

RESOLUTION NO. 2420

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF BAY HARBOR ISLANDS, FLORIDA, REVISING RESOLUTION NO. 2269 REGARDING THE SCHEDULE OF TOLLS ON THE SHEPARD BROAD CAUSEWAY; REPEALING OTHER RESOLUTIONS; PROVIDING FOR INCORPORATION OF RECITALS; AND SETTING AN EFFECTIVE DATE.

WHEREAS, the Town Council of the Town of Bay Harbor Islands is responsible for the public health, safety, and welfare of the citizens of the Town of Bay Harbor Islands and those coming to the Town, and

WHEREAS, the Town has contracted with the Florida's Turnpike Enterprise to implement the use of its SunPass billing system for the collection of tolls on the Shepard Broad Causeway; and

WHEREAS, the maintenance, and operations of the toll collection system on the Shepard Broad Causeway is managed by the Town in conjunction with the Florida's Turnpike Enterprise and there are certain requirements associated with the Florida's Turnpike Enterprise's management; and

WHEREAS, the Town Council desires to adjust the schedule of tolls as set forth in Option 2 as outlined in Exhibit "A" attached hereto.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF BAY HARBOR ISLANDS AS FOLLOWS:

Section 1. The foregoing recitals are adopted and hereby incorporated as if fully set forth herein.

Section 2. The schedule of toll fees outlined in Option 2 attached hereto as Exhibit "A" is hereby approved.

There shall be no charge for bicycles or pedestrians.

Section 3. Notwithstanding the above, the following regulations are hereby established. These shall replace and supersede those regulations set forth in Resolution No. 2269 adopted on September 14, 2022.

I. The schedule of tolls shall be as follows:

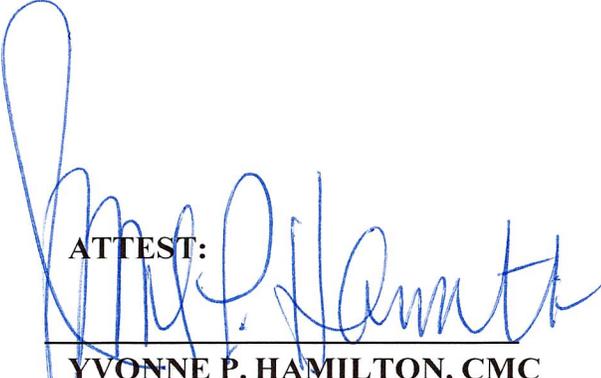
- (a) Shepard Broad Causeway Annual Toll Pass Plans (which shall be restricted to Class 1 vehicles) allow an unlimited number of trips through the Shepard Broad Causeway for one year at the cost of \$350.00 per year, effective beginning on the date of activation. In addition, a six (6) month Shepard Broad Causeway Toll Pass Plan (which shall be restricted Class 1 vehicles) will be offered at the cost of \$225.00 for 6-months beginning from date of activation.
 - (b) Shepard Broad Causeway Toll Pass Plans for vehicles owned by the municipalities of Bal Harbour Village, the Town of Surfside, and Indian Creek Village will be sold for one half the cost of the Toll Pass Plan, per year. These Shepard Broad Causeway Toll Pass Plans will also be valid for unlimited trips. Any municipally owned vehicle not associated with a Pass Plan will be required to pay the full fare for passage through the Shepard Broad Causeway Toll.
 - (c) All governmental agencies, other than the municipalities previously mentioned, will be charged and shall pay full fare for passage through the Shepard Broad Causeway Toll.
 - (d) All current Council members and Town officials of the Town of Bay Harbor Islands, and all previous Council members who served a minimum of one term and Town officials who served the Town or were otherwise employed by the Town for a continuous period of ten (10) years or more, will be issued two "non-revenue Pass Plans" as an additional benefit from their employment with the Town. Each person presently employed by the Town of Bay Harbor Islands will be issued one "non-revenue Pass Plan" as an additional benefit from his or her employment with the Town.
2. The SunPass/ETC rates described in this Resolution may be adjusted from time to time by the Town Council.
 3. The Town Manager may establish such other operational and administrative procedures as are necessary for the effective and efficient operation of the Shepard Broad Causeway Toll.
 4. All Resolutions or parts of Resolutions in conflict with this Resolution are hereby repealed.
 5. This resolution shall become effective upon adoption.

