



FRESNO COUNTY RURAL TRANSIT AGENCY

2100 Tulare Street, Suite 619 Fresno, CA 93721

Phone: 559 - 233 - 6789 Fax: 559 - 233 - 9645

Webpage: www.ruraltransit.org Email: jwebster@ruraltransit.org

FRESNO COUNTY RURAL TRANSIT AGENCY (FCRTA)

AGENDA

DATE: Thursday, January 29, 2009
TIME: Following the **5:30pm** Council of Fresno County Governments (COFCG) Meeting
PLACE: COFCG / FCRTA Offices
Sequoia Conference Room
2035 Tulare Street, Suite 201
Fresno, CA 93726
(Corner of Tulare and Van Ness Ave. - above "Club One"
Park in Underground Garage - Entrance off Tulare & Van Ness Ave.
Exit Elevator on Tulare St., Turn Left, Enter Lobby Door,
Up Elevator to Second Floor, Left to Sequoia Conference Room)

Americans with Disabilities Act (ADA) Accommodation

The Fresno COG / FCRTA offices and restrooms are ADA accessible. Individuals with disabilities may call Fresno COG (559-233-4148) / FCRTA (559-233-6789) at least 3 days in advance, to request auxiliary aids and/or translation services necessary to participate in the public meeting / public hearing. If Fresno COG / FCRTA is unable to accommodate an auxiliary aid or translation request for a public hearing after receiving proper notice, the hearing will be continued on a specified date when accommodations are available.

ROLL CALL

- I. Public Presentations - This portion of the meeting is reserved for persons wishing to address the FCRTA Board on items within its jurisdiction, but not on this Agenda.

NOTE: The public may also comment on any Agenda item, as they are presented, prior to action by the FCRTA Board.

ACTION ITEMS

- II. Approve "Executive Minutes of December 18, 2008" (Attachment).
- III. California Air Resources Board (CARB) Notification that Our 1997 Compressed Natural Gas Powered Vehicles are Polluting Equivalent to a Diesel Bus, Fine, and Directive to Sell Certain Vehicles by June 30, 2009 (Attachment).
- IV. Approve Office of Homeland Security Grant for 2008-09, Resolution 2009-01 (Attachment).

REVIEW AND COMMENT ITEMS

- III. None.

INFORMATIONAL ITEMS

- IV. None.

A JOINT POWERS AGENCY TO PROVIDE A COORDINATED TRANSIT SYSTEM FOR RURAL FRESNO COUNTY

THE CITIES OF COALINGA, FIREBAUGH, FOWLER, HURON, KERMAN, KINGSBURG, MENDOTA, ORANGE COVE, PARLIER, REEDLEY, SANGER, SAN JOAQUIN, SELMA & FRESNO COUNTY



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FRESNO COUNTY RURAL TRANSIT AGENCY

EXECUTIVE MINUTES

Date: Thursday, December 18, 2008
Time: After the 3:30pm Fresno COG Meeting
Place: Sequoia Conference Room
2035 Tulare Street, Suite 201, Fresno, CA 93721

Members Present: Mayor Trinidad M. Rodriguez, City of Kerman, Chair
Mayor Dennis Lujan, City of Selma, Vice Chair
Mayor Ron Lander, City of Coalinga
Mayor Marcia Sablan, City of Firebaugh
Councilmember Rico Aguayo, City of Fowler
Mayor Ramon Dominguez, City of Huron
Mayor Bruce Blayney, City of Kingsburg
Mayor Robert Silva, City of Mendota
Mayor Victor Lopez, City of Orange Cove
Mayor Armando Lopez, City of Parlier
Mayor Mary Fast, City of Reedley
Mayor Amarpreet Dhaliwal, City of San Joaquin
Mayor Jose R. Villarreal, City of Sanger
Supervisor Henry Perea, County of Fresno

Jeffrey D. Webster, General Manager
Kevin Briggs, Legal Counsel
Suzanne Martinez, Fresno COG

ROLL CALL

There were nineteen (19) votes from fourteen (14) members present; representing a quorum and business was in order.

The meeting was called to order by Mayor Trinidad M. Rodriguez, Chair, at 4:42 p.m.

- I. Public Presentations – This portion of the meeting was reserved for persons wishing to address the FCRTA Board on items within its jurisdiction but not on the Agenda.**

There were no public presentations.

ACTION ITEMS

II. Approve Executive Minutes of November 20, 2008

Following an expressed opportunity for public comment, a motion was made by Mayor Lopez (Parlier) and seconded by Supervisor Perea (Fresno County) to approve the November 20, 2008 minutes as written. A vote was called for and the motion carried.

III. Award to Purchase Four (4) Mini-Vans, Resolution 2008-15

Jeff Webster, General Manager gave a brief background report on the agenda item. He noted that the FCRTA had been approved by the Fresno COG to receive Federal Transit Administration Section 5317 – New Freedom funds to purchase the vehicles. A contract between the two agencies has been executed to proceed with the purchase. The FCRTA is procuring the vehicles through the Caltrans procurement program.

Following an expressed opportunity for public comment, a motion was made by Supervisor Perea (Fresno County) and seconded by Mayor Silva (Mendota) to approve Resolution 2008-15, to procure four (4) specified mini vans from Creative Bus Sales for the total purchase price of \$178,936.60 (\$44,734.15 each van). A vote was called for and the motion carried.

