per intersection. Their rate is based on the amount of work, and materials required to provide the necessary power connection to the system. The cost increases when PG&E must go a greater distance to connect power to the system, which may require trenching to run a power line.

To date, 14 cameras have been installed and are fully functioning out of the warning period. All revenues and expenditures are posted to the Traffic Safety Fund (2416), Traffic (107510), Red Light Camera Project (P328920), Traffic Program (PS14).

<i>Revenues and Expenditures through February 2010</i>				
Revenues		Expenditures		Net Gain/ (Loss)
Traffic Fines	\$411,570	Labor	\$86,050	
		O&M*	478,830.38	
Total Revenue	\$411,570	Total Expenditures	\$564,880	(\$153,310)

*O&M includes Redflex contract payments(expected to be \$82,500 per month for 14 cameras), PG&E, etc.

¹ Redflex advised they would be willing to renegotiate the contract and lower its monthly price per approach. Sacramento pays about \$4750, while we pay about \$5900. This reduction in price will likely require extending the term of the contract.

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The City's current agreement with Red Flex Traffic Systems (RTS) is for 37 months in an amount not to exceed \$4,320,000. Industry experience suggests that each system will have an issuance rate of 75%, and a collection rate of 60%. The City's portion of the standard fine is \$159.34 per violation.

Staff contacted the Alameda County Court system to determine if they could provide a breakdown of income generated per intersection, but was told the County did not have the personnel or technology to accomplish this task. Redflex cannot provide per intersection revenue information, because they do not have the capability to capture the data.

RTS Revenue Tracking

The program is in deficit for several reasons; first, eight of the 14 approaches have only been *live* for less than four months. Once an approach is live and issuing citations, it takes three to four months to collect the revenue from the citations. This time period includes the 60 day period in which the offender has the option to pay the citation or go to court; this is also the court's processing time period. If the offender chooses to contest the citation in court, it takes longer to collect the revenue.

The second reason is the PG&E installation costs. The City has spent \$51,519.33 on PG&E installation costs. It will take some time for the revenue to catch up to these expenses.

Finally, also contributing to the deficit is the backlog of "nominations" waiting to be processed. There is approximately \$77,000 waiting to be processed. This issue is discussed in detail below; staff has implemented a plan to reduce the number of nominations.

The revenue stream for the RLCES is uneven as a result of the collection process where revenue is collected as the citations are paid, not as they are issued. A violator may pay the citation quickly after receiving it or may instead choose to go to court. If the citation is disputed in court, the process is delayed for at least one month, usually longer.

The program currently has a net loss (to date) due to the high cost of the PG&E installation at each approach. Installation costs are one-time costs.

Revenues on the RLCES since the last report (November 2009) are as follows:

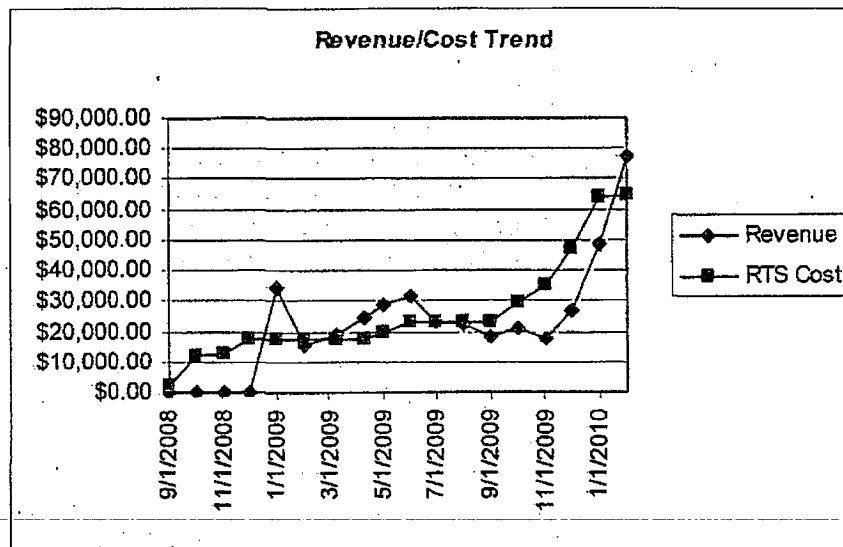
Month	Year	Revenues
November	2009	\$17,873.87
December	2009	\$26,507.82
January	2010	\$48,749.65
February	2010	\$77,082.59

