

**Lee County Board Of County Commissioners
Agenda Item Summary**

Blue Sheet No. 20040900

1. REQUESTED MOTION:

ACTION REQUESTED: Authorize staff to schedule and advertise a Public Hearing on proposed revised toll structure for the Sanibel Bridges and Causeway for August 10, 2004 at 5:00 p.m. in Chambers.

WHY ACTION IS NECESSARY: Revisions to the Lee County Toll Structure require an advertise of public hearing.

WHAT ACTION ACCOMPLISHES: Allows County staff to proceed with advertising and scheduling a Public Hearing and places the item on the August 10, 2004 agenda for a public hearing to be conducted at 5:00 p.m. or as soon thereafter as it may be heard.

**2. DEPARTMENTAL CATEGORY:
COMMISSION DISTRICT #**

A9A

3. MEETING DATE:

07-27-2004

4. AGENDA:

- CONSENT
- ADMINISTRATIVE APPEALS
- PUBLIC WALK ON
- TIME REQUIRED:

**5. REQUIREMENT/PURPOSE:
(Specify)**

- STATUTE
- ORDINANCE
- ADMIN. CODE
- OTHER BOND COVERAGE

6. REQUESTOR OF INFORMATION:

- A. COMMISSIONER All
- B. DEPARTMENT Transportation
- C. DIVISION Administration

BY: Scott Gilbertson, Director

7. BACKGROUND: Lee County was scheduled to close on the 2004A Transportation Facilities Revenue Bonds in January, 2004 for replacement of the Sanibel Bridges. Due to lawsuits filed by the City of Sanibel and Save Our Bay Group, the 2004A Series were withdrawn from the market. Due to the lawsuits, increased interest rates, increased coverage requirements and increased construction costs, toll rates for the Sanibel Causeway will now require an increase in order to meet debt service coverage and enhance the bond rating.

Memoranda from the County's technical and financial consultants are attached, explaining the need for the proposed toll increase.

8. MANAGEMENT RECOMMENDATIONS:

9. RECOMMENDED APPROVAL:

A Department Director	B Purchasing or Contracts	C Human Resources	D Other	E County Attorney	F Budget Services				G County Manager
<i>7/13/04</i>				<i>J. J. [Signature]</i>	OA	OM	Risk	GC	<i>[Signature]</i>
					<i>BR 7/13</i>	<i>[Signature]</i>	<i>US 7/14/04</i>	<i>7/13/04</i>	<i>7.13.04</i>

10. COMMISSION ACTION:

- APPROVED
- DENIED
- DEFERRED
- OTHER

Rec. by CoAtty
Date: *7/13/04*
Time: *10:00*
Forwarded To: *Budget*
7/13/04 11:10

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COUNTY ADMIN: *[Signature]*
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11:20 AM
COUNTY ADMIN
FORWARDED TO: *[Signature]*
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4:45 PM

Recommended Toll Structure for Sanibel Bridge

Program	Existing	Proposed
Cash Toll	\$3.00	\$6.00
Discounted Prepaid Toll	\$0.50	\$3.00
3 axle	\$4.50	\$9.00
4 axle	\$6.00	\$12.00
5 axle	\$7.50	\$15.00
Extra Axles	\$1.50	\$3.00
Motorcycles	\$1.00	\$2.00
Annual Unlimited	\$150.00	\$600.00
Annual Prepaid	\$25.00	\$100.00
Semi-Annual Unlimited	\$90.00	\$450.00
Semi-Annual Prepaid	\$15.00	\$75.00
Annual Combo Unlimited	\$380.00	\$930.00
Annual Combo Prepaid	\$50.00	\$140.00
Semi-Annual Combo Unlimited	\$230.00	\$650.00
Semi-Annual Combo Prepaid	\$30.00	\$99.00



The PFM Group


13350 Metro Parkway
Suite 302
Fort Myers, FL
33912-4796

239-939-3009
239-939-1220 fax
www.pfm.com

July 9, 2004

Memorandum

To: Scott Gilbertson, Director
Amy Davies, Program Manager
Lee County Department of Transportation

From: Hal Canary, Managing Director
Kyrle L. Turton, Consultant
Public Financial Management, Inc. 

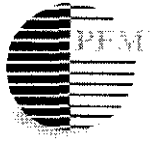
CC: Anthony Majul, Budget Director
Donna Harn, Finance Director
Jim Lewin, Fiscal Research Specialist
Marcia Simons, Debt Analyst
Lee County, Florida

Re: Transportation Facilities Revenue Bonds, Series 2004A

Recently, Public Financial Management Inc. ("PFM") has updated the Lee County ("County") Transportation Facilities Model ("Model") to assist in determining an appropriate Sanibel toll structure to support the Transportation Facilities Revenue Bonds, Series 2004A ("Series 2004A Bonds").