IV Approve the Public Transportation Modernization, Improvement, and Service Enhancement (PTMISEA) Application to Purchase Ten (10) Rolling Stock Replacement Cut-Away Vans, Resolution 2008-16

Jeff Webster, General Manager, reported that this item is already reflected in the adopted budget. Staff was asked to formally authorize the purchase of the vans.

Following an expressed opportunity for public comment, a motion was made by Supervisor Perea (Fresno County) and seconded by Mayor Lopez (Parlier) to approve Resolution 2008-16, authorizing FCRTA's PTMISEA applications for the purchase of ten rolling stock replacement cut-away vans. A vote was called for and the motion carried.

REVIEW AND COMMENT ITEMS

III. None.

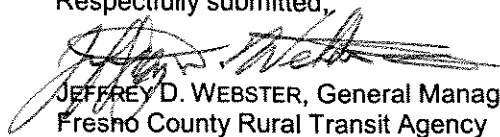
INFORMATIONAL ITEMS

IV. None.

ADJOURN

There being no further business, the meeting was adjourned at 4:44 p.m.

Respectfully submitted,


JEFFREY D. WEBSTER, General Manager
Fresno County Rural Transit Agency

JDW/smm



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2100 Tulare Street, Suite 619 Fresno, CA 93721
Phone: 559 - 233 - 6789 Fax: 559 - 233 - 9645
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December , 2009

MEMORANDUM

TO: FCRTA Board of Directors;
COFCG / FCRTA Policy Advisory Committee;
COFCG Transportation Technical Committee; and
The General Public.

FROM:  Jeffrey D. Webster, General Manager

SUBJECT: California Air Resources Board (CARB) Notification that Our 1997
Compressed Natural Gas Powered Vehicles are Polluting Equivalent to a
Diesel Bus, Fine, and Directive to Sell Certain Vehicles by June 30, 2009

ACTION ITEM

On December 24, 2008 I received notification from the California Air Resources Board (CARB) that they had determined that our 1997 Compressed Natural Gas vehicles are now polluting equivalent to a Diesel vehicle.

Needless to say, I was shocked. Annually we are required to submit documentation of our vehicle fleet as a "Transit Fleet Operator" to show compliance with efforts to comply with State Laws and Regulations to ensure that we are doing our best to clean-up the air.

The FCRTA has been a leader since 1992 in demonstrating that a small rural transit agency, such as ours can successfully operate a fleet with recognized fuel alternatives to that of diesel. Since the passage of the Federal Clean Air Act in 1990, and its subsequent regulations on transit fleets nation-wide, we have purchased eighty-two (82) vehicles. We have operated seventeen (17) on propane, fifty (50) on CNG, two (2) on electric battery, and thirteen (13) on unleaded gasoline (only because the CARB did not have authorized conversion kit in the years that they were purchased). That equates to eighty-two percent (82%) alternatively fueled. Our previous two (2) diesel buses were withdrawn from service following the Coalinga earthquake in 1983, and we have not purchased a diesel powered vehicle since that time,

To date, I have talked to three (3) CARB representative regarding this matter. According to their paper calculations they feel that our 1997 CNG powered vehicles are now polluting similar to the diesel standards, after more than ten (10) years of operation. They feel that the condition of the engine has deteriorated with usage, and so it must be polluting more

than the 1997 standard for diesel vehicles. They noted that if the vehicles had been powered by unleaded gasoline, they would have been exempt from the program and further reporting.

I have questioned the basis for their determination. I told them that we have complied annually with the California Bureau of Automotive Repair (BAR), Fleet Operations Unit in documenting each vehicles compliance "smog check testing". Our vehicles have always "pass" the inspections. The results are documented in a annual report to BAR and audited on sight annually by their personnel. We have never had an issue with exceeding stipulated standards.

The CARB personnel have told me that their emissions program does not relate to that program. They do not recognize those test results.

The have stipulated that we are to dispose of a minimum of eleven (11) by June 30, 2009 in order to comply with the laws and regulations enacted by Sacramento in the past. They do not feel that we can question their findings.

They expect me, as the designated agent of the FCRTA to sign a stipulated agreement, to admit that we have failed to comply with their findings, pay a fine of \$5,500 to their three (3) designated recipients, and dispose of the a number of vehicles. I asked if we could sell the vehicles to another transit agency, and the answer was no, because they are polluters. It not clear if anyone in California could operate the equipment in the future.

I have asked if we could have the vehicles tested by "their" program to certify that they actually have exceeded the standard. They said they did not know, we are the first to ever ask such a question. They want this matter resolved immediately, before they may have to consider other courses of actions against us.

RECOMMENDATION

The General Manager seeks comments from the Board of Directors. Staff has prepared the checks as stipulated and will sign the agreement and send it in if you agree with finding of the California Air Resources Board.

Attachment

Enforcement
Division**CALIFORNIA AIR
RESOURCES BOARD**Heavy Duty Diesel Enforcement Section—
South

9480 Telstar Avenue, Annex 4

El Monte, CA 91731

FAX: 626-450-6170/Phone: 626-350-6490

Fax Transmittal Form

TO:

559-233-9645

Mr. Jeffrey D. Webster, Gen. Mgr.