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An analysis of revenues collected on the City's system was conducted by a Redflex business analyst; it was determined that the low revenues received by the City was a result of violators not paying their fines from citations.

Since the last report to the Public Safety Committee the revenue trend has been steadily upward; based on the current workload, the upward trend is projected to continue.

The chart below compares the cost of all of the Redflex Systems and gross monthly revenue received.



BACKGROUND

On September 4, 2006, in cooperation with the City's Purchasing Department, a competitive Request for Proposals process was initiated by the Department to identify a vendor to install Red Light Camera Enforcement Systems throughout the City to address problem locations with high frequencies of collisions where red light violations were listed as the primary collision factor. At the conclusion of the bidding processes (October 2, 2006), RTS was selected as the most qualified applicant to perform the installations, as they were the only vendor among the three vendors able to meet all of the requirements of the Department.

Implementation of the RLCES project was approved by the City Council on July 17, 2007 by Resolution No. 80789 C.M.S.

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KEY ISSUES AND IMPACTS

There are currently 14 RLCE\$ approaches installed and operational at 11 intersections; additional installations have been delayed pending a decision on the fiscal viability of program.

Since December 2010, revenue from RLCE\$ has steadily increased every month, and it is anticipated that this trend will continue until revenue reaches a plateau of approximately \$100,000 per month, based on the 14 installed approaches. The program appears to be headed for fiscal stability; revenue should level out around July 2010. At that time, a more realistic determination about the fiscal stability of the program can be made; however, at this time it appears the program will be self sustaining.

Challenges

As a result of an adjustment made in the yellow-light duration period at most of the RLCE\$ locations, revenues have decreased. Prior to this adjustment and after the installation of the System, yellow lights were set at three to four seconds. This change in the yellow light timing has resulted in a reduction of approximately 40 citations per day. The Transportation Services Division (TSD) and OPD are continuing discussions of the impact this change, and possible solutions.

The following chart shows the number of violations captured before and after the yellow light interval change². The time period depicted was chosen to capture the time when the 27th St and Northgate Ave approach went into the warning period to the time Transportation Services Division changed the yellow light timing (47days). An equal number of days after the yellow light phase change occurred is also charted for comparison purposes.

Approach	Number of Citations 11/11/09 – 12/27/09	Number of Citations 12/28/09 - 2/12/10
66 th Ave. & San Leandro Blvd. (W/B)*	254	146
66 th Ave & San Leandro Blvd (N/B)	345	142
Jackson St. & 7 th St.	124	52
MacArthur Blvd. & 82 nd Ave	212	95
Foothill Blvd. & High St.	217	157
High St. & Brookdale Ave	418	101
27 th St. & Northgate St.	3205	1690

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Approach	Number of Citations 11/11/09 – 12/27/09	Number of Citations 12/28/09 - 2/12/10
Northgate St. & 27 th St.	220	26
Market & 36th St.	40(In warning period 12/5/09)	180
Market St. & 35th St.	760(In warning period 12/5/09)	126
Redwood Rd. & 35th Ave	83(In warning period 11/30/2009)	38
Mac Arthur Blvd. & Oakland St.	Not operational during time period	145
Mac Arthur Blvd. & Beaumont St.	Not operational during time period	336

*Note the yellow light phase for the left turn pocket for San Leandro St. W/B was not changed.

