

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

Blue Sheet No. 20070766

1. ACTION REQUESTED/PURPOSE: Authorize staff to schedule and advertise a Public Hearing on the proposed revised toll structure for the Midpoint and Cape Coral Bridges for June 12, 2007 at 5:00p.m. in Chambers. The revisions will consist of changing both toll facilities to one-way tolling.

2. FUNDING SOURCE: No Funds Required.

3. WHAT ACTION ACCOMPLISHES: Allows County staff to proceed with advertising and scheduling a public hearing and places the item on the June 12, 2007 agenda for a public hearing to be conducted at 5:00p.m. or as soon thereafter as it may be heard.

4. MANAGEMENT RECOMMENDATION: Recommend approval.

5. Departmental Category: 09

A9B

6. Meeting Date: 5/29/07

- 7. Agenda:**
- Consent
 - Administrative
 - Appeals
 - Public
 - Walk-On

- 8. Requirement/Purpose: (specify)**
- Statute
 - Ordinance
 - Admin. Code
 - Other

9. Request Initiated:
Commissioner _____
Department Department of
Division Transportation
By: Scott M. Gilbertson, Director

10. Background:

Approximately two years ago, during the design phase of the re-structuring of the Cape Coral Toll Plaza, a citizen made the suggestion that we should consider changing the toll collection to one-way collection, similar to what is currently done at Sanibel. After the initial response that this is not possible, we carefully considered the idea and determined that it may be feasible.

The Traffic and Revenue consultant for Lee County was charged with investigating the feasibility of this idea. They completed their review in March 2007, and have concluded that it is feasible. The overall impact of the toll revenue is basically neutral. Based on the proposed toll structure, the estimated change in revenue is approximately a 1.1% loss, or a decrease of \$257,000 in gross annual revenue. The toll structure proposed is based on holding the existing toll of \$1.00 each way to \$2.00 one way, and all of the program costs would remain the same. The variable pricing discount would remain the same dollar amount for the off peak PM travel, but since there is no toll for the east bound direction for the AM off peak, the variable pricing discount is lost. (50% of 0, which is \$0.00). This is a net effect of a PM off-peak discount of 25%.

The loss of gross revenue is offset by the savings in annual operating costs of the toll collection facility.

The consultant also investigated the possibility of changing the PM variable pricing discount to include the lost discount for the AM off peak. This would result in an additional loss of \$312,000.

(Continued...)

11. Review for Scheduling:

Department Director	Purchasing or Contracts	Human Resources	Other	County Attorney	Budget Services				County Manager/P.W. Director
					Analyst	Risk	Grants	Mgr.	
5/17/07 <i>[Signature]</i>				5/17/07 <i>[Signature]</i>	RK 5/17	MR 5/17/07	5/17/07	MS	5.17.07 <i>[Signature]</i>

12. Commission Action:

- Approved
- Deferred
- Denied
- Other

RECEIVED BY
COUNTY ADMIN: *[Signature]*
5/17/07
10:45 AM
COUNTY ADMIN
FORWARDED PUBLIC HEARING.doc
5/17/07
3PM

Rec. by CoAtty
Date: 5/17/07
Time: 9:30 AM
Forwarded To:
5/17/07
10:30 a.m.

The benefits to the County are:

- . Reduced operating costs
- . Improved through put of traffic at the plazas
- . The ability to make significant improvements, installation of open road tolling, for the same capital outlay, as was originally planned for just Cape Coral Plaza.

In addition to the Traffic and Revenue consultant's review, a public meeting was held on April 9, 2007 in Cape Coral to provide an opportunity for the public to comment. The comments received were 85% of supporting the one-way toll proposal to help improve traffic flow.

Also, several presentations were made to the City of Cape Coral. The final presentation was on May 14, 2007 to the full City Council. In general they appeared to be in support of the idea but took no formal action. The primary concern appeared to be that the toll needed to remain constant with what it is currently. This revolves around the variable pricing discount, and the need to hold it at the 50% discount or 25% discount. The reason for the consultant's recommendation for the 25% discount is that this is currently the normal discount available to most bridge users today. The user would have the opportunity to take advantage of the variable pricing in only the AM or PM and this is reflective of their estimated changes in revenue. Going to a 50% discount would open this up to a much larger group and thus the additional loss of revenue.

LEE COUNTY RESOLUTION NO. 05-08-53

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA; RELATING TO THE CAPE CORAL, MIDPOINT MEMORIAL AND SANIBEL TOLL FACILITIES; PROVIDING FOR ONE-WAY WESTBOUND TOLLS ON THE CAPE CORAL AND THE MIDPOINT MEMORIAL TOLL FACILITIES; REVISING THE TOLL STRUCTURE FOR THE CAPE CORAL AND THE MIDPOINT MEMORIAL TOLL FACILITIES; REVISEING THE TOLL STRUCTURE FOR THE CAPE CORAL, MIDPOINT MEMORIAL AND SANIBEL DISCOUNT PROGRAMS AND VARIABLE PRICING PROGRAMS; REVISE TOLL STRUCTURE FOR SANIBEL DISCOUNT PROGRAMS; 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, 97-09-53, 01-06-58, ~~and 04-08-60~~, and 05-08-53 which established and extended the toll rates and commuter discount programs for the Sanibel Causeway, Midpoint Memorial Bridge and the Cape Coral Bridge collectively, "The Bridges"; 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 Board now desires to collect tolls for westbound trips only on both the Cape Coral Bridge and the Midpoint Memorial Bridge; and,