PASSED and ADOPTED this 14th day of August 2024.



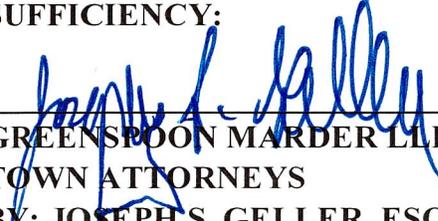
JOSHUA D. FULLER
MAYOR

ATTEST:



YVONNE P. HAMILTON, CMC
TOWN CLERK

APPROVED AS TO FORM
AND LEGAL
SUFFICIENCY:



GREENSPOON MARDER LLP
TOWN ATTORNEYS
BY: JOSEPH S. GELLER, ESQ.

AGENDA ITEM REPORT

August 14, 2024

ITEM NUMBER: 18.

ITEM: Consideration and Approval of a resolution amending Resolution No. 2269 to revise the fees for the Broad Causeway SunPass Toll. Enclosed are the draft resolution and a list of the proposed fees.

DESCRIPTION:

Discussion of possible increase to the Broad Causeway tolls. Estimates are presented based on two scenarios:

From current rates

Resolution No 2269 September 14, 2022			
Bay Harbor Islands Toll Rate		Toll by Plate - w/ out Sunpass	
2x Axles	\$ 1.75		\$ 3.00
Each additional axles	\$ 6.00		\$ 7.50
3x axles	\$ 7.75		\$ 10.50
4x axles	\$ 13.75		\$ 18.00
5x axles	\$ 19.75		\$ 25.50

1. An increase of 10% for each additional axle over 2, will collect an additional estimated revenue of \$71,007.00 during Fiscal Year (FY) 2025 based on FY2023 vehicle count with 3+ axles. From an estimated \$861,249 in FY2023 to an estimated \$932,256 in FY2025.

New Rates Based on 10% Increase 3+ Axles Only October 1, 2024					
Bay Harbor Islands Toll Rate			Toll by Plate - w/ out Sunpass		
2x Axles	\$ 1.75		\$ 3.00		
Each additional axles	\$ 6.60	10.00%	\$ 8.00	6.67%	
3x axles	\$ 8.35	7.74%	\$ 11.00	4.76%	
4x axles	\$ 14.95	8.73%	\$ 19.00	5.56%	
5x axles	\$ 21.55	9.11%	\$ 27.00	5.88%	

2. A \$.25 increase to 2 axles vehicles and \$1.00 increase per additional axle will collect an additional estimated \$1,656,479 in revenue during FY2025 based on FY2023 vehicle count. From a revenue of \$11,477,008 in FY2023 to an estimated \$13,133,487 during FY2025.

New Rates Based on \$.25 & \$1.00 Increase
October 1, 2024

Bay Harbor Islands Toll Rate			Toll by Plate - w/ out Sunpass		
2x Axles	\$ 2.00		\$ 3.25		
Each additional axles	\$ 7.00	16.67%	\$ 8.50	13.33%	
3x axles	\$ 9.00	16.13%	\$ 11.75	11.90%	
4x axles	\$ 16.00	16.36%	\$ 20.25	12.50%	
5x axles	\$ 23.00	16.46%	\$ 28.75	12.75%	

Venetian Causeway Cost: 2 Axles \$2.25

Rickenbacker Causeway: 2 Axles \$2.25 / Residents Annual Plan \$24

RECOMMENDED ACTION:

Approve.

FINANCIAL ANALYSIS:

Broad Causeway SunPass/Toll-by-Plate collection revenue estimate will increase by \$71,007.00 or \$1,656,479 in the FY 2024-2025.