While the change in the yellow light interval has resulted in a decrease in the number of citations issued and revenue gained, the action has decreased the demand on the Department's ability to process violations (fewer citations are more manageable).

Staffing

The RLCES program is staffed with 1.0 FTE Police Services Technician II (PST), and 1.0 FTE Police Officer (light duty). The program is currently up to date on the citations, but has a backlog of nominations (defined below). Although citations are currently up to date, violations can easily become backlogged if one of the two staff persons are out due to vacation, sickness, court, or other absence. The current system workload calls for two full-time and one part-time employee to prevent backlogs from occurring.

Additional concerns include the City's staffing reductions as a result of budget cuts. Should the City eliminate additional PST positions, there is a significant likelihood that the current RLCES coordinator (PST) will be laid off, which will critically impact the program's ability to function as this person has worked with the vendor (RedFlex) and the courts since the program's implementation, and has institutional knowledge of how the program should be administered.

Nominations

A Nomination is a signed statement submitted to the Police Department by the alleged violator declaring or "nominating" their innocence as the driver of the violating vehicle and identifying another party as the driver. Traditionally, nominations have resulted in a paid citation 75%-80% of the time. As of this writing, there are approximately 650 nominations (dating back to November 2009) waiting to be processed. At a 75% pay rate, there is approximately \$77,678.25 in nominations waiting to be processed. By factoring in the \$77,678.25 in nominations, the total revenue to the system is \$487,333.65, making the deficit differential \$36,121.21 instead of \$113,799.46.

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Collision Reduction

Collision information has been requested from the Traffic Engineering Division for the approaches that have been operational for the longest period of time. The other approaches have not been operational long enough to have made an impact. The chart below shows the collisions at each intersection one year before installation and one year after installation. Through 2009 for the 82nd & Macarthur approach.

Locations	"Live" Date	Date range before	Collisions one year before installation	Collisions one year after installation*
66 th Ave. & San Leandro Blvd.	9/26/08	9/25/07- 9/25/08	11	5
Jackson St. & 7 th St.	11/22/08	11/21/07- 11/21/08	4	1
MacArthur Blvd. & 82 nd Ave	5/21/09	5/20/2008- 5/20/2009	4	0

*except as noted above

There is no data available for 2010.

Cancellation of Contract

If a particular installation/approach has been in service for less than 3 years, then the City will be liable to reimburse Redflex for partial installation costs upon early termination of the contract. The installation cost of each approach varies, but has a ceiling of \$60,000. The City's reimbursement obligation is reduced by 1/36th for each month after the installation is put into service³.

³ According to section 7.6 of the contract with Redflex, "the City will be responsible for reimbursing Redflex an amount equal to the unamortized cost, as hereinafter defined, of the direct labor costs and direct material costs (but not including equipment cost and salvageable material costs) solely associated with the installation of Intersection Approaches which have been installed prior to termination. The regular amortization schedule will be 36 months and will not exceed \$60,000.00 per Intersection Approach. Starting on day 31 after the first Installation Date of the Photo Red light Program, the reimbursement obligation per Intersection Approach will be reduced by one thirty-sixth (1/36) for each month that passes."

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RLCES Locations

Location		Council District	Cameras	Status	Total
Major Street	Minor Street				
Jackson St.	7th St	2	East Bound	Live 9/26/08	1
San Leandro	66th Ave	6	North and West Bound	Live 9/26/08	2
Mac Arthur	82nd Ave.	7	East Bound	Live 5/21/09	1
Foothill Blvd	High St.	5	West Bound	Live 9/30/09	1
High St.	Brookdale Ave.	4	North Bound	Live 10/30/2009	1
27 th St.	Northgate St.	3	North and West Bound	Live 12/3/2009	2
Market	36th St.	1/3*	West Bound	Live 1/5/2009	1
Market St.	35th St.	3	East Bound	Live 1/5/2009	1
Redwood Rd.	35th Ave	4	East Bound	Live 12/30/2009	1
Mac Arthur Blvd.	Oakland St.	1/2/3*	West Bound	Live 1/29/2010	1
Mac Arthur Blvd.	Beaumont St.	2/5*	North and West Bound	Live 3/2/2010	2
Total Installations					14

*Crosses multiple Council District boundaries.