WHEREAS, it is necessary to revise the toll structure, including changes to the discount programs and congestion pricing programs in order to accommodate one-way tolling; and,

WHEREAS, the Board finds and determines that vehicle class, frequency of use and time-of-day use are a reasonable 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, 01-06-58, ~~and 04-08-60~~, and 05-08-53 are hereby amended and superceded by this resolution.

Imposition of Tolls. Commencing on November 1, ~~2005~~ 2007, the following tolls shall be imposed for use of The Bridges.

I. Cape Coral and Mid-Point Memorial Bridges

A. One-way Westbound Trip Tolls

Except as otherwise provided herein, a toll for each ~~one-way~~ westbound 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 Payment without AVI Device</u>	<u>Toll Payment with AVI Device</u>
Motorcycles	\$.50 <u>\$1.00</u>	\$.50 <u>n/a</u>
2 axles, 4 tires	\$1.00 <u>\$2.00</u>	\$1.00 <u>\$2.00</u>
2 axles, 6 tires	\$1.00 <u>\$2.00</u>	\$1.00 <u>\$2.00</u>
3 axles	\$2.00 <u>\$4.00</u>	\$2.00 <u>\$4.00</u>
4 axles	\$3.00 <u>\$6.00</u>	\$3.00 <u>\$6.00</u>
5 axles	\$4.00 <u>\$8.00</u>	\$4.00 <u>\$8.00</u>
6 or more axles	\$1.00 <u>\$2.00</u> per axle	\$1.00 <u>\$2.00</u> per axle

No toll shall be charged for an east bound trip on the Cape Coral and Midpoint Memorial Bridges.

B. Commuter Discount Programs

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:

1. Annual Discount Program

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~~ \$1.00 toll to be deducted from a prepaid debit account with a positive balance for each ~~one-way~~ westbound trip across the Bridges.

2. Semi-annual Discount Program

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~~ \$1.00 toll to be deducted from a prepaid debit account with a positive balance for each ~~one-way~~ westbound trip across the Bridges.

3. Unlimited Annual Discount Program

An unlimited 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 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. Unlimited programs require a positive ~~pre-paid~~ prepaid debit account with a \$15.00 initial balance. 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

4. Unlimited Semi-annual Discount Program

An unlimited 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. Unlimited programs require a positive ~~pre-paid~~ prepaid debit account with a \$15.00 initial balance. 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	\$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

II. Cape Coral, Mid-Point Memorial, and Sanibel Toll Facilities

A. Combination Commuter Discount Programs

The following 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 vehicles or 2-axle, 6 wheel vehicles only:

1. Annual Combination Discount Program

An annual combination discount program utilizing an AVI device may be purchased at a cost of \$107.00 per vehicle or \$53.50 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 twelve months commencing on November 1, upon the payment of a ~~\$0.50~~ \$1.00 toll deducted from a prepaid debit account with a positive balance at the Cape Coral and Midpoint Memorial Bridges and a \$2.00 toll deducted from a prepaid debit account with a positive balance at the Sanibel Toll ~~Facilities~~ Facility.

2. Semi-annual Combination Discount Program

A semi-annual combination discount program utilizing an AVI device may be purchased at a cost of \$74.00 per vehicle or \$37.00 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 six months commencing on November 1 or May 1, upon payment of a ~~\$0.50~~ \$1.00 toll deducted from a prepaid debit account with a positive balance at the Cape Coral and Midpoint Memorial Bridges and a \$2.00 toll deducted from a prepaid debit account with a positive balance at the Sanibel Toll ~~Facilities~~ Facility.

3. Unlimited Annual Combination Discount Program

An unlimited annual combination discount program utilizing an AVI device may be purchased at a cost of \$730.00 per vehicle or \$365.00 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 further payment. Unlimited programs require a positive pre-paid debit account with a \$15.00 initial balance. 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	\$692.00	\$346.00
January 1 - October 31	\$654.00	\$327.00
February 1 - October 31	\$616.00	\$308.00
March 1 - October 31	\$578.00	\$289.00
April 1 - October 31	\$537.00	\$268.50

4. Unlimited Semi-annual Combination Discount Program

An unlimited semi-annual combination discount program utilizing an AVI device may be purchased at a cost of \$500.00 per vehicle or \$250.00 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. Unlimited programs require a positive ~~pre-paid~~ prepaid debit account with a \$15.00 initial balance. 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	\$418.00	\$209.00
January 1 - April 30	\$336.00	\$168.00
February 1 - April 30	\$254.00	\$127.00
March 1 - April 30	\$172.00	\$ 86.00
June 1 - October 31	\$418.00	\$209.00
July 1 - October 31	\$336.00	\$168.00
August 1 - October 31	\$254.00	\$127.00
September 1 - October 31	\$172.00	\$ 86.00

