



## RESOLUTION NO. 2025-133

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



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 GGFR, 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 1st day of May, 2025.

AYES : Perea, Karbassi, Arias, Maxwell, Vang, Esparza  
NOES : None  
ABSENT : Richardson  
ABSTAIN : None

Mayor Approval: May 12, 2025  
Mayor Approval/No Return: N/A, 2025  
Mayor Veto: N/A, 2025  
Council Override Vote: N/A, 2025

TODD STERMER, MMC  
City Clerk

By: [Signature] 5-21-2025  
Deputy

APPROVED AS TO FORM:  
ANDREW JANZ  
City Attorney

By: [Signature] 5/20/2025  
Tricia Herrera Date  
Deputy City Attorney



May 2, 2025

Council Adoption: 05/01/2025

Mayor Approval:

Mayor Veto:

Override Request:

TO: MAYOR JERRY DYER

FROM *BC* TODD STERMER, MMC  
City Council

SUBJECT: TRANSMITTAL OF COUNCIL ACTION FOR APPROVAL OR VETO

At the City Council meeting of May 1, 2025, Council adopted the attached Resolution No. 2025-133 **\*\*\*RESOLUTION - 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. (Subject to Mayor's Veto), Item 2-U, File ID 25-554, by the following vote:**

Ayes : Perea, Karbassi, Arias, Maxwell, Vang, Esparza  
Noes : None  
Absent : Richardson  
Abstain : None

Please indicate either your formal approval or veto by completing the following sections and executing and dating your action. Please file the completed memo with the Clerk's office on or before May 12, 2025. In computing the ten day period required by Charter, the first day has been excluded and the tenth day has been included unless the 10<sup>th</sup> day is a Saturday, Sunday, or holiday, in which case it has also been excluded. Failure to file this memo with the Clerk's office within the required time limit shall constitute approval of the ordinance, resolution or action, and it shall take effect without the Mayor's signed approval.

APPROVED /NO RETURN: \_\_\_\_\_

**VETOED** for the following reasons: (Written objections are required by Charter; attach additional sheets if necessary.)  
\_\_\_\_\_  
\_\_\_\_\_

Jerry Dyer, Mayor

Date: *5/12/25*

**RECEIVED**  
2025 MAY 12 P 5:07  
CITY OF FRESNO  
CITY CLERK'S OFFICE



**COUNCIL OVERRIDE ACTION:**

Date: \_\_\_\_\_

Ayes :  
Noes :  
Absent :  
Abstain :