

professional services agreement with HBT Architects for resident project representation services for the Rochester Riverside Convention Center Roof Replacement Project. The agreement may extend until three (3) months after completion of a two year guarantee inspection of the project. Said amount shall be funded from Bond Ordinance No. 2009-67.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

Councilmember Miller moved to discharge Int. No. 171 from Committee.

The motion was seconded by Councilmember McFadden.

The motion was adopted by the following vote:

Ayes - Councilmembers Conklin, Lightfoot, McFadden, Miller, Palumbo, Pritchard, Spaul, Warren - 8.

Nays - None - 0.

Introductory No. 171 was introduced May 7, 2009 and appears in its original form with its transmittal letter on page 165 of the current Council Proceedings.

Ordinance No. 2009-435  
(Int. No. 171)

**Authorizing An Agreement For REDCO Services**

Passed unanimously.

By Councilmember McFadden  
December 15, 2009

To the Council:

The Public Safety & Recreation Committee recommends for adoption the following entitled legislation:

Int. No. 438 - Authorizing An Agreement For A Red Light Camera Program

Int. No. 439 - Local Law Amending The City Charter With Respect To Owner Liability For The Failure Of A Motor Vehicle Operator To Comply With Traffic-Control Indications

Int. No. 461 - Authorizing An Application And Agreement For An Urban Area Security Initiative Grant

Int. No. 462 - Authorizing An Agreement For The Tobacco Sales Enforcement Program And Amending The 2009-10 Budget

Int. No. 463 - Authorizing Agreements For Youth Services Programs

Int. No. 464 - Establishing Maximum Compensation For An Amendatory Professional Services Agreement For Training Services

Int. No. 465 - Authorizing An Agreement For A STOP Violence Against Women Recovery Grant And Amending The 2009-10 Budget

Int. No. 481 - Establishing Maximum Compensation For A Professional Services Agreement For An EMS Study

Int. No. 482 - Authorizing An Agreement For The Rochester Walks Program, As Amended

Int. No. 483 - Establishing Maximum Compensation For A Professional Services Agreement For The Hillside Work Scholarship Connection Program And Amending Ordinance No. 2009-172

Respectfully submitted,  
Adam C. McFadden  
Dana K. Miller  
Elaine M. Spaul (Voted against Int. Nos. 438 and 439)  
William F. Pritchard  
PUBLIC SAFETY & RECREATION COMMITTEE

Received, filed and published.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2009-436 and  
Local Law No. 13  
Re: Agreement - Redflex Traffic Systems, Inc., Red Light Camera Project

Transmitted herewith for your approval is legislation related to the adoption and installation of a red light traffic enforcement camera system. This legislation will:

1. Establish a red-light traffic enforcement demonstration program as allowed by New York State Vehicle and Traffic Law. This program will:
  - Allow the installation of a camera monitoring system at up to 50 intersections;
  - Impose a fine of \$50 to the owners of vehicles failing to stop at red lights;
  - Assess an additional penalty of \$25 if the original fine is not paid within 30 days;
  - Provide for adjudication of citations in the City's Parking Violations Bureau; and
2. Authorize an agreement with Redflex Traffic Systems, Inc., Phoenix, AZ, to install, operate, monitor, and maintain a camera system at designated signalized traffic intersections to identify vehicles that fail to stop at red lights, and to process citations and the collection of fines, including Internet collections.

On April 2, 2009, the City Council adopted Resolution No. 2009-7, thereby authorizing New York State to allow the City of Rochester to establish a pilot program for the installation of cameras at up to 50 intersections to monitor red light violations. The State authorized the program pursuant to Chapter 22 of the Laws of the State 2009, which added a new section 1111-b to the Vehicle and Traffic Law to govern the program.

The goal of the Red Light Camera Project is to increase public safety through the reduction of traffic accidents caused by drivers who fail to stop at red lights. Data from several independent sources show significant reductions in the number of red light violations, as well as reductions in accidents and injuries. A summary of data is attached. In addition, using cameras for traffic enforcement will allow the Police Department more flexibility in assignment of officers for other purposes.

Using information provided through the Rochester Police Department and the County of Monroe, potential intersections for installation of red light cameras have been identified where traffic volume is highest and accidents are most likely to occur. The decision of which intersections will have cameras will be made jointly by the Police Chief and the City Engineer.

A Request for Proposals was issued to five firms known to provide this equipment/service; the RFP was also posted on the City's Web site. Proposals were received from four firms - Gatso USA (Beverly, MA), American Traffic Systems (Scottsdale, AZ), CMA Consulting Services (Latham, NY) and Redflex - and were reviewed by an interdepartmental team. Based on qualifications, cost, and experience, Redflex is recommended.

Redflex will provide the following services:

- Consultation/advice on intersection selection.
- Provision, installation, monitoring, and maintenance of all equipment.
- Processing of citations and collection of fines.
- Coordination with RPD and the City's Parking Violations Bureau for verification and any necessary adjudication of citations.
- Coordination with the County of Monroe for access to traffic signal equipment and payment for power use.

The system to be provided will have the capacity to:

- Provide still shots of vehicles approaching and moving through the intersection, available online to individuals receiving citations for review.
- Provide internet access to video clips of violations for those receiving citations.

- Process citation verification and payment online.