BUDGET IMPACT:

Name	Impact Date	Fund(s)	Account(s)	Project #(s)	Amount Budgeted
SunPass Toll Fee Increase	10/01/2024	\$71,007 or \$1,656,479	401.9990.344621.000	SunPass Toll Increase	\$18,069,700

Submitted By: Alex Rosario Garcia
Stephanie Bruder, Council Member

ATTACHMENTS

1.	2269 - Revising Tolls on the Shepard Broad Causeway
2.	Tolls Increase Analysis
3.	Staff Memo -Toll Increase
4.	Resolution - Toll Increase - Shepard Broad Causeway



TOWN OF BAY HARBOR ISLANDS MEMORANDUM

TO: Mayor and Town Council Members

THRU: Jenice Rosado, ICMA-CM Town Manager
Mike Mesa, CBO, CFM, Assistant Town Manager/ Building Official

CC: Joseph S. Geller, Esq., Town Attorney
Yvonne P. Hamilton, CMC, Town Clerk

FROM: Alex Rosario Garcia, Accounting Manager

DATE: August 14, 2024

SUBJECT: Broad Causeway Toll Fees Increase

RECOMMENDATION

Staff recommends that the Town Council approves an increase to the Broad Causeway toll and revises Resolution No. 2269. The staff has provided two rate increase options for the Council's consideration (option 1 & option 2 detailed below).

BACKGROUND / ANALYSIS

The Broad Causeway provides a critical connection between US-1 and A1A. In the event of an emergency, it also is the main evacuation route for the municipalities of Bay Harbor Islands, Bal Harbor, Surfside, and Indian Creek. The toll serves to provide critical funding to the Town for the repairs and maintenance on the Causeway's bridges as well as potential replacement options. Additionally, while the current toll equipment and back-office systems are functional, an update is proactively and strategically necessary to avoid unexpected equipment failures and potential security issues due to end-of-life hardware and software in the future. An increase in tolls will also assist in funding the updates to the hardware and software.

The last time toll rates were increased was in September 2022 under Resolution No. 2269. At that time the increases were \$.25 for two (2) axles vehicles and \$1.00 for each additional axle. Toll rates are typically subject to periodic reviews and adjustments to account for

inflation, maintenance costs, and other factors. Increases over time are common to guarantee the financial sustainability of toll road operations. Town staff has provided an in-depth analysis on the toll revenues and has developed two options for toll increases: Option 1 which provides for a 10% increase for each additional axel over two (2) or Option 2 which provides for an increase of \$.25 for two (2) axles vehicles and \$1.00 for each additional axle. Option 2 generates significantly more revenue than Option 1.

One significant aspect of toll roads is their role in generating revenue for maintenance and infrastructure development. Toll roads provide a dedicated income stream that is specifically earmarked for the upkeep and improvement of the road network. This revenue generation model guarantees that the roads remain in good condition, enhancing safety for drivers and overall efficiency of transportation systems. The funds collected from tolls are typically reinvested back into the roads through maintenance activities such as repaving, repairing potholes, installing new signage, and upgrading safety features.

EXECUTE

If the increase in toll rates is implemented by vote of the Town Council, the Town shall implement the increase in rates effective October 1, 2024. Furthermore, the Town shall inform the Florida Department of Transportation of any changes in the toll amounts to be charged and the date they are in effect no less than thirty (30) days before the new toll amounts are to be in effect.

FINANCIAL ANALYSIS

See below current toll rates and attached toll increase analysis.

Current toll rates:

Resolution No 2269
September 14, 2022

Bay Harbor Islands Toll Rate		Toll by Plate - w/ out Sunpass	
2x Axles	\$ 1.75	\$	3.00
Each additional axles	\$ 6.00	\$	7.50
3x axles	\$ 7.75	\$	10.50
4x axles	\$ 13.75	\$	18.00
5x axles	\$ 19.75	\$	25.50
Annual Pass Plan	\$ 350.00		
Six Mo Pass Plan	\$ 225.00		

Option 1:

An increase of 10% for each additional axle over two (2), will collect an additional estimated revenue of \$71,0007.00 during fiscal year 2025.