FROM:

Michele Burns
Investigator/Air Pollution Specialistyour penalties are based on the eleven (11)
1997 & earlier model year engines.☐ Urgent
☐ For Review
☐ Please Comment
☒ Please ReplyDate Sent: 12-24-08
Time Sent: 0915

Number of Pages including cover page: 6



Linda S. Adams
Secretary for
Environmental Protection

Air Resources Board

Mary D. Nichols, Chairman
9480 Telstar Avenue, Suite 4
El Monte, California 91731 www.arb.ca.gov



Arnold Schwarzenegger
Governor

SENT VIA FAX TO (559) 233-9645 AND U.S. MAIL

December 24, 2008

Mr. Jeffrey D. Webster, General Manager
Fresno County Rural Transit Agency
2035 Tulare Street, Suite 201
Fresno, CA 93721

Dear Mr. Webster:

This letter serves as notification that the Fresno County Rural Transit Agency (FCRTA) has violated the Fleet Rule for Transit Agencies-Transit Fleet Vehicle Requirements, CCR, Title 13, Section 2023.2 (a) (1) as of December 31, 2007.

Based on the annual report submitted by FCRTA in 2008, Air Resources Board (ARB) staff has identified excess NOx emissions that resulted from the violation of the Fleet Rule for Transit Agencies-Transit Fleet Vehicle Requirements, as you will see illustrated in the attached Transit Fleet Vehicle NOx Calculator. The ARB believes that \$5,500.00 is an appropriate penalty to settle this matter. To settle this case, please forward three checks made out as follows: to the California Air Pollution Control Fund in the amount of \$4,125.00, to the Peralta Community College District in the amount of \$687.50 and to the California Pollution Control Financing Authority in the amount of \$687.50. Please review, and if acceptable, sign and return the enclosed settlement agreement and payment as specified therein within 30 days of receiving this letter to:

Ms. Michele Burns, Investigator/APS
Air Resources Board, Enforcement Division
9480 Telstar Ave., Suite 4.
El Monte, CA 91731

The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our website: <http://www.arb.ca.gov>.

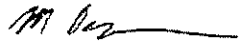
California Environmental Protection Agency

Mr. Jeffrey D. Webster

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For questions or comments about this matter or to schedule a settlement conference by phone or in person, please contact Ms. Michele Burns, Investigator/APS at: 626-350-6490, or mburns@arb.ca.gov, no later than December 31, 2008.

Sincerely,



Manfred Ochsner, Acting Manager
Heavy-Duty Diesel Enforcement Section-South
Enforcement Division

Attachments (3)

cc: Kirk Oliver, Esq. /ARB, Office of Legal Affairs
Paul Jacobs/ARB, Chief, Mobile Source Enforcement Branch
Kathleen Mead/ARB, Mobile Source Control Division
Adam Gerber/ARB, Mobile Source Control Division

SETTLEMENT AGREEMENT AND RELEASE

This SETTLEMENT AGREEMENT AND RELEASE (hereinafter "Agreement") is entered into between the STATE OF CALIFORNIA AIR RESOURCES BOARD (hereinafter "ARB") 1001 I Street, Sacramento, California 95814, and the FRESNO COUNTY RURAL TRANSIT AGENCY, (hereinafter "FCRTA"), 2035 Tulare Street, Suite 201, Fresno, CA 93721.

I. RECITALS

- (1) The Fleet Rule for Transit Agencies-Transit Fleet Vehicle Requirements, Section 2023.2 (a) (1) of the Title 13 of the CCR, states that, from December 31, 2007 through December 31, 2010, NOx fleet averages should not exceed 3.2 g/bhp-hr unless void of 1997 and earlier model engines. The ARB alleges that FCRTA NOx emission totals as of December 31, 2007 was more than 3.2 g/php-hr.
- (2) Health and Safety Code, Sections 39674 (a) and (b) authorize civil penalties for the violation of the programs for the regulation of toxic air contaminants not to exceed one thousand dollars (\$1,000.00) or not to exceed ten thousand dollars (\$10,000.00) respectively, for each day in which the violation occurs.
- (3) ARB contends that if the facts described in recital paragraph (1) were proven civil penalties could be imposed against FCRTA, as provided in H&SC section 39674.
- (4) FCRTA is willing to enter into this Agreement solely for the purpose of settlement and resolution of this matter with ARB. ARB accepts this Agreement in termination of this matter. Accordingly, the parties agree to resolve this matter completely by means of this Agreement, without the need for formal litigation, and therefore agree as follows:

II. TERMS & RELEASE

In consideration of ARB not filing a legal action against FCRTA, for the violations alleged above, ARB and FCRTA agree as follows:

- (1) Upon execution of this Agreement, FCRTA shall pay a civil penalty of \$5,500.00. Payment shall be made in check form as described below and the full amount shall be submitted within 30 days of receipt of this Settlement Agreement and Release.

SETTLEMENT AGREEMENT AND RELEASE
ARB AND FCRTA

- \$4,125.00 to the **California Air Pollution Control Fund**.
- \$687.50 to the **Peralta Community College District**.
- \$687.50 to the **California Pollution Control Financing Authority**.

All payments and documents shall be sent to the attention of:

Ms. Michele Burns, Investigator/Air Pollution Specialist
Air Resources Board, Enforcement Division
9480 Telstar Avenue, Suite 4
El Monte, CA 91731

- (2) If the Attorney General files a civil action to enforce this settlement agreement, FCRTA shall pay all costs of investigating and prosecuting the action, including expert fees, reasonable attorney's fees, and costs.
- (3) Within 180 days of execution of this agreement, FCRTA shall submit the proof of compliance with the Fleet Rule for Transit Agencies-Transit Fleet Vehicle Requirements to the ARB.
- (4) Within 180 days of execution of this agreement, the NOx emission total for FCRTA'S transit fleet vehicle fleet shall not exceed 3.2 g/bhp-hr or shall retire all 1997 and earlier model year engines in transit fleet vehicles by January 1, 2009.
- (5) Beginning December 31, 2010, FCRTA'S transit fleet vehicles NOx fleet average shall not exceed 2.4 g/bhp-hr or shall retire all 2001 and earlier model year engines in transit fleet vehicles by December 31, 2010.
- (6) FCRTA shall comply with the requirements of the Fleet Rule for Transit Agencies set forth in CCR, Title 13, Section 2023.
- (7) FCRTA must notify the ARB within 30 days of any changed circumstances that jeopardize current or agreed upon compliance, or that could jeopardize future compliance, with the Fleet Rule for Transit Agencies. For each failure to notify under this paragraph, as determined by the ARB, FCRTA must pay ARB liquidated damages of \$1000.00 per vehicle within 90 days of the ARB notification to FCRTA.

