



AGENDA REPORT

Department: Engineering
Prepared by: Tirza Gonzales, Operations Manager
Meeting Date: Tuesday, March 19, 2024
Approved by: Benjamin A. Martinez, City Manager

SUBJECT:

Approval of a Railroad Right-of-Way License Agreement and Right of Entry Permit with San Diego Metropolitan Transit System to allow National City to use a portion of the 8th Street Transit Center parking lot for the FRANCSHUTTLE operation.

RECOMMENDATION:

Adopt a Resolution Entitled, "Resolution of the City Council of the City of National City, California, Authorizing the Mayor to Execute a Railroad Right-of-Way License Agreement and Authorizing the City Manager to Execute the Right of Entry Permit with San Diego Metropolitan Transit System for the Purpose of Using a Portion of the 8th Street Transit Center Parking Lot for the Construction and Use of a Solar Powered Storage Area for the Free Ride Around National City Shuttle Operation."

BOARD/COMMISSION/COMMITTEE PRIOR ACTION:

Not Applicable.

EXPLANATION:

On August 3, 2021, the City Council adopted Resolution 2021-104 authorizing the participation in the Clean Mobility Options (CMO) Voucher Pilot Program from the California Air Resources Board for the Free Ride Around National City (FRANC) Neighborhood Electric Vehicle (NEV) System.

On December 6, 2022, the City Council adopted Resolution 2022-196 thereby appropriating \$999,996 from the Clean Mobility Options (CMO) Voucher Program for the Free Ride Around National City (FRANC) Shuttle Program.

On June 20, 2023, the City Council adopted Resolution 2023-83 awarding an agreement with Circuit Transit, Inc. to provide the FRANC program, and Resolution 2023-89 authorizing an appropriation in the amount of \$400,000 for funding from the San Diego Port District for the FRANC program.

The scope of this program also includes constructing a storage facility that provides the ability to securely store and charge the NEV shuttles. The facility will consist of a fenced in area where the NEVs can be locked and connected to an electric vehicle charger overnight, which will be powered by solar panels. This will be constructed at the 8th Street Transit Center Parking Lot, which is managed and controlled by MTS through a lease from Naval Base San Diego. A Railroad Right-of-Way License Agreement is required to allow the City to use a portion of this lot. The City also needs a Right of Entry Permit prior to commencement of construction activities. Final design is complete and the project is ready to go out to bid for construction, pending execution of the Railroad Right-of-Way License Agreement.

The proposed Railroad Right-of-Way License Agreement is for an unspecified term. However, MTS has the right to require removal of the improvements in the future if they need the land for other purposes by providing 120 days' notice. The proposed Railroad Right-of-Way License Agreement includes the attached exhibits that form part of the License:

- Exhibit A – Lot and proposed drop-off area for FRANC riders and storage area for the FRANC vehicles.
- Exhibit B – Proposed FRANC vehicle storage area and the construction staging area.
- Exhibit C – Elevation rendering of the proposed storage area with solar roof for vehicle charging.
- Exhibit D – Right of Entry Permit for the construction of the vehicle storage and use.
- Exhibit E – Right-of-Way Easement from the Federal Government (Navy) to MTS for the 8th Street lot of which a portion is being proposed to be licensed to National City.

Staff recommends that the City Council approve the attached Resolution, Railroad Right-of-Way License Agreement and subsequent Right of Entry Permit, which are required to allow for construction and use of EV charging stations and secure storage area for the FRANC shuttles.

FINANCIAL STATEMENT:

There will be no cost to the City under the license agreement for the utilization of the designated portion of the 8th Street parking lot for a storage and charging facility for the FRANC shuttles.

RELATED CITY COUNCIL 2020-2025 STRATEGIC PLAN GOAL:

Transportation Choices and Infrastructure

ENVIRONMENTAL REVIEW:

This is not a project under CEQA and is therefore not subject to environmental review. CCR15378; PRC 21065.

PUBLIC NOTIFICATION:

Agenda Report posted within 72 hours of meeting date and time in accordance with Brown Act.

ORDINANCE:

Not Applicable

EXHIBITS:

Exhibit A – Resolution

Exhibit B – Railroad Right-Of-Way License Agreement and Right of Entry Permit