New Rates Based on 10% Increase 3+ Axles Only
October 1, 2024

Bay Harbor Islands Toll Rate			Toll by Plate - w/ out Sunpass		
2x Axles	\$ 1.75		\$ 3.00		
Each additional axles	\$ 6.60	10.00%	\$ 8.00	6.67%	
3x axles	\$ 8.35	7.74%	\$ 11.00	4.76%	
4x axles	\$ 14.95	8.73%	\$ 19.00	5.56%	
5x axles	\$ 21.55	9.11%	\$ 27.00	5.88%	
Annual Pass Plan	\$ 350.00				
Six Mo Pass Plan	\$ 225.00				

Option 2:

An increase of \$.25 for two (2) axles vehicles and \$1.00 for each additional axle, will collect an additional estimated \$1,656,479.00 in revenue during fiscal year 2025. A 14% increase over FY2023.

New Rates Based on \$.25 & \$1.00 Increase
October 1, 2024

Bay Harbor Islands Toll Rate			Toll by Plate - w/ out Sunpass		
2x Axles	\$ 2.00		\$ 3.25		
Each additional axles	\$ 7.00	16.67%	\$ 8.50	13.33%	
3x axles	\$ 9.00	16.13%	\$ 11.75	11.90%	
4x axles	\$ 16.00	16.36%	\$ 20.25	12.50%	
5x axles	\$ 23.00	16.46%	\$ 28.75	12.75%	
Annual Pass Plan	\$ 350.00				
Six Mo Pass Plan	\$ 225.00				

ATTACHMENTS

1. Resolution No. 2269
2. Toll Increase Analysis

RESOLUTION NO. 2269

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF BAY HARBOR ISLANDS, FLORIDA, REVISING RESOLUTION NO. 2100 REGARDING THE SCHEDULE OF TOLLS ON THE SHEPARD BROAD CAUSEWAY; REPEALING OTHER RESOLUTIONS; INCORPORATING RECITALS; AND SETTING AN EFFECTIVE DATE.

WHEREAS, the Town Council of the Town of Bay Harbor Islands is responsible for the public health, safety, and welfare of the citizens of the Town of Bay Harbor Islands and those coming to the Town, and

WHEREAS, the Town has contracted with the Florida's Turnpike Enterprise to implement the use of its SunPass billing system for the collection of tolls on the Shepard Broad Causeway; and

WHEREAS, the maintenance, and operations of the toll collection system on the Shepard Broad Causeway is managed by the Town in conjunction with the Florida's Turnpike Enterprise and there are certain requirements associated with the Florida's Turnpike Enterprise's management; and

WHEREAS, the Town Council desires to adjust the schedule of tolls as set forth below.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF BAY HARBOR ISLANDS AS FOLLOWS:

Section 1. Recitals. The foregoing recitals are adopted and hereby incorporated as if fully set forth herein.

Section 2. The schedule of tolls shall be as follows:

SunPass/ETC Rate	<u>Toll by Plate</u>	
2x Axles	\$1.75	\$3.00
each additional axles	\$6.00	\$7.50
3x axles	\$7.75	\$10.50
4x axles	\$13.75	\$18.00
5x axles	\$19.75	\$25.50

There shall be no charge for bicycles or pedestrians.

Section 3. Notwithstanding the above, the following regulations are hereby established. These shall replace and supersede those regulations set forth in Resolution No. 2100 adopted on September 12, 2016.

1. The schedule of tolls shall be as follows:

- (a) Shepard Broad Causeway Annual Toll Pass Plans (which shall be restricted to Class 1 vehicles) allowing an unlimited number of trips through the Shepard Broad Causeway for one year will be at the cost of \$350.00 per year, effective beginning on the date of activation. In addition, a six (6) month Shepard Broad Causeway Toll Pass Plan (which shall be restricted Class 1 vehicles) will be offered, at the cost of \$225.00 for 6-months beginning from date of activation.
- (b) Shepard Broad Causeway Toll Pass Plans for vehicles owned by the municipalities of Bal Harbour Village, the Town of Surfside, and Indian Creek Village will be sold for one half the cost of the Toll Pass Plan, per year. These Shepard Broad Causeway Toll Pass Plans will also be valid for unlimited trips. Any municipally owned vehicle not associated with a Pass Plan will be required to pay the full fare for passage through the Shepard Broad Causeway Toll.
- (c) All governmental agencies, other than the municipalities previously mentioned, will be charged and shall pay full-fare for passage through the Shepard Broad Causeway Toll.