**SETTLEMENT AGREEMENT AND RELEASE
ARB AND FCRTA**

- (8) This Agreement shall apply to and be binding upon FCRTA, and its officers, directors, receivers, trustees, employees, successors and assignees, subsidiary and parent corporations and upon ARB and any successor agency that may have responsibility for and jurisdiction over the subject matter of this Agreement.
- (9) This Agreement constitutes the entire agreement and understanding between ARB and FCRTA, concerning the subject matter hereof, and supersedes and replaces all prior negotiations and agreements between ARB and FCRTA, concerning the subject matter hereof.
- (10) No agreement to modify, amend, extend, supersede, terminate, or discharge this Agreement, or any portion thereof, is valid or enforceable unless it is in writing and signed by all parties to this Agreement.
- (11) Severability. Each provision of this Agreement is severable, and in the event that any provision of this Agreement is held to be invalid or unenforceable, the remainder of this Agreement remains in full force and effect.
- (12) This Agreement shall be interpreted and enforced in accordance with the laws of the State of California, without regard to California's choice-of-law rules.
- (13) This Agreement is deemed to have been drafted equally by the Parties; it will not be interpreted for or against either party on the ground that said party drafted it.
- (14) Now, therefore, in consideration of the payment by FCRTA in the amount of fifty-five hundred dollars (\$5,500.00), ARB hereby releases FCRTA and its principals, officers, directors, agents, subsidiaries, predecessors, and successors from any and all claims that ARB may have based on the facts and allegations described in recital paragraph (1), above. The undersigned represent that they have the authority to enter into this Agreement.

California Air Resources Board

**Fresno County Rural Transit
Agency**

By: _____
Name: James Ryden, Chief
Title: Enforcement Division
Date:

By: _____
Name: Jeffrey D. Webster
Title: General Manager
Date:



FRESNO COUNTY RURAL TRANSIT AGENCY

2100 Tulare Street, Suite 619 Fresno, CA 93721
Phone: 559 - 233 - 6789 Fax: 559 - 233 - 9645
Webpage: www.ruraltransit.org Email: jwebster@ruraltransit.org

January 21, 2009

Governor's Office of Homeland Security
ATTN: Transit Security Grant Unit
State Capitol, Sacramento, CA 958154-4900

Attention: Robert Nelson, Program Representative

Dear Robert:

Attached is our completed Investment Justification for our project to be jointly funded with 8879.58(a)(2) and 8879(a)(3) funds apportioned to our Agency. We are proposing to secure the "Second Phase" of an On-Board Vehicle Video Surveillance Recording System for our vehicle fleet.

Also attached are the stipulated attachments with draft copies of Appendix B through D materials that will be executed at our next FCRTA Board of Directors Meeting to be held on Thursday, January 29, 2009. I will forward the originals with wet blue signatures the following day to you.

Should you have any questions, please contact me.

Sincerely,


Jeffrey D. Webster
General Manager

Attachments

Investment Justification Template
Proposition 1B
(Required Font – New Times Roman – 10)

Investment Heading	
Date	January 21, 2009
State	California
County	Fresno
Agency Name	Fresno County Rural Transit Agency
Investment Name	Phase -2 On-Board Vehicle Video Surveillance Recording System
Investment Phase	1
Investment Amount	\$ 4,316

I.A. Identify the transit agency and that agency's point(s) of contact for this investment.	
Response Type	Narrative
Page Limit	Not to exceed ½ page
Response Instructions	For the transit agency (or lead agency) undertaking the investment, identify the following: • Point of contact's (POC) name and title; • POC's full mailing address; • POC's telephone number; • POC's fax number; • POC's email address; • and, Also include the corresponding information for the single authorizing official for your organization—i.e., the individual authorized to sign a grant award.
Response	Fresno County Rural Transit Agency Jeffrey D. Webster, General Manager 2035 Tulare Street, Suite 201 Fresno CA 93721 T- 559-233-6789 F- 559-233-9645 E- jwebster_ruraltransit@fresnocog.org Authorized to Sign: Jeffrey D. Webster, General Manager

I.B. Describe the operating system for the transit agency undertaking this investment.	
Response Type	Narrative
Page Limit	Not to exceed 2 pages
Response Instructions	For the transit agency (or lead agency) undertaking this investment, describe the following: • Infrastructure; • Ridership data; • Number of passenger miles; • Number of vehicles; • Types of service and other important features; • System map; • Geographical borders of the system and the cities and counties served; and, • Other sources of funding being leveraged for security enhancements
Response	The Fresno County Rural Transit Agency (FCRTA) is responsible for providing general public transit service to the rural portion of Fresno County, beyond the Fresno-Clovis

