

**City Council Meeting
Council Chambers – 7:00 PM
Tuesday, March 5, 2013**

Correspondence from the public pertaining to

Item #5

5. Approval of Phase-Out of the City's Red Light Camera Program

March 2 - 4, 2013

Email from Mr. Mike Finholt

Miriam Lens

From: mike finholt
Sent: Monday, March 04, 2013 1:30 PM
To: CityClerk
Cc: Roger Jones
Subject: Re: RLC
Attachments: Red Light Camera Letter.pages

Dear City Cleark,

This is the re-send. I'll also cut and paste just in case. Mike Finholt

Letter to the Editor,

My own ticket cost me over \$500 in The City. I thought it was the money maker for whomever by now has some deep pockets. It was way too much to pay. I fought that beast all the way to trial. We put it off until the last minute and got extensions. This is the best way, to stall the ticket. The laws will change soon if everybody bellyaches. They gave me an offer of half the fine, but I was stubborn and wanted the win on percentage that nobody would show up at trial. Well, they had two stiffs there against me. It didn't matter to me. I wanted to monkey-wrench their operation. They got me, but was able to go to traffic school after being "guilty." One stiff was the sponsor of the red-light firm. The other a cop in charge of the camera set-up. I wanted a real witness, not some picture-taking robot, eye-in-the-sky. I should have brought up the fact that shorter amber lights cannot by law be safe. Or that these cameras may cause accidents by creating fear of paying such a large fine. It almost happen to me when I didn't want to pay another half K fine. The strobe flashed away at someone else while I was making a right. I hit the brakes hard. Nobody was there behind me.

I'd like the city council to take action on option two Tuesday night at the big meeting of Hayward City Council, which will be largely attended by people like me: frustrated down and outers with no cash to spend in the local economy. Ya, it should be a big turnout. Mike Finholt

From: CityClerk <CityClerk@hayward-ca.gov>
To: mike finhol
Cc: Yolanda Cruz <Yolanda.Cruz@hayward-ca.gov>
Sent: Monday, March 4, 2013 10:22 AM
Subject: RE: RLC

Mr. Mike Finholt,

Thank you for your email. I could not open your attachment. Will you please resend it?

Regards,

Miriam Lens, CMC MPA

City Clerk

City of Hayward | Office of the City Clerk | 777 B Street | Hayward, CA 94541 |

Phone: 510-583.4401 | Email: Miriam.lens@hayward-ca.gov

www.hayward-ca.gov | [City Clerk's Blog: www.hayward-ca.gov/cityclerk/](http://www.hayward-ca.gov/cityclerk/)

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From: mike finholt
Sent: Sunday, March 03, 2013 5:39 PM
To: CityClerk
Subject: RLC

Dear City Clerk,

Please distribute this attachment to all members of Hayward City Council A.S.A.P. Thank you, Mike Finholt

Email from Jo Chavez-Backster

Miriam Lens

From: Jo Chavez-Backster on behalf of Jo Chavez-Backster
Sent: Monday, March 04, 2013 10:53 AM
To: CityClerk
Subject: Cancel traffic camera contracts

PLEASE DISTRIBUTE TO CITY COUNCIL MEMBERS, CITY MANAGER AND CHIEF OF POLICE

Council Members, please vote to select this option.

Option Two, System Wide Termination-- If the City were to unilaterally terminate the entire contract without cause in June 2013 (five years from the date of the first installation), the City would incur an immediate cost based on the unexpired term for the later installations (i.e., those approaches that have not yet been in place for five years). According to calculations provided by Redflex's legal counsel based on costs of installation, if the City terminates the entire contract in June 2013, the City may have to pay approximately \$108,000 in unamortized costs. This option does not allow for an incremental reduction of the red light camera system to coincide with an incremental increase in staffing of traffic officers. With this option, operating costs associated with the program would cease (the two community service officer positions dedicated to the program would be cut and overhead costs eliminated), with the exception of the unamortized cost payment described above. While doable, staff does not recommend a system-wide termination, unless it is compelled by a Supreme Court determination that automated red light camera evidence is inadmissible.

Thank you,

Jo Chavez-Backster

Email from Mr. Roger Jones

Miriam Lens

From:
Sent: Sunday, March 03, 2013 12:24 PM
To: Miriam Lens
Subject: Fwd: Comment on Report to Council re: Red Light Cameras

Dear Miriam,

I just sent the email below to each council member individually as well as to Chief of Police and City Manager.

If possible, can you include this in the "materials received from public" on the Council meeting agenda website?

Thank you.

