

**CITY OF MILLBRAE, COUNTY OF SAN MATEO
STATE OF CALIFORNIA**

RESOLUTION NO. 16 - 35

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILLBRAE
AUTHORIZING THE EXECUTION OF A FIFTH AMENDMENT TO AN
AGREEMENT WITH THE CITY OF SAN MATEO FOR AUTOMATED RED
LIGHT TRAFFIC ENFORCEMENT SERVICES**

WHEREAS, the City of Millbrae entered into an Agreement for Automated Red Light Traffic Enforcement Services with the City of San Mateo dated October 24, 2008 ("Agreement"); and

WHEREAS, on September 14, 2009, the Parties executed the First Amendment to take preventative measures to ensure the protection of confidential information; and

WHEREAS, on October 16, 2009, the Parties executed the Second Amendment to increase the number of cameras covered under this Agreement and the compensation to be paid; and

WHEREAS, on December 12, 2012, the Parties executed the Third Amendment to extend the term of the Agreement, clarify each Parties' responsibility in reviewing citations and increase the compensation to be paid; and

WHEREAS, on October 22, 2013, the Parties executed the Fourth Amendment to give the City of San Mateo full control of the Millbrae Automated Photo Enforcement program and increase the compensation to be paid; and

WHEREAS, the City of San Mateo initiated a review of the services provided under the Agreement and determined it was undercharging the City of Millbrae and absorbing significant program administration costs; and

WHEREAS, the Fifth Amendment to the Agreement addresses the adjusted costs for continuation of the Automated Red Light Traffic Enforcement Program and after evaluation, the City of Millbrae has determined that these adjusted costs are fair and reflect actual costs incurred by the City of San Mateo in providing these services; and

WHEREAS, staff has determined it is in the best interest of the City of Millbrae to continue to contract for Automated Red Light Traffic Enforcement services with the City of San Mateo and recommends that the City Council authorize the City Manager to execute the Fifth Amendment to this Agreement; and

NOW, THEREFORE BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF MILLBRAE authorizes the City Manager to execute the Fifth Amendment to the Agreement with City of San Mateo for Automated Red Light Traffic Enforcement Services with an annual cost for services in the amount of \$222,600 effective as of July 1, 2016.

REGULARLY PASSED AND ADOPTED this 27th day of September, 2016.

And Oliva

Mayor

ATTEST:

Elena Soto

City Clerk

I do hereby certify that the foregoing Resolution was duly and regularly passed and adopted by the City Council of the City of Millbrae this 27th day of September, 2016, by the following vote:

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| AYES: | COUNCILMEMBERS: | Oliva, Holober, Papan, Schneider, and Lee |
| NOES: | COUNCILMEMBERS: | None |
| ABSENT: | COUNCILMEMBERS: | None |
| ABSTAIN: | COUNCILMEMBERS: | None |
| EXCUSED: | COUNCILMEMBERS: | None |


CITY CLERK