	Metropolitan Area (FCMA). Service is specifically to thirteen incorporated cities and twenty-five unincorporated communities. The FCRTA provides approximately 500,000 annual trips on nineteen transit subsystems. The FCRTA operates seventy-two vehicles. All the vehicles are accessible in accordance with the Americans with Disabilities Act of 1990. Fifty-nine vehicles are primarily powered by alternative fuels (propane, compressed natural gas, electric battery). We do not operate any diesel vehicles. The remaining thirteen vehicles are powered by gasoline. Sixteen new replacement and expansion vehicles are on order. Service is primarily real-time demand response. Scheduled fixed route service is provided between rural cities and the FCMA. Our passengers are primarily "transit dependent". Our Transit Service Map is attached for reference purposes. We are prepared to utilize a portion our local apportionment of ½ cent sales tax funds (Measure-C 2007-2027) to leverage the CTAF monies. 8279.58(a)(2) = 38.28%; 8879.58(a)(3) = 1.00%; Local = 60.72%, Total 100.00%
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II.A. Provide a brief abstract for this investment.

Response Type	Narrative
Page Limit	Not to exceed 1 page
Response Instructions	Provide a succinct statement summarizing this investment.
Response	The FCRTA is committed to securing a on-board vehicle Video Surveillance Recording System. Over the past twenty-eight years of operation, our drivers have been subjected to a variety of passengers. Occasionally a passenger may become unruly. The safety to the other passengers and driver may be compromised. Individuals have hit other passengers, knives have been drawn, robbery has occurred. The system will enable accountability for ones actions. Female drivers fear for their safety when they are alone with unknown male passengers while travelling in remote areas. Our neighboring county's transit agency (Tulare County's Visalia City Coach) had one of their drivers raped at knife point. The matter received ongoing media attention. The incident is a concern to all our drivers. We have investigated viable surveillance systems. Currently we have one of our vehicles with a demonstration unit. We experienced an incident on the vehicle, with the filing of a resultant claim against our Agency. When the other parties attorney became aware that the incident was recorded, the matter was immediately dropped without even reviewing the recording. Our Policy Board is committed to utilizing these funds to augment our funds in an attempt to equip all our vehicles with these monitoring devices.

II.B. Describe how this investment specifically addresses one or more of the transit security fundamentals identified in the FY07/08 (CTAF) Guidance

Response Type	Narrative
Page Limit	Not to exceed ½ page
Response Instructions	Describe how the investment addresses one or more of the following: A. Capital Projects: • Construction or renovation projects that are designed to enhance the security of public transit stations, tunnels, guide-ways, elevated structures or other transit facilities and equipment • Explosive device mitigation and remediation equipment • Chemical, biological, radiological and nuclear explosive search, rescue or response equipment • Interoperable communications equipment • Physical security enhancement equipment • The installation of fencing, barriers, gates or related security enhancements that are

	designed to improve the physical security of transit stations, tunnels, guide-ways, elevated structures or other transit facilities and equipment • Other security related projects approved by the Office of Homeland Security (OHS) B. Capital expenditures to increase the capacity of transit operators to develop disaster response transportation systems that can move people, goods, and emergency personnel and equipment in the aftermath of a disaster impairing the mobility of goods, people, and equipment.
Response	Following our careful review of the intent of this program, we have determined that our proposed project is consistent with the stipulated objectives, specifically that of: Physical Security Enhancement Equipment. Our previously identified highest priority project is to address the overall on-board vehicle safety of our transit vehicles.

II.C. Describe the investment will achieve the safety, security, or emergency response benefit.	
Response Type	Narrative
Page Limit	Not to exceed ½ page
Response Instructions	Outline how investment specifically addresses the transit agency's required security or emergency response plan.
Response:	This Capital Grant funding will be used to match our other resources to purchase an on-board vehicle video surveillance recording system for each of our transit vehicles.

II.D. Describe how this investment specifically meets the useful life for capital assets specified in subdivision (a) of section 16727.	
Response Type	Narrative
Page Limit	Not to exceed ½ page
Response Instructions	Describe how the investment addresses one or more of the following tangible physical properties: • An expected useful life of 15 years or more • Property with an expected useful life of 10 to 15 years, but these costs may not exceed 10 percent of the bond proceeds net of all issuance costs. • Include major maintenance, reconstruction, demolition for purposes of reconstruction of facilities, and retrofitting work that is ordinarily done no more often than once every 5 to 15 years or expenditures that continue or enhance the useful life of the capital asset. • Equipment with an expected useful life of two years or more.
Response	The useful life of on-board vehicle video surveillance recording equipment is at least ten years.

III.A. Investment Funding Plan	
Response Type	Narrative
Page Limit	Not to exceed 1 page
Response Instructions	• Include a narrative response below certifying how the cost share requirement will be met, where applicable • Complete the chart below to identify the amount of funding being requested for this investment only; • Funds should be requested by allowable cost categories (i.e., planning, organization, equipment, and management and administration.); • Applicants must make funding requests that are reasonable and

	justified by direct linkages to activities outlined in this particular investment; and, Applicants must indicate whether additional funding (non FY08/09 CTAF) will be leveraged for this investment.		
Response	FY07/08 CTAF Request Total	Other Funding Sources Applied (including cost share required)	Grand Total
	8879.58(a)(2)	8879.58(a)(3)	
Planning			
Equipment	166,625	4,316	0
Construction			
Total	166,625	4,316	0
			170,941