Roger Jones

-----Original Message-----

From: rlouisj
To: Michael.Sweeney <Michael.Sweeney@hayward-ca.gov>; Marvin.Peixoto <Marvin.Peixoto@hayward-ca.gov>; Barbara.Halliday <Barbara.Halliday@hayward-ca.gov>; Mark.Salinas <Mark.Salinas@hayward-ca.gov>; Greg.Jones <Greg.Jones@hayward-ca.gov>; al.mendall <al.mendall@hayward-ca.gov>; "Francisco.Zerme?o" <""Francisco.Zerme?o""@hayward-ca.gov>
Cc: diane.urban <diane.urban@hayward-ca.gov>; citymanager <citymanager@hayward-ca.gov>
Sent: Sun, Mar 3, 2013 12:10 pm
Subject: Comment on Report to Council re: Red Light Cameras

Dear Honorable Councilmember,

I would like to comment on the Police Report to Council concerning Red Light Cameras. While I agree with many of Chief Urban's findings that the red light cameras have not proven to provide the promised safety benefits, I do not agree with her recommendation for selecting Option #1.

Option #1 says let each camera expire at the end of its own particular 5-year term. This means 4 cameras would still be in operation for 2 more years and a fifth camera for roughly one more year. The remaining 5 would go dark later this year.

Either you're in or you're out. If the cameras are not for safety then why continue?

Everything the Chief says led me to believe she would recommend Option #2 which says to terminate all cameras at the first opportunity which she says in June of this year. This is the correct option. Yet, she recommends that a majority of the program to remain in effect for 2 more years. There are 3 reasons given for her recommendation of Option #1.

1. It may not cost the city any money to do so. This assumes the Court rectifies an accounting error and correctly credits the city's share of ticket revenue. This is a rather large assumption. It has been over one year and no progress on this issue has been made that I have seen. Oakland, Emeryville, and Fremont have made the same complaint and I assume San Leandro and Newark, as well. It may never be learned if ticket revenue actually, in fact, exceeds operating costs.

2. The second reason has something to do with time to increase traffic enforcement staffing levels. Quite frankly, I don't understand this. Once Hayward terminates the Camera Program the salaries of the 2 community service officers as well as any other support staff can be reallocated.

3. A 3rd reason is that she mentions an early termination of all cameras may cost the City a \$108K early termination fee. This price is peanuts. In the next 2 years, based on current citation rates (which are not coming down), there will over 18,000 red light citations issued. Tickets with price tags exceeding \$9,000,000.

But, there is more than enough money coming through the pipeline to more than offset the paltry \$108K fee. In the last 60 days there have been about 3,000 citations issued. Most will be routinely paid as most tickets are. Income from these and thousands more tickets further up the pipeline for which the city has not received their share of revenue will far exceed the \$108K early termination fee. The net cost to the City will be zero. Payments to Redflex will cease on the date of termination but not the income from the outstanding tickets.

The potential downsides from NOT terminating the program as soon as possible:

1. You will be saying to your constituents: "while there has not been a provable safety benefit, we will continue the program and issue a projected 18,000 more camera tickets while we phase out the program."

****NOTE:** 2 of the 4 remaining cameras are the infamous ones on the freeway onramps to Hwy 880 at A Street. (Surely you must have heard of these from your constituents). Over half the tickets issued are from these 2 cameras. That percentage will go up because 3 of the 4 cameras which would go off-line this year are decidedly low earners. They don't pull their weight. The profit margin from the program will actually increase. Also, while Table 7 indicates some small increments of yellow time are scheduled to be added to a few signal lights, the yellow lights on these 2 onramps will remain at the absolute legal minimum. Again the fingerprint of Revenue over Safety.

2. Why continue the City's relationship with Redflex any longer than necessary. In October of last year stories of bribery and corruption on the part of Redflex in Chicago surfaced. These were countered by saying it was just a little bribery and corruption. Then, in early February of this year, the scandal spread. More allegations with much more money at stake. The CEO and another board member of the Australian parent company resigned. Then, just last week, even wider corruption was alleged. More resignations by Redflex executives. The Arizona CEO, CFO, and General Counsel all resigned last week. Is there more ahead? How closely do you want to be tied to this company? Do you want to be tied to it for 2 more years?

To conclude, the justification for keeping the program any longer than necessary is just not there. There is no safety reason shown. The only reason to wind the program down over time are economic reasons. Even the economic reasons to keep the program in force may not exist or are of such minor consequence to not even be worth serious consideration.