III. Sanibel Causeway

A. Sanibel Bound

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 Payment without AVI Device</u>	<u>Toll Payment with AVI Device</u>
Motorcycles	\$ 2.00	\$ 2.00
2 axles, 4 tires	\$ 6.00	\$ 6.00
2 axles, 6 tires	\$ 6.00	\$ 6.00
3 axles	\$ 9.00	\$ 9.00
4 axles	\$12.00	\$12.00
5 axles	\$15.00	\$15.00
6 or more axles	\$ 3.00 per axle	\$ 3.00 per axle

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

B. Commuter Discount Programs

The following commuter discount programs will be available for 2-axle, 4-tire vehicles or 2-axle, 6-tire vehicles only:

1. Annual Discount Program

An annual discount program utilizing an AVI device may be purchased at a cost of \$67.00 per vehicle or \$33.50 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 Sanibel Causeway for a period of twelve months commencing on November 1, upon payment of a \$2.00 toll deducted from a prepaid debit account with a positive balance for each Sanibel-bound trip on the Sanibel Causeway.

2. Semi-annual Discount Program

A semi-annual discount program utilizing an AVI device may be purchased at a cost of \$50.00 per vehicle or \$25.00 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 Sanibel Causeway for a period of six months commencing on November 1 or May 1, upon payment of a \$2.00 toll deducted from a prepaid debit account with a positive balance for each Sanibel-bound trip on the Sanibel Causeway.

3. Unlimited Annual Discount Program

An unlimited annual discount program utilizing an AVI device may be purchased at a cost of \$400.00 per vehicle or \$200.00 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 Sanibel Causeway for a period of twelve months commencing on November 1, without further payment. Unlimited programs require a positive ~~pre-paid~~ prepaid debit account with a \$15.00 initial balance. 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	\$383.00	\$191.50
January 1 - October 31	\$366.00	\$183.00
February 1 - October 31	\$349.00	\$174.50
March 1 - October 31	\$332.00	\$166.00
April 1 - October 31	\$315.00	\$157.50

4. Unlimited Semi-annual Discount Program

An unlimited semi-annual discount program utilizing an AVI device may be purchased at a cost of \$300.00 per vehicle or \$150.00 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 Sanibel Causeway for a period of six months commencing on November 1 or May 1, without further payment. Unlimited programs require a positive ~~pre-paid~~ prepaid debit account with a \$15.00 initial balance. 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	\$250.00	\$125.00
January 1 - April 30	\$200.00	\$100.00
February 1 - April 30	\$150.00	\$ 75.00
March 1 - April 30	\$100.00	\$ 50.00
June 1 - October 31	\$250.00	\$125.00
July 1 - October 31	\$200.00	\$100.00
August 1 - October 31	\$150.00	\$ 75.00
September 1 - October 31	\$100.00	\$ 50.00

IV. Variable Pricing Program

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

These rates for off-peak discounted toll travel shall only be available to toll facility travelers who have established a ~~pre-paid~~ prepaid account with a positive balance and obtained an officially authorized AVI device.

<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 n/a	\$.25 n/a
2 axles, 4 tires	\$1.00 <u>\$2.00</u>	\$.50/.25* <u>\$1.50/ \$0.75*</u>
2 axles, 6 tires	\$1.00 <u>\$2.00</u>	\$.50/.25* <u>\$1.50/ \$0.75*</u>
3 axles	\$2.00 <u>\$4.00</u>	\$1.00 <u>\$3.00</u>
4 axles	\$3.00 <u>\$6.00</u>	\$1.50 <u>\$4.50</u>
5 axles	\$4.00 <u>\$8.00</u>	\$2.00 <u>\$6.00</u>
6 or more axles	\$1.00 <u>\$2.00</u> per axle	\$.50 <u>\$1.50</u> per axle

(*The ~~\$.25~~ \$0.75 discounted rate will be available only to the commuter discount programs as defined and authorized by Paragraphs I.B.1., I.B.2., II.A.1., and II. A.2., above. The ~~\$.50~~ \$1.50 discounted rate will be available to all other toll facility travelers who have established a ~~pre-paid~~ prepaid account with a positive balance and obtained an officially authorized AVI device.)

No toll shall be charged for an eastbound trip on the Cape Coral and Midpoint Memorial Bridges.

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.

SECTION TWO:

This Resolution shall be implemented as of November 1, ~~2005~~ 2007.

Commissioner _____ made a motion to adopt the foregoing Resolution,
seconded by Commissioner _____. The vote was as follows:

ROBERT P. JANES	_____
BRIAN BIGELOW	_____
RAY JUDAH	_____
TAMMARA HALL	_____
FRANK MANN	_____

DULY PASSED AND ADOPTED this _____ day of _____, ~~2005~~ 2007.

ATTEST: CHARLIE GREEN
CLERK OF COURTS

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: _____
Deputy Clerk

BY: _____
Chair

APPROVED AS TO FORM:

BY: _____
Office of the County Attorney

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