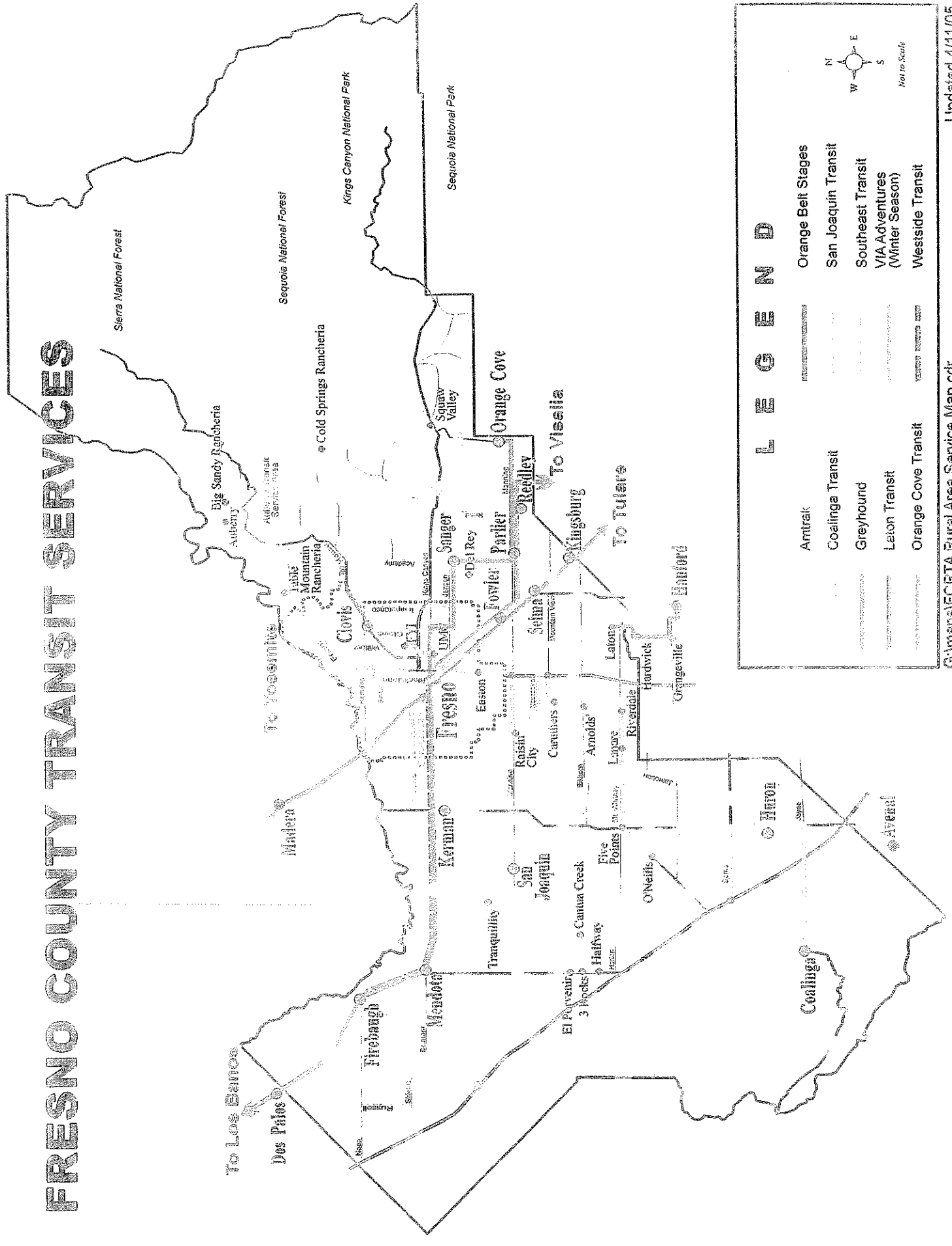
III.B. Provide a high-level timeline, milestones and dates, for the implementation of this investment. Possible areas for inclusion are: stakeholder engagement, planning, major acquisitions/purchases, training, exercises, and process/policy updates. Up to 10 milestones may be provided.

Response Type	Narrative
Page Limit	Not to exceed 1 page
Response Instructions	- Only include major milestones that are critical to the success of the investment; - While up to 10 milestones may be provided, applicants should only list as many milestones as necessary; - Milestones are for this discrete investment – those that are covered by the requested FY 2008 TSGP funds and will be completed over the 36- month performance period; - Milestones should be kept to high-level, major tasks that will need to occur; - Identify the planned start date associated with the identified milestone. The start date should reflect the date at which the earliest action will be taken to start achieving the milestone; - Identify the planned completion date when all actions related to the milestone will be completed and overall milestone outcome is met; and, - List any relevant information that will be critical to the successful completion of the milestone (such as those examples listed in the question text above).
Response	Time Periods in Days for each Milestone Step in the Procurement, Installation and Implementation Process: 1 – 0 to 30 days: Following grant approval, the FCRTA will prepare a Request for Proposal (RFP) to seek sealed bids from vendors known to provide such equipment to public transit operators. 2 – 30 to 60 days: Potential bidders will have thirty day to respond to the RFP. Bids will be submitted to a date and time certain. The proposals will be opened publically and the costs revealed by submitting vendor. 3 – 60 to 90 days: The staff will then review and analyze each specific proposal for completeness. The proposals will be ranked. A recommendation memorandum will be prepared for public review through three advisory committees (Social Service Transportation Advisory Council, Transportation Technical Committee, Policy Advisory Committee [City Manager and County CEO], and the FCRTA's Board of Directors for a final decision following an expressed opportunity for public comment. This entire process should be completed within three months. 4 – 90 to 150 Following the selection, a purchase order will be issued. The equipment will be ordered and installed by qualified personnel from the vendor. Staff will be trained in its use and operation. The process should be completed within two additional months. 5 – 150 to 180 days: An additional one month will be devoted to ensuring that all the equipment is working properly. 6 – 180 days: The total duration of the procurement and operation of the equipment

should be successfully completed within a six month time frame.