In December 2003, Lee County obtained bond insurance for the Series 2004A Bonds as well as the Transportation Facilities Refunding Revenue Bonds, Series 2004B ("Series 2004B Bonds") at a price of 118 basis points (or 1.18 percent of total debt service.) A typical insured revenue bond carries a premium of 55 basis points. The reason for the high premium is the "shadow" BBB rating assigned by Standard & Poor's Rating Group ("S&P") to the bonds and the capital charge for toll facility exposure. Lee County appealed the low rating by S&P and was told that an upgrade to the "A" category, which would reduce insurance premiums, would require improvement from the 1.54X coverage level presented to at least 2.0X coverage and a possible closure of the senior lien (i.e. never again pledging toll revenues to future senior-lien debt.)

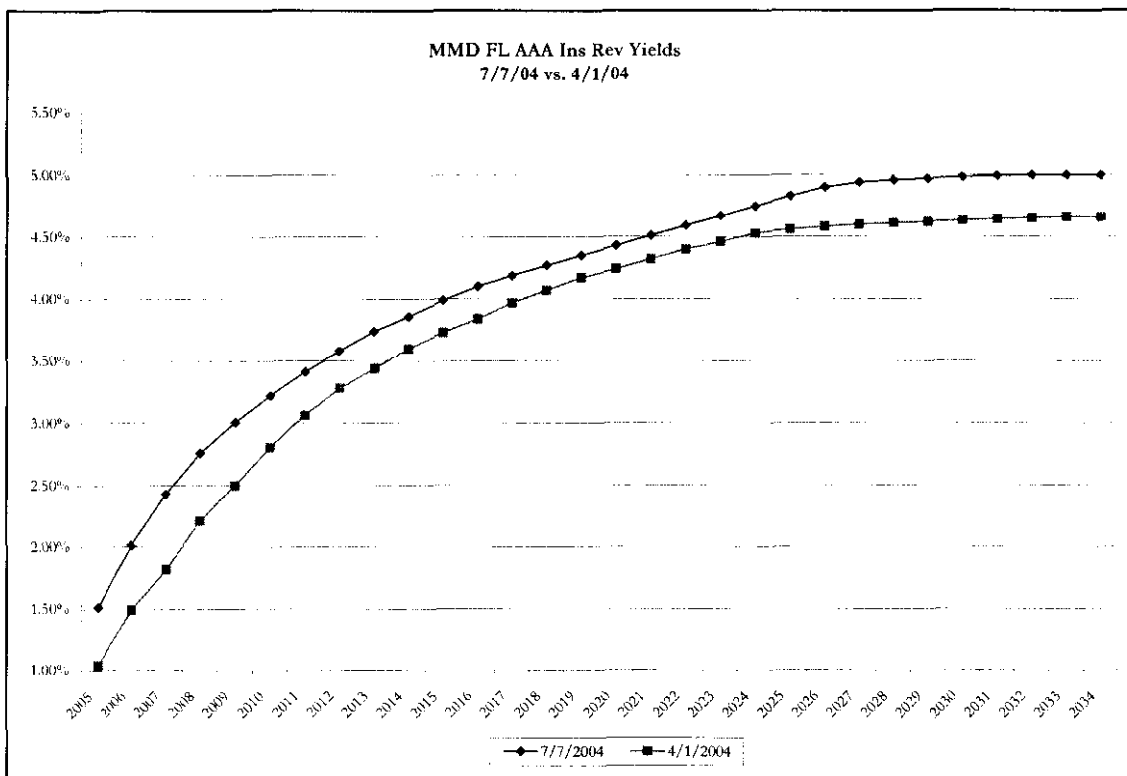
In January 2004, the City of Sanibel and Save Our Bay, Inc. filed lawsuits that caused Ambac to withdraw its insurance commitment and Moody's to withdraw its "A3" rating, thus barring the bond closing on the Series 2004A Bonds. Lee County had, on December 17, 2003, obtained an aggressive pricing by UBS Financial Services in a very favorable market, resulting in a True Interest Cost of 4.74 percent. The County anticipated that the closing of the Series 2004A Bonds could be postponed for approximately one year.



In light of the lawsuits filed against the County, the County determined that the delay of up to one year or more would likely result in unbudgeted legal costs, inflation of construction costs, rising interest rates and possibly more expensive bond insurance. These costs would necessitate an increase in toll revenues as the project had already been scaled back as far as possible and all ancillary funds had been assigned. In April 2004 the County learned that due to the rising cost of concrete and steel, the total cost of project had risen by \$44 million, from approximately \$66 million to \$100 million. Additionally, in May 2004, the County learned once again of a \$5 million project increase to \$105 million.

PFM originally suggested that, if Lee County were to consider revising the toll structure to meet the first three threats – legal costs, construction cost increases and interest rate increases – it should provide as well for the mitigation of high insurance costs. Raising toll rates to provide 2.0X coverage would greatly improve Lee County’s chances of S&P upgrading the Transportation Facilities credit to the A level, which would result in insurance premium savings. PFM did not intend to suggest that Lee County raise toll rates solely to meet 2.0X coverage or that the Sanibel Causeway replacement could not be financed at less than 2.0X coverage.

