

## Memorandum

To: Honorable Mayor Shetter and members of the Burleson City Council

From: Curtis Hawk, City Manager

Date: May 18, 2009

Subject: Amendment to Automated Red Light Services Contract and Right of Way Use Agreement with American Traffic Solutions, Inc (ATS).

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### **Council Action Requested:**

Approve an amendment extending the Automated Red Light Services Contract and Right of Way Use Agreement with American Traffic Solutions, Inc (ATS)

### **Background Information:**

Following City Council discussions in the fall of 2006 and January 2007, on August 9, 2007, the City Council approved Ordinance C-627-07 (providing for the implementation of an automated red light enforcement program in the City) and an Automated Red Light Services Contract and Right of Way Use Agreement with American Traffic Solutions, Inc (ATS). That approved Agreement provided commencement upon City Council approval and continue for five (5) years after the installation of the 4<sup>th</sup> red light camera system or six months, which ever occurs first. Under that agreement, the City pays ATS \$4,750.00 per month for each intersection approach.

Committee Substitute House Bill (CSHB) 300, as amended, has been approved by the House of Representatives and assigned to committee in the Senate. The bill includes a provision that gives the Texas Department of Transportation has jurisdiction regarding photographic traffic signal enforcement systems in Texas and charges TxDOT with adopting rules for these systems. The bill also prohibits cities from (1) entering into a new contract for red light cameras after June 1, 2009 and (2) renewing or extending the terms of a contract existing prior to June 1, 2009. Should the bill become law, the city's current contract with ATS will expire on March 30, 2013 (5 years after the installation of the 4<sup>th</sup> red light camera system which, according to ATS, occurred March 30, 2008).

Should the City Council wish to continue the red light camera enforcement program beyond March 30, 2013, the City Council must act to approve the attached amendment to the contract prior to CSHB 300 becoming law.

ATS has informed staff other Texas cities it serves are also considering amendments.

Those cities (and their expected extension terms) are:

Arlington	25 years
Irving	15
Fort Worth	15
Baytown	20
College Station	20
Balcones Heights	15

**Board/Citizen Input:**

N/A

**Financial Considerations:**

The financial terms are unchanged. The City pays ATS \$4,750.00 per month for each intersection approach.

**Attachment:**

Amendment to be provided at the May 18, 2009 Council meeting.

**Staff Contact:**

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