Sincerely,

Roger Jones
Organizer
Red Light Camera Protest Group of Alameda County

cc: City Manager, Chief of Police

Michael.Sweeney Michael.Sweeney@hayward-ca.gov, Marvin.Peixoto Marvin.Peixoto@hayward-ca.gov,
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Email from Mr. Jim Lisner

Miriam Lens

From: Jim
Sent: Sunday, March 03, 2013 1:40 PM
To: CityClerk
Subject: Hayward's red light camera contract - for council meeting of March 5

3-3-13

To City staff: Please distribute this email to the members of the City Council, and place it on the March 5 Council agenda under the red light camera item.

Honorable Mayor and Councilmembers:

Please consider Option 2, an immediate shut down of all cameras. And please make it now, not in four months. (There is no technical bar to doing it immediately; the El Cajon City Council did just that, last Tuesday and Mayor Filner in San Diego did just that, last month.)

Also, Table 4 is incorrect. The State and Federal minimum for all yellow lights is 3.0 seconds, so even after the increases proposed by engineering staff, five of the eleven movements listed in Table 4 will have yellows set right at the minimum allowable under law, not well above the minimum as one might think after reading the table as published.

Regards,

Jim Lisner

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|Viva Hermosa!

Email from Akien Maclain

Miriam Lens

From: Akien MacIain
Sent: Saturday, March 02, 2013 12:45 PM
To: CityClerk
Subject: I want to lend my voice to the traffic lights/cameras discussion

I just learned, from doing follow on research to the email below, that my city, Hayward, has the absolute minimum yellow light lengths, and it's one of the few locations in the state to do so. And that most of the red light infractions are because of less than one second on the timing of the lights.

C'mon people, this is ridiculous. Safety first, not revenue.

I want cops to write tickets, not cameras.

I want yellow light times that are in the middle of the range, not timings geared to maximuze revenue.

For The *People*.

--

Akien MacIain

----- Forwarded message -----

Date: Sat, Mar 2, 2013 at 12:24 AM
Subject: FYI: Action Alert - Let Hayward officials hear from you!
To: Akien MacIain

Begin forwarded message:

Subject: Action Alert - Let Hayward officials hear from you!
Date: February 27, 2013 8:32:28 AM PST

Subject: Action Alert - Let Hayward officials hear from you!

We still need more people to let the City Council know that enough is enough. Red Light Cameras are much more about revenue than safety. Despite massive ticketing, cameras do not reduce the number of violations. Evidence is mounting that adding a small amount of time to yellow lights will reduce

violations dramatically. . . AND the reductions will be long lasting. However, the impact on revenue is also great and that is why this strategy is not employed.

If you have not already done so, please send your thoughts in your own words to the Hayward City Council using this email address: cityclerk@hayward-ca.gov If you send an email by Friday, it will be included in the agenda packet.

Successfully shutting down the cameras in Hayward should help influence the other 12 Bay Area camera towns to follow suit. Emeryville shut down their program just last year.

The Council is scheduled to hear the matter on Tuesday, March 5th at 7:00 pm.

Let the Council know that rather than issuing more than 15,000 of these tickets each year with associated fines, fees, and assessments of \$8 million per year, it would be a far better idea to actually reduce red light running and leave this huge sum in the pockets of residents, visitors, and shoppers.

Below is my letter to the editor published today (Feb. 27) in the Oakland Tribune and Argus newspapers:

Hayward considers longer yellow lights

The Hayward Police Department is scheduled to present a new contract proposal for photo enforcement of red-light violations to the City Council at 7 p.m. Tuesday at City Hall. Critics of the ticketing program wonder if the Hayward police and engineering departments will disclose that a vast majority of violations occur within a fraction of a second after a light turns red.

An analysis of the data provided by the city show that 71 percent of violations from the straight-through lanes of traffic occur within the first 0.7 seconds of the red light.

One signal light in Fremont had 0.7 seconds added to its yellow and there was an immediate and lasting 75 percent reduction in violations of the straight-through type.

Newark, which already employs yellow lights 0.7 seconds longer than the legal minimum, reports that fewer than 10 percent of all violations occur in the straight-through lanes of traffic. Oakland reported in one study period a 48 percent reduction from all lanes of traffic when one second was added to most of its yellow lights.

Camera critics contend this simple and inexpensive solution to any red-light-running problems is not more widely used because it severely impacts revenue. When Caltrans lengthened that one yellow light in Fremont, income fell by more than \$100,000 annually.

On Tuesday, Hayward may reveal how it chooses to balance safety needs versus revenue requirements.

Fremont