However, as shown by the following chart, over the past three months, rates have gone up precipitously – by an average of 33 bps per maturity – suggesting that the County would have to increase Sanibel tolls dramatically to achieve a 2.0X coverage level on senior-lien debt.



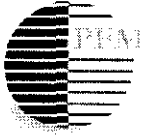


The County informed PFM that its primary concern was to keep Sanibel toll increases at a minimum. PFM advised the County that since 1) the Transportation Facilities credit carries such a high capital charge and will incur a reasonably high insurance premium regardless of its S&P shadow rating and 2) the County does not have a sizable Transportation Facilities capital improvement plan (to which the excess revenues could be applied), it should instead aim for implementing a Sanibel toll increase that will generate enough toll revenues to support Sanibel obligations by at least 1.0X.

PFM also informed the County that proposed toll increases would be less if debt service from 2005-2007 were lower. Unusually high payments in those years result from \$5.8 million due on non-callable maturities of the Transportation Facilities Revenue Bonds, Series 1995 ("Series 1995 Bonds") and Series 2004B Bonds, both of which financed portions of the Cape Coral/Midpoint Systems. Thus, PFM suggested that it would be prudent to apply a portion of Cape Coral/Midpoint surplus revenue to defeasing these 2005 – 2007 maturities.

In the most recent version of the Transportation Facilities Model distributed in July 2004, PFM provided the County with the scenario that demonstrated the minimum amount of additional Sanibel toll revenues needed to generate 1.0X coverage on Sanibel obligations. The scenario also featured the assumption that the County would contribute a total of \$6.5 million in Cape Coral/Midpoint surplus tolls from 2005-2007 to pay down the debt service on the Series 1995 Bonds and 2004B Bonds. Any legal costs associated with the defeasance would be funded by surplus Sanibel toll revenues. The County must increase Sanibel tolls to generate an additional \$6.2 million in revenues to achieve a coverage level of 1.0X on Sanibel obligations, which results in overall coverage of 1.86X on all senior-lien obligations. URS Corporation's traffic analysis suggests that a cash and discount toll structure of \$5 and \$3, respectively, could provide the required funding. PFM suggests that it would be prudent for the County to implement a higher toll structure of \$6 and \$3, as the following uncertainties are enormous:

- 1) The cost estimates on Span A are incomplete. Additionally, Spans B and C estimates were some \$30 million too low.
- 2) The Federal Reserve System has already begun a program to raise interest rates. Even PFM's conservative financing cost estimates may be inadequate if the Fed becomes more aggressive.
- 3) Concrete is becoming a scarce commodity in Southwest Florida. The quantities needed for the Sanibel Causeway may be unattainable at normal market prices.



- 4) Litigation is far from settled. Besides the potential funding impact of legal and consulting fees, litigation may delay the project well into 2005 (and increase likely unfavorable inflation and interest rate impacts) and result in a substantial monetary settlement.

For these reasons, PFM recommends that the County propose a toll structure of \$6 and \$3 for cash and discount tolls. We hope the County is in a position to reduce tolls in several years. We know the County would not want to raise tolls again in a several years. We continue to look forward to assisting the County in a timely and successful financing.



July 2, 2004

Ms. Amy Davies
Transportation Program Manager
Lee County Department of Transportation
P.O. Box 398
Fort Myers, FL 33902-0398

Re: Alternative Toll Scenarios for the Sanibel Causeway

Dear Ms. Davies:

In accordance with our agreement dated February 13, 2004, URS has developed alternative toll schemes for the Sanibel Causeway.

As a result of recent lawsuits filed against Lee County by the City of Sanibel and Save Our Bay, the issuance of the Series 2004A Bonds was postponed. These bonds were intended to pay for the design and construction of new Sanibel Causeway spans, including a high-level span to replace the existing bascule span. In addition to the increase in interest rates, the costs to construct replacement spans of the Sanibel Causeway have increased primarily due to the increase in material costs (primarily steel) and access difficulties. In order to proceed, the Department of Transportation (the Department) is seeking alternative ways to provide funds for the financing of the costs associated with the replacement spans.

The proposed alternative financing involves changing the existing toll structure on the Sanibel Causeway. Based on our previous communications, URS examined the following two alternative toll schemes:

1. Eliminate the discount tolls; and
2. Raise the cash toll and have a *LeeWay* toll of one-half of the cash toll (only class 2 vehicles that buy into a program would be eligible for the half-price toll).

As a part of this study, URS, in conjunction with CRSPE, Inc., conducted an origin-destination survey that was designed to obtain information on the present trip making characteristics of motorists using the Sanibel Causeway. The results of that survey were documented in a letter to the Department dated April 21, 2004.