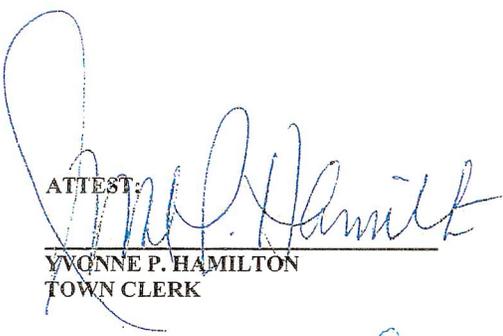
- (d) All current Council members and Town officials of the Town of Bay Harbor Islands, and all previous Council members who served a minimum of one term and Town officials who served the Town or were otherwise employed by the Town for a continuous period of ten (10) years or more, will be issued two "non-revenue Pass Plans" as an additional benefit from their employment with the Town. Each person presently employed by the Town of Bay Harbor Islands will be issued one "non-revenue Pass Plan" as an additional benefit from his or her employment with the Town.
2. The SunPass/ETC rates described in this Resolution, may be adjusted from time to time by the Town Council.
 3. The Town Manager may establish such other operational and administrative procedures as are necessary for the effective and efficient operation of the Shepard Broad Causeway Toll.
 4. All Resolutions or parts of Resolutions in conflict are hereby repealed with this Resolution are hereby repealed.
 5. This resolution shall become effective upon adoption.

PASSED AND ADOPTED this 14th day of September, 2022.



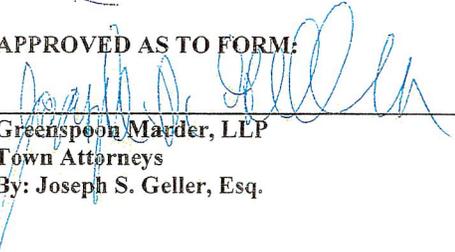
JOSHUA FULLER
MAYOR

ATTEST:



YVONNE P. HAMILTON
TOWN CLERK

APPROVED AS TO FORM:



Greenspoon Marder, LLP
Town Attorneys
By: Joseph S. Geller, Esq.

RESOLUTION NO. 2100

RESOLUTION OF THE TOWN OF BAY HARBOR ISLANDS
REVISING THE SCHEDULE OF TOLLS AND METHOD OF
COLLECTION FOR USE OF THE BROAD CAUSEWAY
SYSTEM.

WHEREAS, the Town Council of the Town of Bay Harbor Islands is responsible for the public health, safety, and welfare of the citizens of the Town of Bay Harbor Islands and those coming to the Town, and

WHEREAS, the Town has contracted with the Florida Turnpike Enterprise to implement the use of its "Sunpass" for the toll facility on the Broad Causeway; and

WHEREAS, the maintenance, and operations of the toll facility on Broad Causeway will be managed by the Town in conjunction with the Florida Turnpike Enterprise and there are certain requirements associated with the Florida Turnpike Enterprise's management; and

WHEREAS, in the loan agreement for the Town's Promissory Note (Series 2012 Bonds on the Broad Causeway), the Town is required to maintain net revenues equal to 125% of debt service on this loan.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF BAY HARBOR ISLANDS AS FOLLOWS:

Section 1. The schedule of tolls shall be as follows:

<u>Bay Harbor Islands Toll Rate</u>		<u>Toll by Plate – w/ out Sunpass</u>
2x Axles	\$1.00 \$ 1.50	\$1.25 \$ 2.00
Automobiles, Pick-up Trucks and Vans		
each additional axles	\$ 5.00	\$ 6.50
3x axles	\$ 6.00	\$ 7.75
4x axles	\$ 11.00	\$ 14.25
5x axles	\$ 16.00	\$ 20.75

There shall be no charge for mopeds, bicycles and pedestrians.

