



INTERNAL AUDIT DEPARTMENT

INTEROFFICE MEMORANDUM

Date: July 15, 2009

To: Honorable Mayor Ronald Jones
Members of the City Council
Members of the Audit Committee

cc: Brad Neighbor, City Attorney

From: Craig Hametner, City Auditor

Subject: Safelight Program - Follow-up

This is a follow-up of the Safelight Program Audit issued on June 30, 2008.

In the original memo, we noted the following issues:

- A large number of Safelight penalties have not been paid
- Garland is accruing expenses for Safelight equipment which is out of service
- We were unable to determine the correct values from the reports provided by the contractor
- The Safelight Hearing Officer needs more choices on his docket disposition screen to resolve citations
- Informal agreements, which change the terms of a contract, should be filed with the City Secretary

The following are the recommendations with responses that were noted with the follow-up results:

1. A large number of Safelight penalties have not been paid

Recommendation was: The City Manager, the Finance Director, and the City Attorney collaborate on a program with the Municipal Court, the Dallas County Tax Assessor, and the Texas Department of Transportation to hold the registration of vehicles with delinquent Safelight citations.

Response was: Agree. Staff has worked with the City of Austin, the Dallas County Tax Assessor, and TxDOT for more than a year to implement registration holds for both Municipal Court and Safelight citations. The Information Technology Department is developing and coordinating the technical requirements to make this happen. IT will provide a draft of the technology plan in June. Pending Court approval of the plan and

Council approval of the resource request, IT will begin configuration and set up. The timing for this work will be included in technology plan that IT is currently developing.

Follow-up: Dallas County officials have picked City of Garland to become the first city in the area to block vehicle registration to those who have not paid traffic court fines. In 1997, a law was passed that allowed taxing authorities to refuse vehicle registration if court fines were not paid. The Garland City Council is expected to approve the Scofflaw program on July 7, 2009. According to Municipal Court Director, if the Scofflaw program is approved by the Council the program should be up and running within a month. They should know how effective the program will be in six months.

Recommendation was Partially Implemented.

2. Garland is accruing expenses for Safelight equipment which is out of service

Recommendation was: Any future contracts with the red light camera contractor only allow payments for equipment which is operational.

Response was: Agree. However, no payments have been made to the contractor for equipment that was not operational. The new payment terms assumed that 12 camera locations would be operational. Since that assumption has not materialized due to ongoing TxDOT negotiations, staff plans to renegotiate that part of the agreement.

Follow-up: The Safelight Program had experienced unexpected delays in gaining TxDOT approval for the three new state highway intersections in which Garland planned to install red light cameras. Those cameras have now been installed. The three new cameras are operational and have been placed at the following intersections.

- Shiloh & Hwy 190 – operational on April 24, 2009
- 1st street & Ave B – operational on April 24, 2009
- Broadway & I-30 – operational on May 9, 2009

The contract with the City and ACS was revised in January 2008 and due to the concessions ACS granted, the City would still pay for the 3 cameras that were not operational. The cost would even out due to the revenue neutrality clause in the contract. This clause stated Garland will only pay for revenue collected, an operating allowance of \$7,000 per month to cover internal operating costs will be granted to the City, and ACS agreed to front the construction costs for the three new camera sites. The City will be reimbursing ACS for the construction costs over a 57 month period. This agreement was discussed with both the City Attorney and City Manager in an email and it was approved.

Recommendation was Fully Implemented.

3. We were unable to determine the correct values from the reports provided by the contractor

Recommendation was: The Program Manager contact the contractor about providing accurate and consistent information. This may include restructuring their database to

record dates of issuance, dates of collections, and dates of resolution which can be used for extracting reports rather than just violation dates.

Response was: Agree. Staff has discussed different reporting formats with the contractor and a new report is being developed that will list citation issuance dates, payment dates and resolution dates.

Follow-up: ACS has modified reports to include citation issuance dates, payment dates, and resolution dates.

Recommendation was Fully Implemented.

4. The Safelight Hearing Officer needs more choices on his docket disposition screen to resolve citations

Recommendation was: The Program Manager work with the contractor to add a generic “resolved” disposition for the Hearing Officer. This disposition would include an explanation of the case. Once entered, the case would be removed from his docket. His explanation should provide all the information about the case and clear it from the system. Making it generic would allow it to be used for many different situations.

Response was: Agree. Staff has requested the contractor to enable resolved cases to be removed from the hearing officer’s docket in a generic manner.

Follow-up: The docket disposition screen has been modified to include “not liable” and “other” choices for resolution of citations. There is also a section for notes to be added by the Hearing Officer.

Recommendation was Fully Implemented.

5. Informal agreements, which change the terms of a contract, should be filed with the City Secretary

Recommendation was: The Director of Finance sends copies of emails and any other correspondence relating to altered contract terms to the City Secretary’s office. If there is a need for contract details in the future, all the information would be available from the City Secretary.

Response was: Agree. All correspondence related to amended contract terms has been sent to the City Secretary.

Follow-up: On May 29, 2009 the City Manager and City Council approved a twenty-eight year contract extension from the original effective date of January 24, 2006 to the Automated Red Light Enforcement Services Agreement. The amended agreement was filed with the City Secretary on May 29, 2009.

Recommendation was Fully Implemented.