

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA, AUTHORIZING SUBMISSION OF, ACCEPTANCE OF, AND EXECUTION OF ALL DOCUMENTS AND INSTRUMENTS RELATED TO CALIFORNIA STATE SENATE BILLS 862, 9, 102, 125, 862, FOR TRANSIT AND INTERCITY RAIL CAPITAL PROGRAM, THE ZERO EMISSION TRANSIT CAPITAL PROGRAM FUNDING ALLOCATIONS IN THE AMOUNT OF \$80,982,330 FOR HYDROGEN FUEL CELL ELECTRIC BUS PURCHASES, CLEAN FUELING INFRASTRUCTURE, AND ACCESSIBLE BUS STOP IMPROVEMENTS AS APPROVED BY THE CALIFORNIA STATE TRANSPORTATION AGENCY AND ADMINISTERED BY FRESNO COUNCIL OF GOVERNMENTS

WHEREAS, the City of Fresno's Department of Transportation Fresno Area Express (FAX) is an eligible project sponsor and may receive state funding from the Transit and Intercity Rail Capital Program (TIRCP); and

WHEREAS, TIRCP was created by Senate Bill (SB) 862 (Chapter 36, Statutes of 2014) and modified by Senate Bill 9 (Chapter 710, Statutes of 2015) to provide grants from the Greenhouse Gas Reduction Fund (GGRF) to fund transformative capital improvements that will modernize California's intercity, commuter, and urban rail systems, and bus and ferry transit systems, to significantly reduce emission of greenhouse gases, vehicle miles traveled, and congestion; and

WHEREAS, SB 102 (Chapter 38, Statutes of 2023) and SB 125 (Chapter 54, Statutes of 2023) created the Zero Emission Transit Capital Program (ZETCP), providing clear guidelines for the allocation of funds appropriated in the Budget Act of 2023, as subsequently amended in the Budget Act of 2024. These statutes define specific funding

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Date Adopted:

Date Approved:

Effective Date:

City Attorney Approval: TH

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categories to be distributed to Regional Transportation Planning Agencies (RTPAs) for allocation to local transit operators; and

WHEREAS, the California State Transportation Agency (CalSTA) issued guidance through the final guidelines for the Budget Act of 2024 SB125 Formula-Based Transit and Intercity Rail Capital Program and the Zero Emission Transit Capital Program, dated January 10, 2025; and

WHEREAS, those guidelines are subject to future modification by CalSTA; and

WHEREAS, Fresno Council of Governments (FCOG) is the RTPA designated by the Governor for the Fresno County Region; and

WHEREAS, FCOG recognizes the City of Fresno, i.e., Fresno Area Express (FAX), the City of Clovis, i.e., Clovis Transit, and Fresno County Rural Transit Agency (FCRTA) as public transit operators in Fresno County eligible to receive TIRCP, ZETCP GGRF, and ZETCP Public Transit Account (PTA) funding pursuant to SB125; and

WHEREAS, on August 22, 2024, CalSTA approved an allocation of \$119,707,058 across all fiscal years to be administered by FCOG; and

WHEREAS, FCOG will make disbursements to eligible Transit Operators in compliance with this resolution based on the CalSTA approved Allocation and deposits received WHEREAS, CalSTA will make subsequent program disbursements to FCOG subject to their adopted policy and guidelines; and

WHEREAS, funding in the amount of \$80,982,330 is to support the FAX projects Fuel Cell Bus Purchases, Clean Fueling Infrastructure, and Accessible Bus Stop Improvements, across all years of the TIRCP and ZETCP programs (FY 2023-24 through FY 2026-27).

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Fresno as follows:

1. Council authorizes the Director of Transportation or designee to submit and accept funding allocations in the amount of \$80,982,330 from TIRCP, ZETCP for hydrogen fuel cell electric bus purchases, clean fueling infrastructure and accessible bus stop improvements.
2. Transit Operator shall deposit program proceeds received from FCOG in a dedicated interest-bearing account, report interest earnings to FCOG and receive authorization prior to spending interest on an approved project.
3. Transit Operator shall carry the unspent balance of program proceeds and interest earnings in a deferred revenue account until expended on an approved project.
4. Transit Operator shall spend program proceeds received from FCOG only on approved projects per the adopted guidelines.
5. Transit Operator shall adhere to requirements in the adopted guidelines, CalSTA Budget Act of 2024 SB125 Formula-Based Transit and Intercity Rail Capital Program & Zero Emission Transit Capital Final Guidelines, dated January 10, 2025, or subsequent revisions as made by CalSTA.
6. Transit Operator shall provide program reporting by a template designed by FCOG in conjunction with CalSTA requirements.
7. The State of California and FCOG retain the right to review project documents and conduct audits during project implementation and over the life of the project.
8. This resolution shall be effective upon final approval.

* * * * *

STATE OF CALIFORNIA)
COUNTY OF FRESNO) ss.
CITY OF FRESNO)

I, TODD STERMER, City Clerk of the City of Fresno, certify that the foregoing resolution was adopted by the Council of the City of Fresno, at a regular meeting held on the _____ day of _____, 2025.

AYES :
NOES :
ABSENT :
ABSTAIN :

Mayor Approval: _____, 2025
Mayor Approval/No Return: _____, 2025
Mayor Veto: _____, 2025
Council Override Vote: _____, 2025

TODD STERMER, MMC
City Clerk

By: _____
Deputy

APPROVED AS TO FORM:
ANDREW JANZ
City Attorney

By: _____
Tricia Herrera Date
Deputy City Attorney