



MIAMI BEACH

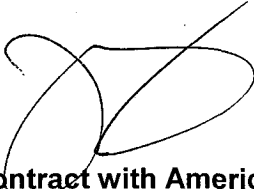
OFFICE OF THE CITY MANAGER

NO. LTC # **238-2010**

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2010 SEP -9 PM 3:28
LETTER TO COMMISSION
CITY CLERK'S OFFICE

TO: Mayor Matti Herrera Bower and Members of the City Commission

FROM: Jorge M. Gonzalez, City Manager 

DATE: September 9, 2010

SUBJECT: **Red Light Camera – Status of Contract with American Traffic Solutions, Inc. (ATS)**

The purpose of this LTC is to advise you of the status of contract negotiations with American Traffic Solutions, Inc. (ATS). On March 10, 2010 the City Commission directed the Administration to negotiate a contract with ATS for a Red Light Camera System. As part of the negotiations, the Commission directed the Administration to ensure that the contract with ATS was the same (or better) than the current contract with the City's other Red Light Camera System vendor, Affiliated Computer Systems Inc. (ACS).

The contract was included as part of the July 14, 2010 Commission agenda; however, the item was not heard due to a lack of quorum. The item was deferred and scheduled to be heard at the September 15, 2010 Commission Meeting.

The contract with ATS, with the exception of the added language to decommission or relocate a camera, is the same as the negotiated contract with ACS. Other changes are non-substantive and are primarily in the definitions section of the agreement in order to make it consistent with the new state legislation which now governs Red Light Photo Enforcement Programs such as the City's (the "Mark Wandall Traffic Safety Act").

On September 7, 2010, the City received a letter via email from Michael J. McAllister, attorney representing ATS, notifying the City that ATS would not be executing the contract in its current form, as the recent change in State law eliminates the ability for local jurisdictions to levy and collect late fees and collection fees.

As such, the item relating to the execution of a contract between ATS and the City has been pulled from the September 15, 2010 Commission Agenda. At this time, in accordance with Commission direction on May 10, 2010, no further action is required by the City on this matter.

The contract with the City's current vendor, ACS, remains in place and the implementation of the program is on-going. The Administration is preparing an amendment to the existing agreement with ACS for the Commission's consideration at an upcoming Commission Meeting, to add the language to decommission or relocate a camera, and to clarify and conform certain of the existing contract terms to the changes in State law.

If you have any questions or need any additional information, please feel free to contact me.

JMG/DM