The equipment will be serviced as per manufacture recommendations. As vehicles are replaced, the equipment will be removed and transferred to the new vehicles. Again the service life of this equipment should exceed ten years. It should be noted that we intend to acquire currently available equipment. We are not interested in the latest unproven technology, salesman promises, or the latest bleeding edge "must have" advancements.

FRESNO COUNTY TRANSIT SERVICES



Appendix B
Authorized Agent

**FY08/09 Transit System Safety, Security and
Disaster Response Account Program**

AS THE Chairman of the Board of Directors
(Chief Executive Officer / Director / President / Secretary)

OF THE Fresno County Rural Transit Agency
(Name of State Organization)

I hereby authorize the following individual(s) to execute for and on behalf of the named State Organization, any actions necessary for the purpose of obtaining state financial assistance provided by the Governor's Office of Homeland Security.

Jeffrey D. Webster, General Manager, *OR*
(Name or Title of Authorized Agent)

_____, *OR*
(Name or Title of Authorized Agent)

(Name or Title of Authorized Agent)

Signed by _____ *and*

approved this 29 *day of* January, 2009.

Appendix C
Governing Body Resolution
FY08/09 Transit System Safety, Security and
Disaster Response Account Program

BE IT RESOLVED BY THE Board of Directors
(Governing Body)

OF THE Fresno County Rural Transit Agency *THAT*
(Name of Applicant)

Jeffrey D. Webster, General Manager, *OR*
(Name or Title of Authorized Agent)

, *OR*
(Name or Title of Authorized Agent)

,
(Name or Title of Authorized Agent)

is hereby authorized to execute for and on behalf of the named applicant, a public entity established under the laws of the State of California, any actions necessary for the purpose of obtaining financial assistance provided by the Governor's Office of Homeland Security.

Passed and approved this 29 day of January, 2009

Certification

I, Trinidad Rodriguez, duly appointed and
(Name)

Board Chairman of the Fresno County Rural Transit Agency
(Title) (Governing Body)

do hereby certify that the above is a true and correct copy of a resolution passed and approved by

the FCRTA Board of Directors of the Fresno County Rural Transit Agency on the
(Governing body) (Name of Applicant)

24 day of, January,
2009.

General Manager
(Official Position)

January 29, 2009
(Signature)

(Date)



FRESNO COUNTY RURAL TRANSIT AGENCY

2100 Tulare Street, Suite 201 Fresno, CA 93721

Phone: 559 - 233 - 6789 Fax: 559 - 233 - 9645

Webpage: www.ruraltransit.org Email: jwebster@ruraltransit.org

January 21, 2009

Appendix C Attachment

Recipient Agency: Fresno County Rural Transit Agency

Grant Name: California Transit Security Grant Program

Name: Jeffrey D. Webster

Title: General Manager

Address: 2035 Tulare Street, Suite 201

City: Fresno

State: California

Zip Code: 93721

Telephone: 559-233-6789

Fax Number: 559-233-9645

Cellular Number: 559-246-6061

E-Mail Address: jwebster_ruraltransit@fresnocog.org

Appendix D
Grant Assurances

**FY08-09 Transit System Safety, Security and
Disaster Response Account Program**

Grant Assurances
(All Applicants)

Name of Applicant: Fresno County Rural Transit Agency

2035 Tulare Street, Suite 201

Address: _____

City: Fresno State: CA Zip Code: 93721

Telephone Number: (559) 233-6789

Fax Number: (559) 233-9645

E-Mail Address: jwebster_ruraltransit@fresnocog.org

As the duly authorized representative of the applicant, I certify that the applicant named above:

1. Has the legal authority to apply for Transit System Safety, Security, and Disaster Response Account funds, and has the institutional, managerial and financial capability to ensure proper planning, management and completion of the grant provided by the State of California and administered by the California Office of Homeland Security (OHS).
2. Will assure that grant funds are only used for allowable, fair, and reasonable costs.
3. Will give the State of California generally and OHS in particular, through any authorized representative, access to and the right to examine all paper or electronic records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or OHS directives.
4. Will provide progress reports and such other information as may be required by OHS.
5. Will initiate and complete the work within the applicable time frame after receipt of OHS approval.

6. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain for themselves or others, particularly those with whom they have family, business or other ties.
7. Will comply with all California and federal statutes relating to nondiscrimination. These include but are not limited to:
 - a. Title VI of the Civil Rights Act of 1964 (P.L. 88-352), as amended, which prohibits discrimination on the basis of race, color or national origin;
 - b. Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§ 1681-1683 and 1685-1686), which prohibits discrimination on the basis of sex;
 - c. Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794) which prohibits discrimination on the basis of handicaps;
 - d. The Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101-6107) which prohibits discrimination on the basis of age;
 - e. The Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255) as amended, relating to nondiscrimination on the basis of drug abuse;
 - f. The Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism;
 - g. Sections 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. § 290dd-2), as amended, relating to confidentiality of alcohol and drug abuse patient records;
 - h. Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§ 3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing;
 - i. Title 28, Code of Federal Regulations, Part 42, Subparts C, D, E and G;
 - j. Title 28, CFR, Part 35;
 - k. Any other nondiscrimination provisions in the specific statute(s) under which application for federal assistance is being made; and
 - l. The requirements on any other nondiscrimination statute(s) which may apply to the application.
8. Will comply, if applicable, with the flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.

