

**RESOLUTION NO. 2024 -**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY, CALIFORNIA AUTHORIZING THE MAYOR TO EXECUTE THE RAILROAD RIGHT-OF-WAY LICENSE AGREEMENT AND AUTHORIZING THE CITY MANAGER TO EXECUTE A 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.**

**WHEREAS**, on August 3, 2021, 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; and

**WHEREAS**, on December 6, 2022, City Council adopted Resolution 2022-196 appropriating \$999,996 from the CMO Voucher Program for the FRANC Shuttle Program; and

**WHEREAS**, on June 20, 2023, City Council adopted Resolution 2023-83 awarding an agreement with Circuit Transit, Inc. to operate the FRANC program; and

**WHEREAS**, on June 20, 2023, City Council adopted Resolution 2023-89 authorizing an appropriation in the amount of \$400,000 for funding from the San Diego Unified Port District for the FRANC program; and

**WHEREAS**, the scope of the FRANC program also includes construction of a facility to securely store and charge the NEV shuttles at the 8th Street Transit Center Parking Lot, which is managed and controlled by the San Diego Metropolitan Transit System (MTS) through a lease from Naval Base San Diego; and

**WHEREAS**, a Railroad Right-of-Way License Agreement is required to allow the City to use a portion of this lot and a Right of Entry Permit is required to allow for construction; and

**WHEREAS**, City staff recommends authorizing the Mayor to execute the Railroad Right-of-Way License Agreement and authorizing the City Manager to execute the Right of Entry Permit with MTS for the purpose of using a portion of the 8<sup>th</sup> Street Transit Center Parking Lot for the construction and use of a solar powered storage area for the FRANC shuttle operation.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NATIONAL CITY, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE, AND ORDER AS FOLLOWS:**

**Section 1:** That the City Council hereby authorizes the Mayor to execute the Railroad Right-of-Way License Agreement and authorizes 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 8<sup>th</sup> Street Transit Center Lot for the construction and use of a solar powered storage area for the Free Ride Around National City shuttle operation.

**Section 2:** That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

**PASSED and ADOPTED this 19th day of March, 2024.**

\_\_\_\_\_  
Ron Morrison, Mayor

**ATTEST:**

\_\_\_\_\_  
Shelley Chapel, MMC, City Clerk

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Barry J. Schultz, City Attorney