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URS Corporation
One Penn Plaza, Suite 610
New York, NY 10119-0698
Tel: 212.736.4444
Fax: 212.629.4249

Highlights of the survey findings include the following:

- Passenger cars and light trucks make up the overwhelming majority of traffic (98.7 percent);
- A little under three quarters (70 percent) of the traffic has its origin in Fort Myers (59 percent) and Cape Coral (11 percent);
- A little over three quarters (77 percent) of the respondents stated that their trip purpose was either recreational in nature (41 percent) or a commuting trip (36 percent);
- The majority (62 percent) of trips were made either less than once a week (28 percent) or five-or-more days per week (34 percent);
- The average vehicle occupancy was 1.82 persons per vehicle;
- The two most prevalent methods of payment were *LeeWay* reduced toll (45 percent) and cash (32 percent);
- Most of the respondents either lived permanently in Lee County (65 percent) or a state other than Florida (29 percent); and
- Just over one half (55 percent) of the respondents stated that they stayed or lived in Lee County 12 months of the year. The next two highest responses were four to six months per year (13 percent) and visitors that made the trip less than once per week (10 percent).

In addition to the above results, a cross tabulation of trip frequency by trip purpose showed that 21 percent of those persons traveling less than once per week were on a recreational trip, while 28 percent of those who traveled five-or-more times per week were on a commuting trip. A second cross tabulation of frequency by method of payment indicated that 21 percent of those who stated they made the trip less than once per week paid the toll in cash, while those who made the trip five-or-more times per week used a discount *LeeWay* program (32 percent). Of those who used a *LeeWay* discount program, approximately half of them were in the reduced toll program and half were in the unlimited trips program.

In order to perform the analysis, the traffic was segregated into groups by payment type:

1. Cash and non-discounted *LeeWay*;
2. Fixed fee on an annual or semi-annual basis plus reduced toll (presently 50 cents) *LeeWay*;
3. Fixed fee on an annual or semi-annual basis for unlimited trips *LeeWay*;
4. Motorcycles; and
5. Vehicles with three-or-more axles.

To develop the impacts of the alternate toll schedules, a pro forma or “what if” model was developed using Fiscal Year 2002 data. FY 2002 data was selected as FY 2003 traffic data was affected by the Causeway structural problems. The various scenarios, including the effects of elasticity were applied against the base revenue for FY 2002, as provided by the Department. The percent difference between the FY 2002 pro forma scenario and the FY 2002 base revenue was then applied to the annual estimates for the five-year period, FY 2005 – FY 2009, as shown in the 2004 Official Statement for the Series 2004B Bonds.

Depending on the scenario, there were different elasticity factors for the different segments of the traffic, as noted above. Normally on a toll facility elasticity factors range from -0.1 to -0.2. An elasticity factor of -0.1 means that there is a ten percent decrease in traffic for each 100 percent increase in the toll. For this analysis we used elasticity factors ranging from -0.04 to -0.1.



To estimate the appropriate elasticity factors to use for this analysis we started by assuming a maximum elasticity factor of -0.1 . This factor is at the low end of the range because Sanibel is an island and thus most of the trips presently being made will continue to be made in the future. The elasticity factor of -0.1 would typically be applied to trips that pay cash (indicating infrequent use of the Causeway) and are recreational in nature. These are the motorists most likely to forego a trip to the island. For commuting trips made using a *LeeWay* transponder and having the unlimited option the elasticity factor used was -0.05 .

For the scenario where all discounts are eliminated, URS analyzed raising the base two-axle vehicle toll to \$5.00. Under this scenario motorcycles tolls would increase to \$2.00 and tolls for vehicles with three-or-more axles would increase to \$2.50 per axle. Table 1 shows the forecasted revenues for the five year period beginning Fiscal Year 2005.

Table 1
Sanibel Causeway
Estimated Gross Toll Revenues
No *LeeWay* Discount Programs

Fiscal Year	Gross Toll Revenues (000)
2005	\$12,900
2006	13,600
2007	14,200
2008	15,100
2009	15,100

The second scenario we analyzed included continuing the available discount programs. Under this scenario, the cash toll would rise from the present \$3.00 (for two-axle vehicles) to \$6.00. The reduced transponder rate is \$3.00, one half the cash toll. The toll for motorcycles would increase from \$1.00 to \$2.00 and the toll for 3-or-more axle vehicles would increase from the present toll rate of \$1.50 per axle to \$3.00 per axle.

Table 2 shows the present and proposed *LeeWay* program costs for the scenario where the transponder tolls are one half the cash toll for two axle vehicles, i.e., \$3.00 per transaction. It should be noted that in order to be eligible for the 50 percent discount toll motorists must buy into a *LeeWay* program as they do now. In addition, the unlimited trip option will still be offered.