RedFlex has indicated they are able to complete installations within 30-days or less depending upon support from all required agencies, including the City Electrical Services Division and Transportation Services Division, which have both worked closely and effectively with RTS on the project. Other agencies include PG&E and Cal Trans, both of which have previously been a source of delay due to factors that include lengthy permitting processes, as well as project management assignments

The following information reflects the enforcement totals of each installation from its "Live" date through March 17, 2010.

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Locations	"Live" Date	Total Violations	Total Violations Accepted
66 th Ave. & San Leandro Blvd. (W/B)	9/26/08	3218	1868
66 th Ave & San Leandro Blvd (N/B)	9/26/08	5000	2733
Jackson St. & 7 th St.	11/22/08	1665	1213
MacArthur Blvd. & 82 nd Ave	5/21/09	1287	1171
Foothill Blvd. & High St.	9/30/09	947	658
High St. & Brookdale Ave	10/30/2009	1064	598
27 th St. & Northgate St.	12/3/2009	6950	4981
Northgate St. & 27 th St.	12/3/2009	320	82
Market & 36th St.	1/5/2010	375	177
Market St. & 35th St.	1/5/2010	950	548
Redwood Rd. & 35th Ave	12/30/2009	165	113
Mac Arthur Blvd. & Oakland St.	1/29/2010	261	154
Mac Arthur Blvd. & Beaumont St.	3/2/2010	940	558

PROJECT DESCRIPTION

Automated red light camera systems are designed to supplement conventional law enforcement by accurately identifying traffic violations (24-hours a day) without the presence of a police officer. The system works by continuously monitoring a traffic signal. After the signal phase turns red and a violator triggers the sensor system, a set of cameras provide a series of high resolution digital still photographs, and full motion video of the offending vehicle going through the intersection during the red phase (images of the offending driver's license plate and vehicle(s) are clearly captured). The camera records the date, time, speed of the vehicle and the elapsed time of both the yellow and red signal phasing. The system provides clear violation images 24-hours a day under a wide range of light and weather conditions. Images are carefully reviewed by law enforcement personnel, and a citation is mailed to the violator for infractions that clearly demonstrate a preponderance of evidence.

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While complete installation of the RLCES has not yet been achieved, areas where cameras are functioning have resulted in fewer collisions where red light violations are a factor. Additionally, the systems have captured valuable investigative information leading to the identification of a suspect in a violent crime, as well as capturing footage of a hit and run fatality.

SUSTAINABLE OPPORTUNITIES

Economic: It is anticipated that monthly revenues received from citations generated from the RLCES will approximate \$15,000 to \$25,000 (net); thereby increasing City funds available for use on traffic safety programs.

Environmental: There are no environmental opportunities identified in this report.

Social Equity: Use of the Red Light Camera Enforcement System will reduce the number of injury collisions involving vehicles and pedestrians, which will increase traffic safety throughout the City. Additionally, drivers will become more aware of the RLCES and drive more cautiously in other areas of the City. Installation of this system will also provide an opportunity for officers to monitor other parts of the City for traffic violations. In addition to traffic violations, the RLCES has already been used as a tool in capturing other criminal activities, including assault with a deadly weapon, vehicular manslaughter, and robbery; and assisted in the identification and arrest of the offenders.

DISABILITY AND SENIOR ACCESS

There are no ADA or senior citizen access opportunities identified in this report.

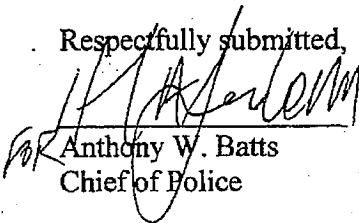
RECOMMENDATION

Staff recommends acceptance of this report.

