
MEMORANDUM

CL-C 13-2020

Subject: Report PW 2-2020 – Implementation of Automated Speed Enforcement

Date: March 26, 2020

To: Regional Council

From: Carolyn Ryall, Director, Transportation Services

At its meeting held on March 10, 2020, the Public Works Committee, approved the following recommendation:

That Report PW 2-2020, dated March 10, 2020, respecting Implementation of Automated Speed Enforcement, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That Regional Council **AUTHORIZE** the use of automated speed enforcement technology on Regional roads for a five-year contract term with an option to extend for an additional five (5) years;
2. That the Commissioner of Public Works **BE AUTHORIZED** to negotiate, enter into and execute an operating agreement with Her Majesty the Queen in Right of Ontario, as represented by the Ministry of Transportation (the "MTO") of Ontario for the use of automated speed enforcement technology by Niagara Region including the access and use of license plate registration information subject to successful negotiations with the Local Area Municipalities with respect to the Niagara Region Courts Inter-Municipal Agreement;
3. That the Commissioner of Public Works **BE AUTHORIZED** to negotiate, enter into and execute an operating agreement with Redflex Traffic Systems (Canada) Limited to provide automated speed enforcement service for five (5) years from date of award during the second quarter of 2020 to 2024 in the amount of an upset limit of \$950,000 (including 13% HST) with an option to renew on the sole discretion of the Commissioner of Public Works, and subject to budget approval, for one additional term of five (5) years subject to successful negotiations with the Local Area Municipalities with respect to the Niagara Region Courts Inter-Municipal Agreement;

4. That the Commissioner of Public Works **BE AUTHORIZED** to negotiate, enter into and execute a partnering agreement with the City of Toronto for processing automated speed infractions at the Joint Processing Center subject to successful negotiations with the Local Area Municipalities with respect to the Niagara Region Courts Inter-Municipal Agreement; and
5. That following implementation of recommendations 1-4, Regional Staff will review the implementation strategy, including technology assessment, safety and educational evaluation, impacts on the Region's Provincial Offences Courts, countermeasures, and budget and revenue to cover the five (5) year period of 2020-2024 and **REPORT BACK** to Council with an update late 2020.

Subsequent to this report being approved at Public Works committee, it came to staffs attention that if the Niagara Region does not move forward immediately with the execution of the partnership agreement with the City of Toronto for processing automated speed infractions at the Joint Processing Center (recommendation #4), the Region's spot on the automated speed enforcement steering committee will be forfeited and the implementation of the vision zero initiative will be delayed. The City of Toronto will be moving forward immediately with the partnering agreement with only those municipalities that have signed the agreement and are ready to start implementation. For those municipalities that do not have signed agreements, access the partnership (JPC services) will at the discretion of the partnership and availability of resources. Niagara Region's ability to implement ASE under vision zero will be dependent on access back into the partnership being granted. As such, staff are recommending that we move forward with the agreement with the City of Toronto without an amendment to the Niagara Region Courts Inter-Municipal Agreement.

The original recommendation included reference to "subject to successful negotiations with the LAMs with respect of the Niagara Region Courts Inter-Municipal Agreement", in order to limit the Region's financial exposure in relation to the costs associated with the signing of agreements. Related to this partnership agreement with the City of Toronto, if the Region is not able to successfully negotiate the Niagara Region Courts Inter-Municipal Agreement and as a result does not move forward with this vision zero initiative, the Region would be required to provide to seek early termination of the partnership agreement with the City of Toronto. The agreement allows for early termination, but provides that obligations under the agreement, including the obligation to pay the City of Toronto invoices issued up to the date of termination, survive early

termination of the agreement. Given that in accordance with Council direction Staff will not proceed with implementation of this initiative unless the Inter-Municipal agreement is amended, Staff estimate the Region's financial exposure will be limited to the start-up costs (hardware/software and other equipment) which are estimated at \$57,000 and could be covered within the 2020 transportation operating budgets if the Region does not successfully negotiate an amendment to the Niagara Region Courts Inter-Municipal Agreement.

The following motion is before Council for consideration – changes have been bolded:

That Correspondence Item CL-C 13-2020, being a memorandum from C. Ryall, Director, Transportation Services, dated March 26, 2020, respecting Revised Report PW 2-2020– Implementation of Automated Speed Enforcement **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That Regional Council **AUTHORIZE** the use of automated speed enforcement technology on Regional roads for a five-year contract term with an option to extend for an additional five (5) years;
2. That the Commissioner of Public Works **BE AUTHORIZED** to negotiate, enter into and execute an operating agreement with Her Majesty the Queen in Right of Ontario, as represented by the Ministry of Transportation (the "MTO") of Ontario for the use of automated speed enforcement technology by Niagara Region including the access and use of license plate registration information subject to successful negotiations with the Local Area Municipalities with respect to the Niagara Region Courts Inter-Municipal Agreement;
3. That the Commissioner of Public Works **BE AUTHORIZED** to negotiate, enter into and execute an operating agreement with Redflex Traffic Systems (Canada) Limited to provide automated speed enforcement service for five (5) years from date of award during the second quarter of 2020 to 2024 in the amount of an upset limit of \$950,000 (including 13% HST) with an option to renew on the sole discretion of the Commissioner of Public Works, and subject to budget approval, for one additional term of five (5) years subject to successful negotiations with the Local Area Municipalities with respect to the Niagara Region Courts Inter-Municipal Agreement;

4. That the **Interim** Commissioner of Public Works **BE AUTHORIZED** to negotiate, enter into and execute a partnering agreement with the City of Toronto for processing automated speed infractions at the Joint Processing Center **subject to successful negotiations with the Local Area Municipalities with respect to the Niagara Region Courts Inter-Municipal Agreement; and**
5. That following implementation of recommendations 1-4, Regional Staff will review the implementation strategy, including technology assessment, safety and educational evaluation, impacts on the Region's Provincial Offences Courts, countermeasures, and budget and revenue to cover the five (5) year period of 2020-2024 and **REPORT BACK** to Council with an update late 2020.

Respectfully submitted and signed by,

Carolyn Ryall
Director, Transportation Services