Once violations are recorded, they are reviewed by Redflex and forwarded to the Police Department for verification. Upon verification by the Police Department that a violation has occurred, Redflex will issue and mail citations to the owners of vehicles that have failed to stop at a red light, and collect the fines and any late fees. The citations will include instructions on accessing the Web site, where the vehicle owner will be able to view the still photos and video clip of the incident, and pay the fine.

The City will pay Redflex a fixed fee of \$4199 per camera per month, which will be provided from revenue generated by the collection of fines from violators. The agreement will provide for cost neutrality to the City; no payments to Redflex will be required in excess of revenue collected through the program. The fee may be changed annually based upon changes in the CPI.

The collection account will be available for review and auditing purposes to the City Treasurer.

The term of this agreement will be through December 1, 2014, the end date of the State's authorization of the demonstration program. The option of two two-year renewals will be included on condition of the State's continuation of the program.

Respectfully,  
Robert J. Duffy  
Mayor

Attachment No. AI-142

Ordinance No. 2009-436  
(Int. No. 438, As Amended)

**Authorizing [An] Agreements For A Red Light Camera Program**

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into an agreement with Redflex Traffic Systems, Inc. for a demonstration program imposing monetary liability on the owner of a motor vehicle for failure of an operator thereof to comply with traffic-control indications in the City in accordance with the provisions of § 1111-b of the New York State Vehicle and Traffic Law. Such agreement shall allow Redflex to install and operate traffic-control signal photo violation-monitoring devices at no more than fifty intersections within the City at any one time through December 1, 2014, with two additional renewal terms of two years each if § 1111-b is extended by the State. Redflex is authorized to prepare and mail notices of liability on behalf of the City, upon approval of such notices by a technician or police officer employed by the City, and to mail follow-up notices if requested by the City, and to]. The City shall collect fines and penalties for such violations in accordance with the schedule approved by the Parking Violations Bu-

reau. The agreement may provide for payment of such fines and penalties through the internet, upon terms, conditions and service fees as approved by the City Treasurer. The Mayor is further authorized to enter into such agreements as may be necessary with the County of Monroe and State of New York to implement the Red Light Camera Program.

Section 2. The agreement shall obligate the City of Rochester to pay an amount not to exceed \$[4,199] 3,740 as a fixed monthly fee for each camera, together with costs to be approved by the City for additional services that may be provided by Redflex, and the City responsibility for damage or removal of Redflex equipment, and said amounts, or so much thereof as may be necessary, are hereby appropriated from funds to be received from fines and penalties collected for failure of an operator of a motor vehicle to comply with traffic-control indications. The monthly fees may change annually based upon changes in the Consumer Price Index. The agreement shall provide for cost neutrality for the City.

Section 3. The agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 4. This ordinance shall take effect immediately.

Bracketed material deleted; underlined material added.

Passed by the following vote:

Ayes - Councilmembers Conklin, Lightfoot, Miller, Palumbo, Pritchard, Warren - 6.

Nays - Councilmembers McFadden, Spaul - 2.

Local Law No. 13  
(Int. No. 439)

**Local Law Amending The City Charter With Respect To Owner Liability For The Failure Of A Motor Vehicle Operator To Comply With Traffic-Control Indications**

BE IT ENACTED, by the Council of the City of Rochester as follows:

Section 1. Chapter 755 of the Laws of 1907, entitled "An Act Constituting the Charter of the City of Rochester", as amended, is hereby further amended by adding a new subsection F to Section 6-6, Parking Violations Bureau, to read in its entirety as follows:

- F (1) The City hereby establishes a demonstration program in accordance with the provisions of § 1111-b of the New York State Vehicle and Traffic Law, imposing monetary liability on the owner of a motor vehicle for failure of an operator thereof to comply with traffic-control indications in the City. Such demonstration program shall allow for the installation and operation of traffic-control sig-

nal photo violation-monitoring devices at no more than fifty intersections within the City at any one time.

- (2) Adjudication of the liability imposed upon motor vehicle owners by this section shall be by the Parking Violations Bureau.
- (3) A motor vehicle owner liable for a violation pursuant to this program shall be liable for monetary penalties in accordance with a schedule of fines and penalties to be promulgated by the Parking Violations Bureau. The liability of the owner pursuant to this program shall not exceed fifty dollars for each violation; provided, however, that an additional penalty not to exceed twenty-five dollars for each violation shall be added for the failure of the owner to respond to a notice of liability within thirty days from mailing of a notice of liability.

Section 2. This local law shall take effect immediately and shall expire on December 1, 2014.

Passed by the following vote:

Ayes - Councilmembers Conklin, Lightfoot, McFadden, Miller, Palumbo, Pritchard, Warren - 7.

Nays - Councilmember Spaul - 1.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2009-437  
Re: Agreement - New York State Office of Homeland Security, Urban Area Security Initiative Grant

Transmitted herewith for your approval is legislation authorizing an application to the New York State Office of Homeland Security for \$559,748 in grant funding through the Urban Area Security Initiative program for the Rochester Police and Fire Departments. Funding will be appropriated at a later date.

The term of this grant is August 1, 2009 to July 31, 2012. The activities related to UASI are closely coordinated among the law enforcement and emergency management entities in the City, Monroe County, and outlying counties, creating a regional approach to homeland security. This year, the focus of funding primarily is for equipment for detecting and responding to chemical, biological, and/or explosive device incidents. The previous cycle of funding under this program was authorized by City Council Ord. No. 2008-390 in November 2008.

The grant award includes 3% for administrative overhead. No matching funds are required.

Respectfully submitted,  
Robert J. Duffy  
Mayor