APPROVED AND FORWARDED TO
THE PUBLIC SAFETY COMMITTEE:


Office of the City Administrator

Respectfully submitted,


Anthony W. Batts
Chief of Police

Prepared by:
Sgt. Steve Paich.
Support Operations Division
Bureau of Field Operations

Lt. Anthony Banks
Communications Division
Bureau of Services

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Hicks, Antone

From: Inman, Vivian
Sent: Monday, July 18, 2011 8:06 AM
To: Hicks, Antone
Cc: Darensburg, Shelley; Berens, Matt
Subject: Redflex Traffic Systems, Inc.
Importance: High

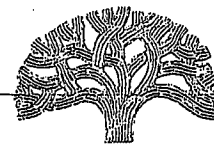
Antone,

Could you please assist me with this project. The dept. has been receiving LWO quarterly reports from this firm and therefore, we thought it was a PS contract. The State of California has requested information from the department regarding bonding, copies of contract etc. however, DCP does not have any of the requested information. Can you tell me how this project transpired, who was your contact in DCP, did it go through Contract Administration.

If this project did not come through us and copies of documents stored here then we will have to work together to compile this information. This is actually an urgent request.

Vivian Inman
Contract Compliance Officer
Department of Contracting & Purchasing
City of Oakland
250 Frank Ogawa Plaza # 3341
Oakland, CA 94612
(510) 238-6261 VM
(510) 238-3363 Fax

7/18/2011



DALZIEL BUILDING • 250 FRANK H. OGAWA PLAZA, SUITE 3341 • OAKLAND, CALIFORNIA 94612

Department of Contracting and Purchasing

July 19, 2011

(510) 238-3970
FAX (510) 238-3363
TDD (510) 238-2007

Ms. Pauline Edwards
Labor Commissioner, State of California
Division of Labor Standard Enforcement
2031 Howe Avenue # 100
Sacramento, CA 95825

RE: Photo Red Light Enforcement Program (Oakland)
Redflex Traffic Systems, Inc.

Dear Ms. Edwards:

Per your request of June 29, 2011, please find enclosed the following documents:

1. Copy of the contract (excluding specifications)
2. Copies of the certified payroll reports for Ray's Electric (subcontractor)
3. City of Oakland resolution # 80789

For the remaining items, as indicated below, you may contact Jimmie Jackson,
Purchasing Supervisor at (510) 238-7563.

Remaining Items

Performance Bond and Payment Bond
Bid notice and date first published
Pages listing prevailing wage rate for the project
Page advising contractor of legal requirements to pay prevailing wages
Notice of completion (county recorder filing) or acceptance document
Completion date


Should you have any questions or concerns please contact Jimmie Jackson at the number
listed above.

Very truly yours,

Shelley Darensburg

Shelley Darensburg
Senior Contract Compliance Officer

Cc: Jimmy Jackson

Labor Commissioner, State of California Department of Industrial Relations Division of Labor Standards Enforcement 2031 Howe Avenue Suite 100 Sacramento, CA 95825 916-263-6702 FAX: 916-263-2906	Edmund G. Brown, Jr., Governor 
Redflex Traffic Systems, Inc. 23751 N. 23rd Avenue Phoenix, AZ 85085 Hossein Sabbagh	
DATE: June 29, 2011	In Reply Refer to Case No: 40-29297/552

NOTIFICATION OF COMPLAINT FILED

PROJECT NAME Photo Red Light Enforcement Program (Oakland)	Project No. 0
Prime Contractor Redflex Traffic Systems, Inc.	
Subcontractor Redflex Traffic Systems, Inc.	

A complaint alleging violation of the Public Work Law (California Labor Code, Division 2, Part 7) has been filed in this office against the contractor(s) listed above. You are hereby advised an investigation is commencing of the above-named project to insure compliance with the provisions of the Labor Code. After an investigation, if it is determined that wages and/or penalties are due, a Civil Wage and Penalty Assessment will be issued pursuant to Labor Code Section 1741.