Table 2
Sanibel Causeway
Proposed *LeeWay* Discount Program Costs
LeeWay Toll One-Half the Cash Toll

Program Type	Trip Option	Program Cost	
		Semi-Annual	Annual
Sanibel only	Reduced toll	\$75	\$100
	Unlimited trips	450	600
Combination ^(*)	Reduced toll	99	140
	Unlimited trips	650	930

(*) The cost for the Combination program is the sum of the cost of the Combination program for the Cape Coral and Midpoint Bridges plus the cost of the "Sanibel only" Combination program shown in the table above.

Table 3 shows the forecasted revenues for the five year period beginning Fiscal Year 2005.

Table 3
Sanibel Causeway
Estimated Gross Toll Revenues
LeeWay Discount Programs
LeeWay Toll One Half the Cash Toll

Fiscal Year	Gross Toll Revenues (000)
2005	\$13,700
2006	14,500
2007	15,200
2008	16,100
2009	16,100

It is our opinion that the gross toll revenue projections are reasonable and that they have been prepared in accordance with accepted practice. However, given the uncertainties within the current international and economic climate, URS and the County agree as follows:

- ▶ This report presents the results of our consideration of the information available to us as of the date hereof and the application of our experience and professional judgment to that information. It is not a guarantee of any future events or trends.
- ▶ The revenue forecasts will be subject to future economic and social conditions and demographic developments that cannot be predicted
- ▶ The projections contained in this report, while presented with numerical specificity, are based on a number of estimates and assumptions, which, though considered reasonable to us, are inherently subject to significant economic and competitive uncertainties and contingencies, many of which will be beyond our control and that of the Department. In many instances, a broad range of alternative assumptions could be considered reasonable. Changes in the assumptions used could result in material differences in projected outcomes.



- ▶ URS' gross toll revenue projections only represent its best judgment and URS does not warrant or represent that actual gross toll revenues will not vary from its projections, estimates and forecasts.

If, for any reason, any of these conditions should change due to changes in the economy or competitive environment or other factors, URS' opinion or estimates may be affected.

We appreciate the opportunity to be of service to the Department.

Sincerely,

URS CORPORATION

Kathleen Massarelli, AICP
Vice President

Neal Cohen
Project Manager

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LEE COUNTY RESOLUTION NO. _____

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA; AMENDING LEE COUNTY RESOLUTION NOS. 90-09-26, 90-09-27, 94-08-05, 96-12-105, 97-09-53, AND 01-06-58, RELATING TO THE CAPE CORAL, MIDPOINT MEMORIAL AND SANIBEL TOLL FACILITIES; MODIFY TOLL STRUCTURE; IMPOSING TOLLS ON THE SANIBEL BRIDGE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on April 16, 1986, the Board of County Commissioners of Lee County, Florida (the "Board"), enacted Lee County Ordinance No. 86-11, providing for the imposition of tolls on certain bridges and causeways and for the issuance of revenue bonds payable therefrom; and,

WHEREAS, the Board has previously adopted Lee County Resolution Nos. 90-09-26, 90-09-27, 94-08-05, and 01-06-58, which established the toll rates and commuter discount programs for the Sanibel Bridge, Midpoint Memorial Bridge and the Cape Coral Bridge; and,

WHEREAS, the Board, on December 18, 1996, adopted Lee County Resolution No. 96-12-105 which sets forth reduced rates for each one-way trip on the Cape Coral Bridge and the Midpoint Memorial Bridge during off-peak hours when using the Automatic Vehicle Identification System (AVI System) for the duration of the congestion pricing program; and,

WHEREAS, the existing Cape Coral Bridge and the new Midpoint Memorial Bridge were established to function in concert to serve a common transportation corridor between the

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LEE COUNTY ATTORNEY'S OFFICE
JULY 8, 2004**

east and west banks of the Caloosahatchee River (collectively, the "Corridor"); and,

WHEREAS, on September 23, 1997, the Board adopted Lee County Resolution No. 97-09-53 extending the term for the use of decals for the discount program; and,

WHEREAS, the Board finds and determines that vehicle class, frequency of use and time-of-day of use are a reasonable ~~bases~~ basis for the classification of its tolls; and,

WHEREAS, the Board now finds it appropriate to further amend the Toll Facilities' Resolutions to better serve the public.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA, that:

SECTION ONE:

Lee County Resolution Nos. 90-09-26, 90-09-27, 94-08-05, 96-12-105, 97-09-53 and 01-06-58 are hereby amended with language being added indicated by underlining and language being deleted indicated by ~~strike-through~~, as indicated below.

Imposition of Tolls. Commencing on November 1, ~~1997~~ 2004, the following tolls shall be imposed for use of the Bridges.

a. Except as otherwise provided herein, a toll for each one-way trip on the Cape Coral and Midpoint Memorial Bridges shall be paid in accordance with the schedule set forth below.