9. Will comply with applicable environmental standards which may be prescribed pursuant to California or Federal law. These may include, but are not limited to, the following:
 - a. California Environmental Quality Act (CEQA). California Public Resources Code Sections 21080-21098. California Code of Regulations, Title 14, Chapter 3 Sections 15000-15007;
 - b. institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514;
 - c. notification of violating facilities pursuant to EO 11738;
 - d. protection of wetlands pursuant to EO 11990;
 - e. evaluation of flood hazards in floodplains in accordance with EO 11988;
 - f. assurance of project consistency with the approved state management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§ 1451 et seq.);
 - g. conformity of federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. § 7401 et seq.);
 - h. protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, (P.L. 93-523); and
 - i. protection of endangered species under the Endangered Species Act of 1973, as amended, (P.L. 93-205).
10. Will comply, if applicable, with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§ 1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
11. Will assist OHS, as appropriate, in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. § 470), EO 11593 (identification and preservation of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§ 469a-1 et seq).
12. Will comply with Standardized Emergency Management System (SEMS) requirements as stated in the California Emergency Services Act, Gov Code §§ 8607 et seq. and CCR Title 19, Sections 2445, 2446, 2447 and 2448.
13. Will:
 - a. Promptly return to the State of California all the funds received which exceed the approved, actual expenditures as accepted by OHS;
 - b. In the event the approved amount of the grant is reduced, the reimbursement applicable to the amount of the reduction will be promptly refunded to the State of California; and
 - c. Separately account for interest earned on grant funds, and use all interest towards the project as approved by OHS.

14. Will comply, if applicable, with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§ 4728-4763) relating to prescribed standards for merit systems for programs funded under one of the nineteen statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
15. Agrees that equipment acquired or obtained with grant funds:
- a. Will be made available under the California Disaster and Civil Defense Master Mutual Aid Agreement in consultation with representatives of the various fire, emergency medical, hazardous materials response services, and law enforcement agencies within the jurisdiction of the applicant;
 - b. Is consistent with needs as identified in the State Homeland Security Strategy and will be deployed in conformance with that Strategy; and
 - c. Will be made available pursuant to applicable terms of the California Disaster and Civil Defense Master Mutual Aid Agreement and deployed with personnel trained in the use of such equipment in a manner consistent with the California Law Enforcement Mutual Aid Plan or the California Fire Services and Rescue Mutual Aid Plan.
16. Will comply, as applicable, with provisions of Title 28 of the Code of Federal Regulations applicable to grants and cooperative agreements, including:
- a. Part 18, Administrative Review Procedures;
 - b. Part 20, Criminal Justice Information Systems;
 - c. Part 22, Confidentiality of Identifiable Research and Statistical Information;
 - d. Part 23, Criminal Intelligence Systems Operating Policies;
 - e. Part 30, Intergovernmental Review of Department of Justice Programs and Activities;
 - f. Part 35, Nondiscrimination on the Basis of Disability in State and Local Government Services;
 - g. Part 38, Equal Treatment of Faith-based Organizations;
 - h. Part 63, Floodplain Management and Wetland Protection Procedures;
 - i. Part 42, Nondiscrimination/Equal Employment Opportunities Policies and Procedures;
 - j. Part 61, Procedures for Implementing the National Environmental Policy Act;
 - k. Part 64, Floodplain Management and Wetland Protection Procedures; and Federal laws or regulations applicable to Federal Assistance Programs;
 - l. Part 66, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments;
 - m. Part 67, Government-Wide Debarment and Suspension (Non-Procurement).
 - n. Part 69, New Restrictions on Lobbying;
 - o. Part 70, Uniform Administrative Requirements for Grants and Cooperative Agreements (including sub-awards) with Institutions of Higher Learning, Hospitals and other Non-Profit Organizations; and
 - p. Part 83, Government-Wide Requirements for a Drug Free Workplace (grants).

17. Will comply, if applicable, with Subtitle A, Title II of the Americans with Disabilities Act (ADA) 1990.
18. Will, in the event a Federal or State court or Federal or State administrative agency makes a finding of discrimination after a due process hearing on the grounds of race, color, religion, national origin, sex, or disability against a recipient of funds, the recipient will forward a copy of the finding to OHS.
19. Will comply with the financial and administrative requirements set forth in the current edition of the Office of Justice Programs (OJP) Financial Guide.
20. Will comply with all applicable requirements of all other California and Federal laws, executive orders, regulations, program and administrative requirements, policies and any other requirements governing this program.
21. Understands that failure to comply with any of the above assurances may result in suspension, termination or reduction of grant funds.
 - a. The applicant certifies that it and its principals:
 1. Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of Federal benefits by a State or Federal court, or voluntarily excluded from covered transactions by any Federal department or agency;
 2. Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
 3. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and (d) Have not within a three-year period preceding this application had one or more public transactions (Federal, State, or local) terminated for cause or default; and
 - b. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the above certifications.

The undersigned represents that he/she is authorized by the above named applicant to enter into this agreement for and on behalf of the said applicant.

Signature of Authorized Agent: _____

Printed Name of Authorized Agent: Jeffrey D. Webster

Title: General Manager Date: January 29, 2009