Sincerely,

STATE LABOR COMMISSIONER

By Pauline Edwards/for
 Amie Bergin
 Deputy Labor Commissioner I

Labor Commissioner, State of California
Department of Industrial Relations
Division of Labor Standards Enforcement
2031 Howe Avenue Suite 100
Sacramento, CA 95825
916-263-6702
FAX: 916-263-2906

City of Oakland
250 Frank H. Ogawa Plaza Suite 3341
Oakland, CA 94314



DATE:
June 29, 2011

In Reply Refer to Case No:
40-29297/552

REQUEST FOR INFORMATION, AWARDING BODY

PROJECT NAME Photo Red Light Enforcement Program (Oakland)	Project No. 0
Prime Contractor Redflex Traffic Systems, Inc.	
Subcontractor Redflex Traffic Systems, Inc.	

This office is currently conducting an investigation to determine if the above-mentioned contractor(s) are in violation of the Public Work Law, Labor Code sections 1720 through 1861.

To assist us in our investigation, copies of the noted (x) documents and information are hereby requested.

- ☒ Contract (excluding specifications)
☒ Performance Bond and Payment Bond (Labor/Material Bond)
☒ Bid Notice and Date First Published _____
☒ Page(s) Listing Prevailing Wage Rate for the Project _____
☒ Page(s) Advising Contractor of Legal Requirements to Pay Prevailing Wage
Name(s) and Address(es) of all Subcontractor(s) performing work on this project.

Certified Payroll Records Received by Your Agency From Contractor _____
☒ Notice of Completion (County Recorder Filing) or Acceptance Document. Please attach copy.
Date Project Began _____
☒ Completion Date _____ IF NOT, Estimated Date _____
☒ Amount of Money Still Being Held by Your Agency \$ _____
Inspector's Daily Log(s) _____
Actual Location of Project _____
☒ Other _____ Please advise if this project's funding requires the use of an approved Labor Compliance Program

Please be assured that the above requested information will be utilized for official purposes only. Thank you for your assistance.

STATE LABOR COMMISSIONER

By Pauline Edwards/for
Amie Bergin
Deputy Labor Commissioner I

Pauline Edwards

STATE OF CALIFORNIA
DEPARTMENT OF INDUSTRIAL RELATIONS - DIVISION OF LABOR STANDARDS ENFORCEMENT

~~CERTIFICATION OF SERVICE BY MAIL~~
(C.C.P. 1013a) OR CERTIFIED MAIL

I, Pauline Edwards, do hereby certify that I am a resident of or employed in the County of
Sacramento, over 18 years of age, and not a party to the within action, and that I am employed at
and my business address is:

Division of Labor Standards Enforcement
Bureau of Field Enforcement
2031 Howe Avenue Suite 100
Sacramento, CA 95825

On June 29, 2011, I served the within: (1) Notification of Complaint Filed,
(2) Request for Information, Awarding Body, (3) Request for Certified Payroll Records,
(4) Statement of Employer Payments, and (5) Public Works Payroll Reporting Forms A1-131.
by placing a true copy thereof in an envelope addressed as follows:

City of Oakland
250 Frank H. Ogawa Plaza Suite 3341
Oakland, CA 94314
0

Redflex Traffic Systems, Inc.
23751 N. 23rd Avenue
Phoenix, AZ 85085

and then sealing the envelope and with postage and certified mail fees (if applicable) thereon fully prepaid,
and then depositing it in the United States mail in Sacramento by:

☐ Ordinary first class mail
☒ Certified mail
☐ Registered mail

I certify under penalty of perjury that the foregoing is true and correct

Executed on June 29, 2011, at Sacramento, County of Sacramento, California

Pauline Edwards

SIGNATURE

7 JUL '11 AM 9:48

STATE CASE NO.
40-29297/552

PW 34

(Revised - 4/2002)