

This is a proposed resolution from Charles Hines and Doug Hattaway, Trust for Public Land

RESOLUTION NUMBER:

Proposed Resolution 24-XX

A RESOLUTION OF THE COUNCIL OF THE VILLAGE OF ESTERO, FLORIDA EXPRESSING SUPPORT FOR BONITA-ESTERO RAIL-TRAIL PROJECT; AUTHORIZING THE VILLAGE MANAGER TO SUBMIT FUNDING REQUESTS TO THE LEE COUNTY METROPOLITAN PLANNING ORGANIZATION; ANNUAL PROJECT SOLICITATION CYCLE PRIORTIZATION THE FLORIDA DEPARTMENT OF TRANSPORTATION, INCLUDING REQUESTS FOR SHARED USE NONMOTORIZED TRAIL FUNDING, AND OTHER FLORIDA AGENCIES; THE FEDERAL DEPARTMENT OF TRANSPORTATION, INCLUDING THE FEDERAL HIGHWAY ADMINISTRATION; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Bonita-Estero Rail-Trail (BERT) Project is a designated Land Trail Priority Corridor in the Florida Greenways and Trails System Plan and part of the regional Florida Gulf Coast Trail; and

WHEREAS, BERT is a 14.9-mile rail corridor extending south from Alico Road where it connects to the existing Lee County John Yarbrough Trail and south to about Wiggins Pass Road where it can provide connection to the Paradise Coast Trail in Collier County; and

WHEREAS, in 2020, the Village jointly funded an appraisal of the BERT corridor with Lee and Collier Counties, the City of Bonita Springs, Trust for Public Land and Seminole Gulf Railway; and

WHEREAS, the Lee County Metropolitan Planning Organization (MPO), which the City / Village is part of, unanimously approved on March 17, 2023, a feasibility study funded by Sun Trail and commissioned by the Lee County MPO concluding the BERT project as the preferred route and supported the commencement of planning, engineering and design (PD&E) of the trail; and

WHEREAS, Trust for Public Land, a non-profit, public-benefit organization, has negotiated a binding agreement with Seminole Gulf Railway for the purchase of the BERT corridor and is partnering with the Lee County MPO and the local governments of Lee County for the intended ultimate public ownership of the BERT corridor for conversion into a public multi-use path; and

WHEREAS, there are state and federal sources of funding for acquisition, PD&E, and construction to leverage with local funding and which funding sources require and/or prioritize eligible projects where local funding as designated as funding match; and

WHEREAS, rail-trail projects such as the BERT project promotes the health, safety, economic and community resilience of the Village of Estero; and

WHEREAS, the Village of Estero recognizes that the BERT project traverses four local government jurisdictions and will participate in discussions with Lee County, City of Bonita Springs and Collier County to agree on final public ownership and management of BERT; and

WHEREAS, the Village of Estero Comprehensive Plan identifies expanding and improving access to multi-modal transportation options through improved pedestrian access, bikeways, transit service, and rail opportunities as part of its community vision and goals; and

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF ESTERO, FLORIDA:

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Section 1. The Village of Estero supports the BERT Project as a critical component of the Florida Gulf Coast Trail, a regional trail component of the Florida Office of Greenways and Trails statewide priority trail network; and

Section 2. The Village Manager is authorized to execute and submit, on behalf of the Village of Estero Council, all related application documents to the Lee County MPO, Florida DOT, and other state and federal agencies which administer funding programs for the prioritization of BERT where BERT is an eligible project or includes eligible costs; and

Section 3. The Village of Estero authorizes the Village Manager to allocate an initial \$5M local appropriation to demonstrate its support of BERT and use of these funds to serve as any required or beneficial local matching funds toward the acquisition of the BERT corridor.

Section 3. This Resolution shall become effective upon passage.

PASSED AND CERTIFIED AS TO PASSAGE this 17th date of April, 2024.

John McLain, Mayor

ATTEST: _____
Carol Sacco, Village Clerk

APPROVED AS TO FORM AND CORRECTNESS: _____
ROBERT MICHAEL ESCHENFELDER, Village Attorney