<u>Vehicle Class</u>	<u>Toll</u>
Motorcycles	\$.50
2 axles, 4 tires	1.00
2 axles, 6 tires	1.00
3 axles	2.00
4 axles	3.00
5 axles	4.00
6 or more axles	1.00 per axle

- b. The following commuter discount programs utilizing an AVI device will be available for 2-axle, 4-tire vehicles or 2-axle, 6-tire vehicles only:
- i. An annual discount program utilizing an AVI device may be purchased at a cost of \$40.00 per vehicle or \$20.00 for the second, fourth, sixth, etc., non-commercial vehicle registered to or leased by the same natural person, which when properly installed will entitle such vehicle to use the Cape Coral and Midpoint Memorial Bridges for a period of twelve months commencing on November 1, upon payment of a \$0.50 toll to be deducted from a prepaid debit account for each one-way trip across the Bridges.
 - ii. A semi-annual discount program utilizing an AVI device may be purchased at a cost of \$24.00 per vehicle or \$12.00 for the second, fourth, sixth, etc., non-commercial vehicle registered to or leased by the same natural person, which when properly installed will entitle such vehicle to use the Cape Coral and Midpoint Memorial Bridges for a period of six months commencing on November 1, or May 1, upon payment of a \$0.50 toll to be deducted from a prepaid debit account for each one-way trip across the Bridges.
 - iii. An annual discount program utilizing an AVI device may be purchased at a cost of \$330.00 per vehicle or \$165.00 for the second, fourth, sixth, etc., non-commercial

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vehicle registered to or leased by the same natural person, which when properly installed will entitle such vehicle to use the Cape Coral and Midpoint Memorial Bridges for a period of twelve months commencing on November 1, without further payment. Prorated annual commuter programs will be sold per the following schedule:

<u>Validity Period</u>	<u>Price</u>	<u>Half-Price</u>
December 1 - October 31	\$309.00	\$155.00
January 1 - October 31	288.00	144.00
February 1 - October 31	267.00	134.00
March 1 - October 31	246.00	123.00
April 1 - October 31	222.00	111.00

iv. A semi-annual discount program utilizing an AVI device may be purchased at a cost of \$200.00 per vehicle or \$100.00 for the second, fourth, sixth, etc. non-commercial vehicle registered to or leased by the same natural person, which when properly installed will entitle such vehicle to use the Cape Coral and Midpoint Memorial Bridges for a period of six months commencing on November 1, or May 1, without further payment. Prorated semi-annual commuter programs will be available per the following schedule:

<u>Validity Period</u>	<u>Price</u>	<u>Half-Price</u>
December 1 - April 30	\$168.00	\$84.00
January 1 - April 30	136.00	68.00
February 1 - April 30	104.00	52.00
March 1 - April 30	72.00	36.00
June 1 - October 31	\$168.00	\$84.00
July 1 - October 31	136.00	68.00
August 1 - October 31	104.00	52.00
September 1 - October 31	72.00	36.00

c. Combination commuter discount programs utilizing an AVI device for use on the Cape Coral, Midpoint Memorial and Sanibel Toll Facilities will be available for 2-axle, 4-wheel

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vehicles or 2-axle, 6 wheel vehicles only:

i. Annual combination discount programs utilizing an AVI device may be purchased at a cost of ~~\$50.00~~ \$140.00 per vehicle or ~~\$25.00~~ \$70.00 for the second, fourth, sixth, etc., non-commercial vehicles registered to or leased by the same natural person, which when properly installed will entitle such vehicle to use the Cape Coral, Midpoint Memorial and Sanibel Toll facilities for a period of twelve months commencing on November 1, upon the payment of a \$0.50 toll deducted from a prepaid debit account at the Cape Coral and Midpoint Memorial Bridges and a \$3.00 toll deducted from a prepaid debit account at the Sanibel Toll Facilities.

ii. Semi-annual combination discount programs utilizing an AVI device may be purchased at a cost of ~~\$30.00~~ \$99.00 per vehicle or ~~\$15.00~~ \$49.50 for the second, fourth, sixth, etc., non-commercial vehicles registered to or leased by the same natural person, which when properly installed will entitle such vehicle to use the Cape Coral, Midpoint Memorial and Sanibel Toll Facilities for a period of six months commencing on November 1 or May 1 upon payment of a \$0.50 toll deducted from a prepaid debit account at the Cape Coral and Midpoint Memorial Bridges and a \$3.00 toll deducted from a prepaid debit account at the Sanibel Toll Facilities.

iii. Annual combination discount programs utilizing an AVI device may be purchased at a cost of ~~\$380.00~~ \$930.00 per vehicle or ~~\$190.00~~ \$465.00 for the second, fourth, sixth, etc. non-commercial vehicle registered to or leased by the same natural person, which when properly installed, will entitle such vehicle to use the Cape Coral, Midpoint Memorial and the Sanibel Toll Facilities for a period of twelve months commencing on November 1, without

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JULY 8, 2004

further payment. Prorated annual combination commuter programs will be sold per the following schedule:

<u>Validity Period</u>	<u>Price</u>		<u>Half-Price</u>	
December 1 - October 31	\$355.00	<u>\$884.00</u>	\$178.00	<u>\$442.00</u>
January 1 - October 31	330.00	<u>838.00</u>	165.00	<u>419.00</u>
February 1 - October 31	304.00	<u>792.00</u>	152.00	<u>396.00</u>
March 1 - October 31	279.00	<u>746.00</u>	140.00	<u>373.00</u>
April 1 - October 31	253.00	<u>697.00</u>	127.00	<u>349.00</u>

iv. Semi-annual combination discount programs may be purchased at a cost of ~~\$230.00~~ \$650.00 per vehicle or ~~\$115.00~~ \$325.00 for the second, fourth, sixth, etc., non-commercial vehicle registered to or leased by the same natural person, which when the AVI device is properly installed will entitle such vehicle to use the Cape Coral, Midpoint Memorial and Sanibel Toll Facilities for a period of six months commencing on November 1 and May 1, without further payment. Prorated semi-annual combination commuter programs will be sold per the following schedule:

<u>Validity Period</u>	<u>Price</u>		<u>Half-Price</u>	
December 1 - April 30	\$194.00	<u>\$543.00</u>	\$97.00	<u>\$272.00</u>
January 1 - April 30	158.00	<u>436.00</u>	79.00	<u>218.00</u>
February 1 - April 30	123.00	<u>329.00</u>	62.00	<u>165.00</u>
March 1 - April 30	87.00	<u>222.00</u>	44.00	<u>111.00</u>
June 1 - October 31	\$194.00	<u>\$543.00</u>	\$94.00	<u>\$272.00</u>
July 1 - October 31	159.00	<u>436.00</u>	79.00	<u>218.00</u>
August 1 - October 31	123.00	<u>329.00</u>	62.00	<u>165.00</u>
September 1 - October 31	87.00	<u>222.00</u>	44.00	<u>111.00</u>

d. Except as otherwise provided herein, a full paid toll for each Sanibel bound trip on the Causeway shall be paid in accordance with the schedule set forth below.

<u>Vehicle Class</u>	<u>Toll</u>	
Motorcycles	\$1.00	<u>\$ 2.00</u>
2 axles, 4 tires	3.00	<u>6.00</u>
2 axles, 6 tires	3.00	<u>6.00</u>

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3 axles	4.50	<u>9.00</u>
4 axles	6.00	<u>12.00</u>
5 axles	7.50	<u>15.00</u>
6 or more axles	1.50 per axle	<u>3.00</u>

No toll shall be charged for a mainland-bound trip on the Causeway.

- e. The following commuter discount program will be available for 2-axle, 4-tire vehicles or 2-axle, 6-tire vehicles only:
- i. An annual discount program utilizing an AVI device may be purchased at a cost of ~~\$25.00~~ \$100.00 per vehicle or ~~\$12.50~~ \$50.00 for the second, fourth, sixth, etc., additional non-commercial vehicle registered to or leased by the same natural person which when properly installed will entitle such vehicle to use the Causeway for a period of twelve months commencing on November 1, upon payment of a ~~\$0.50~~ \$3.00 toll deducted from a prepaid debit account for each Sanibel-bound trip on the Causeway.
 - ii. A semi-annual discount program utilizing an AVI device may be purchased at a cost of ~~\$15.00~~ \$75.00 per vehicle or ~~\$7.50~~ \$37.50 for the second, fourth, sixth, etc., additional non-commercial vehicle registered to or leased by the same natural person which when properly installed will entitle such vehicle to use the Causeway for a period of six months commencing on November 1, or May 1 upon payment of a ~~\$0.50~~ \$3.00 toll deducted from a prepaid debit account for each Sanibel-bound trip on the Causeway.
 - iii. An annual discount program utilizing an AVI device may be purchased at a cost of ~~\$150.00~~ \$600.00 per vehicle or ~~\$75.00~~ \$300.00 for the second, fourth, sixth, etc., non-commercial vehicle registered to or leased by the same natural person, which when properly installed will entitle such vehicle to use the Causeway for a period of twelve months commencing on November 1, without further payment. Prorated annual commuter programs will

be sold per the following schedule:

<u>Validity Period</u>	<u>Price</u>		<u>Half-Price</u>	
December 1 - October 31	\$140.00	<u>\$575.00</u>	\$70.00	<u>\$288.00</u>
January 1 - October 31	130.00	<u>550.00</u>	65.00	<u>275.00</u>
February 1 - October 31	120.00	<u>525.00</u>	60.00	<u>263.00</u>
March 1 - October 31	110.00	<u>500.00</u>	55.00	<u>250.00</u>
April 1 - October 31	100.00	<u>475.00</u>	50.00	<u>238.00</u>

iv. A semi-annual discount program utilizing an AVI device may be purchased at a cost of ~~\$90.00~~ \$450.00 per vehicle or ~~\$45.00~~ \$225.00 for the second, fourth, sixth, etc., non-commercial vehicle registered to or leased by the same natural person, which when properly installed will entitle such vehicle to use the Causeway for a period of six months commencing on November 1 or May 1, without further payment. Prorated semi-annual commuter programs will be sold per the following schedule:

<u>Validity Period</u>	<u>Price</u>		<u>Half-Price</u>	
December 1 - April 30	\$76.00	<u>\$375.00</u>	\$38.00	<u>\$188.00</u>
January 1 - April 30	62.00	<u>300.00</u>	31.00	<u>150.00</u>
February 1 - April 30	48.00	<u>225.00</u>	24.00	<u>113.00</u>
March 1 - April 30	34.00	<u>150.00</u>	17.00	<u>75.00</u>
June 1 - October 31	\$76.00	<u>\$375.00</u>	\$38.00	<u>\$188.00</u>
July 1 - October 31	62.00	<u>300.00</u>	31.00	<u>150.00</u>
August 1 - October 31	48.00	<u>225.00</u>	24.00	<u>113.00</u>
September 1 - October 31	34.00	<u>150.00</u>	17.00	<u>75.00</u>

f. During the term of the variable pricing program, a toll for each one-way trip on the Cape Coral and Midpoint Memorial Bridges during off-peak hours when using the automatic vehicle identification system shall be paid in accordance with the schedule set forth below:

<u>Vehicle Class</u>	<u>Off-Peak Hour Toll Payment Without AVI Device*</u>	<u>Off-Peak Hour Toll Payment With AVI Device*</u>
Motorcycles	\$.50	\$.25, upon availability

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2 axles, 4 tires	\$1.00	\$.50/.25 (applies to \$.25 coin-drop <u>pre-paid</u>)
2 axles, 6 tires	\$1.00	\$.50/.25 (applies to \$.25 coin-drop <u>pre-paid</u>)
3 axles	\$2.00	\$1.00, upon availability
4 axles	\$3.00	\$1.50, upon availability
5 axles	\$4.00	\$2.00, upon availability
6 or more axles	\$1.00 per axle	\$.50 per axle, upon availability

*As defined and authorized by Paragraphs 1.b.i., 1.b.ii., 1.c.i. and 1.c.ii., above.

The above rates for off-peak discounted toll travel shall only be available to toll facility travelers who have established a pre-paid account and obtained an officially authorized automatic vehicle identification device. Accommodations for consumers desiring a single payment, annual or semi-annual, discount program, utilizing an AVI device free of a per-trip toll for either the Cape/Midpoint Corridor or with a combination of the Cape/Midpoint Corridor and Sanibel Bridge, shall be continued at the current pricing, but without any additional discounting.

Off-peak hours are currently defined as that time between 6:30 a.m. to 7:00 a.m.; 9:00 a.m. to 11:00 a.m.; 2:00 p.m. to 4:00 p.m.; and 6:30 to 7:00 p.m. Monday through Friday, excluding Memorial Day, Fourth of July, Labor Day, Thanksgiving, Christmas and New Year's Days. The Lee County Director of Public Works shall have the ability to modify the off-peak hours if deemed necessary, upon posting at the facilities of the changes in hours in accordance with §338.01, Florida Statutes. In the event the Fourth of July, Christmas or New Year's Day falls on a Saturday or Sunday, the week-day customarily given as a day off to county employees will be excluded from the definition of off-peak hours and no additional discount in accordance with this schedule will be given.

~~g. From November 1, 1997 should the transponders (AVI devices) not be substantially distributed and operational, any semi-annual and annual decal purchased after April~~

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~~30, 1997 and October 31, 1996, respectively, will be honored at the toll facilities in Lee County for the various commuter discount programs as outlined in this Resolution, until such time that the transponders (AVI devices) be substantially distributed and operational:~~

~~————— Upon completion of distributing transponders to all persons taking part in the commuter discount programs, Lee County Division of Transportation will post notice at the facilities that the stickers will no longer be honored at the facilities:~~

SECTION TWO:

This Resolution shall be implemented as of _____, however, the effective date that the time-of-day variable tolls as specified in Section One (d) are put into effect at the Cape Coral and Midpoint Memorial Toll Facilities will be determined by the Lee County Division of Transportation, upon posting at the facilities of the change in accordance with Section 338.01, Florida Statutes.

The foregoing Resolution was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and, being put to a vote, the vote was as follows:

- DOUGLAS ST. CERNY _____
- BOB JANES _____
- RAY JUDAH _____
- ANDREW COY _____
- JOHN E. ALBION _____

DULY PASSED AND ADOPTED this _____ day of _____, 2004.

ATTEST:
CHARLIE GREEN, CLERK

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

By: _____
Deputy Clerk

By: _____
Chairman

APPROVED AS TO FORM:

By: _____
Office of County Attorney

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