

RESOLUTION NO. _____

PROPOSED RESOLUTION NO. 21-088

**A RESOLUTION OF THE LAKELAND CITY COMMISSION
EXPRESSING SUPPORT FOR THE NEW YORK AVENUE
(FPID# 436656-1-32-01) BICYCLE/PEDESTRIAN
OVERPASS AND LAKE BEULAH-CHASE STREET TRAIL
UNDERPASS IN DOWNTOWN LAKELAND; PROVIDING
FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the Florida Department of Transportation (“FDOT”) and CSX Transportation previously planned and implemented certain rail projects in Central Florida that included FDOT’s purchase of a 61-mile section of the CSX “A” Line in Osceola, Orange, Seminole and Volusia Counties to accommodate the SunRail commuter rail project and construction of an Integrated Logistics Center in Winter Haven; and

WHEREAS, the New York Avenue rail crossing (US DOT ID# 624289R) was closed in conjunction with the Lakeland Quiet Zone project through a Stipulation of Parties Agreement between CSX, the City and FDOT that was fully executed on October 16, 2013; and

WHEREAS, New York Avenue is a component of the City’s Lake-to-Lake Bikeway Network, and both New York Avenue and the Lake Beulah-Chase Street Trail corridor are designated components of the *Citywide Pathways Vision Plan* as adopted in the Lakeland Comprehensive Plan: Our Community 2030 (the “Lakeland Comprehensive Plan”); and

WHEREAS, the City constructed a “cycle track” bicycle facility along New York Avenue between Lime Street and Main Street that officially opened to traffic on August 2019; and

WHEREAS, the New York Avenue corridor provides an important pathway route through Downtown Lakeland, connecting the West Lake Hunter Trail corridor that is currently under study by FDOT with Lake Wire, the redevelopment site on the former Florida Tile property, the North Lake Wire Neighborhood and, ultimately, Bonnet Springs Park; and

WHEREAS, FDOT commissioned its *Polk Rail Study* to further evaluate new freight rail corridors and focus on grade-separated bicycle/pedestrian and vehicular rail crossings in Downtown Lakeland; and

WHEREAS, the City of Lakeland provided FDOT with its operational and bicycle/pedestrian crossing priorities from the *Polk Rail Study* in a letter dated December 5, 2013; and

WHEREAS, the City’s priorities included: 1) design and construction of the Intelligent Transportation System (ITS) operational and motorist advisory message board improvements in Central Lakeland, 2) Kentucky Avenue Pedestrian Overpass, 3) New York Avenue Pedestrian/Bicycle Underpass, and 4) Lake Mirror Pedestrian Overpass (new AMTRAK Station); and

WHEREAS, the Polk Rail Study recommended the addition of a bicycle/pedestrian corridor along Sloan Avenue between Lake Beulah and George Jenkins Boulevard as a “FAST Short-Term Improvement,” with the City stating its

intent to seek funding for this improvement through the Polk Transportation Planning Organization in its December 5, 2013 letter to Florida DOT; and

WHEREAS, the City Commission previously adopted Resolution 5386 on August 21, 2017, pursuant to which FDOT was requested to complete the New York Avenue Overpass through right-of-way acquisition, then put construction on hold until a future date when other nearby bicycle/pedestrian connections can be made; and

WHEREAS, the City Commission recommended in Resolution 5386 the no-build alternative for the Kentucky Avenue Pedestrian Overpass, which was evaluated concurrently with the New York Avenue bicycle/pedestrian crossing, and the Lake Mirror Pedestrian Overpass is no longer envisioned to provide enhanced access to a new intermodal center on the north side of Lake Mirror; and

WHEREAS, the New York Avenue corridor is located in close proximity to the Lakeland Intermodal Center site that was identified as the recommended intermodal center alternative by the City Commission pursuant to Resolution 5591 as approved on December 16, 2019; and

WHEREAS, Policy TRN-1.13B within the Lakeland Comprehensive Plan states that the City will work with the Polk Transportation Planning Organization to prioritize and fund freight rail analyses and long-term rail traffic mitigation identified in the FDOT's Rail Traffic Evaluation Study, the Polk Rail Study and the Florida Rail Enterprise Act, including the construction of an alternative rail line route around communities in Central Florida, and the City will also work with

FDOT and CSX to implement short-term freight rail traffic mitigation improvements in addition to the existing Quiet Zone through Downtown Lakeland; and

WHEREAS, the New York Avenue Bicycle/Pedestrian Overpass is currently under design by the FDOT, with right-of-way programmed within FDOT's Five-Year Work Program, although construction is not funded at this time; and

WHEREAS, the City of Lakeland will be required to provide funding for aesthetic enhancements to the bridge structure and approaches for the project above the standard design proposed by FDOT;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF LAKE LAND, FLORIDA:

SECTION 1. The foregoing findings are true and correct and are incorporated herein by reference and made a part hereof.

SECTION 2. The City Commission continues to support the development of the New York Avenue Bicycle/Pedestrian Overpass as a critical component of Lakeland's emerging active transportation network.

SECTION 3. The construction phase of this overpass should be programmed in FDOT's Five-Year Work Program to align with the timing of redevelopment within the Lake Wire area.

SECTION 4. The City will program up to \$85,000 in its Capital Improvement Plan Transportation Fund for aesthetic enhancements to the bridge structure and approaches, including powder-coated railings and concrete surface finish/stain sealer, to complement the existing and future vision for the surrounding area of Downtown Lakeland.

SECTION 5. The City Commission continues to support a bicycle/pedestrian pathway to be constructed beneath the CSX Rail Line, along Sloan Avenue between Lake Beulah and George Jenkins Boulevard near the eastern terminus of the planned Chase Street Trail, as a vital improvement to connect the Lake-to-Lake Bikeway with Bonnet Springs Park and a pathway network serving the greater western Lakeland community.

SECTION 6. If any word, sentence, clause, phrase, or provision of this Resolution, for any reason, is held to be unconstitutional, void, or invalid, the validity of the remainder of this Resolution shall not be affected thereby.

SECTION 7. This Resolution shall take effect immediately upon its passage.

PASSED AND CERTIFIED AS TO PASSAGE this 6th day of December, A. D. 2021.

ATTEST: _____
KELLY S. KOOS
CITY CLERK

H. WILLIAM MUTZ, MAYOR

APPROVED AS TO FORM AND CORRECTNESS: _____
PALMER C. DAVIS
CITY ATTORNEY