Section 2. Notwithstanding the above, the following regulations are hereby established. These shall replace and supersede those regulations set forth in Resolution No. 2090 adopted on May 9, 2016.

1. The schedule of tolls shall be as follows:

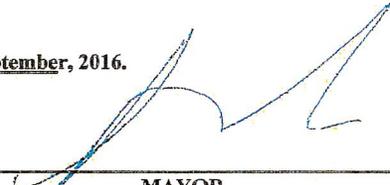
(a) Bay Harbor Islands Annual accounts (which shall be restricted Class 1 vehicles only except as noted in paragraph (e) below) allowing an unlimited number of trips through the Broad Causeway toll facility will be sold for an initial cost of ~~\$250.00~~ \$300.00 per year ~~from the date in which purchased. The Annual Sunpass account shall be valid from October 1 of the year in which purchased, through September 30 of the succeeding year. The purchase price for the Annual Sunpass will not be pre-rated and will cost \$250.00 regardless of the date upon which it is purchased.~~

(1) Notwithstanding the above, a six (6) month option will be offered. The new option will allow the purchase a six (6) month pass for the cost of \$175 from the time of the purchase. The Pass will be available anytime during the year and be effective six (6) months from the date of purchase.

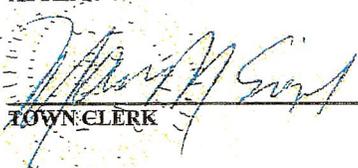
(2) Existing Annual Pass customers who are in good standing at the time of renewal shall have an annual renewal fee of: i) \$250.00 if they renew on or before September 30, 2016; or ii) \$275.00 if they renew on October 1, 2016 through December 31, 2016. Beginning on January 1, 2017, the Annual pass shall cost \$300.00 for all customers.

- (b) The Bay Harbor Islands Annual Sunpass accounts for vehicles owned by the municipalities of Bal Harbour Village, the Town of Surfside, and Indian Creek Village will be sold for one-half the cost per account, per year. These Annual Bay Harbor Islands Sunpass accounts also will be valid for unlimited trips. Any municipally owned vehicle which does not have an account will be required to pay the full fare for passage through the Broad Causeway Toll Facility.
 - (c) All governmental agencies, other than the municipalities previously mentioned, will be charged and shall pay full-fare for passage through the Broad Causeway Toll Facility.
 - (d) All current Council members and Town officials of the Town of Bay Harbor Islands, and all previous Council members who served a minimum of one term and Town officials who served the Town or were otherwise employed by the Town for a continuous period of ten (10) years or more, will be issued two (2) "non-revenue unlimited Bay Harbor Islands Sunpass accounts" as an additional benefit from their employment with the Town. Each person presently employed by the Town of Bay Harbor Islands will be issued one (1) Bay Harbor Islands Sunpass Account as an additional benefit from his or her employment with the Town.
 - (e) Upon the filing of an application with the Town of Bay Harbor Islands, members of the clergy will be granted a Bay Harbor Islands Annual Sunpass account at no cost in accordance with the provisions of applicable state law, provided however that an application for renewal of the Bay Harbor Islands Annual Sunpass account shall be filed annually, and further provided that the Sunpass transponder must be purchased and activated by the clergy member.
 - (f) Certain handicapped individuals who are exempt from payment of tolls within the State of Florida pursuant to applicable Florida law, may apply to the Town of Bay Harbor Islands for an Annual Sunpass account at no cost, providing however that they have complied with the provisions of State law and possess a valid Florida Department of Transportation Permit (decal). Further, the Sunpass transponder must be purchased and activated by the individual applying for exemption.
2. The Sunpass account rates described in this Resolution, may be adjusted from time to time by the Town Council. The Town Manager shall be authorized to establish such administrative fees as the collection of non Sunpass toll vehicles.
 3. The Town Manager may establish such other operational and administrative procedures as are necessary for the effective and efficient operation of the new ~~Broad Causeway~~ Toll Collection and Management System.
 4. This resolution shall become effective and will be implemented in accordance with the physical installation of the new system.

PASSED AND ADOPTED this 12th day of September, 2016.



MAYOR

ATTEST:


TOWN CLERK