



FRESNO COUNTY RURAL TRANSIT AGENCY
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FRESNO COUNTY RURAL TRANSIT AGENCY (FCRTA)

AGENDA

DATE: Thursday, February 26, 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 January 29, 2008" (Attachment).
III. Accept the FCRTA Portion of the Transit Productivity Evaluation FY 2007-08 Report (Attachment provided in Fresno COG Agenda Package - Green Cover, Buff Pages).

REVIEW AND COMMENT ITEMS

- IV. None.

INFORMATIONAL ITEMS

- V. FCRTA Staff is working with the Fresno COG and Caltrans to Submit a Federal Transit Administration Section 5311 Capital Assistance Grant towards the Apportionment of the American Recovery and Reinvestment Act "Stimulus Funds".



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FRESNO COUNTY RURAL TRANSIT AGENCY

EXECUTIVE MINUTES

Date: Thursday, January 29, 2009
Time: Following the 5:30 pm 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 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 Susan Anderson, County of Fresno

Jeffrey D. Webster, General Manager
Janelle Kelley, Legal Counsel
Suzanne Martinez, Fresno COG

ROLL CALL

There were nineteen (18) votes from thirteen (13) members present; representing a quorum and business was in order.

The meeting was called to order by Mayor Trinidad M. Rodriguez, Chair, at 8:08 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 December 18, 2008**

Following an expressed opportunity for public comment, a motion was made by Councilmember Aguayo (Fowler) and seconded by Mayor Lujan (Selma) to approve the December 18, 2008 minutes as written. A vote was called for and the motion carried.

- 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**

Jeffrey Webster, General Manager reported that staff received notification from the California Air Resources Board (CARB) that, according to their "calculations", FCRTA's 1997 compressed natural gas-powered vehicles are now polluting at a level equivalent to that of a diesel bus. They have imposed a fine in the amount of \$5,500 and have required that eleven (11) of the vehicles in question be sold by June 30, 2009. Mr. Webster noted that all of the FCRTA's vehicles continue

to "pass" the annual "smog test" program mandated by the California Bureau of Automotive Repairs (BAR). For some unknown reason the one California State Program – "CARB", does not recognize the other California State Program – "BAR". CARB would not accept the favorable test result findings from BAR as valid. CARB insists that their "calculations" indicate that after the ten (10) years of operation, a natural gas powered vehicles emit the same pollution as diesel powered engines. They have no means to actually "test" their conclusion.

Bruce Rudd, City of Fresno, made a public comment regarding the City of Fresno's similar situation with CARB and explained that as a result of his initial opposition, CARB was willing to reduce their fine by 25%. Despite this, the City of Fresno will be attending the next CARB Board meeting to protest the remaining balance of fines imposed on them and argue that CARB is still basing their decisions on rules and regulations that are obsolete.

After a lengthy conversation, the Board directed staff to pay the fines "under protest" and attend the next CARB Board meeting to address the injustice surrounding the manner in which their Staff has been implementing the rules and regulations, noting that they have failed to consider any "real evidence" to support their determinations and findings. The Board asked that FCRTA staff to postpone any agreement to the sell any of the vehicles until after meeting with the California Air Resources Board.

Following an expressed opportunity for public comment, a motion was made by Mayor Lujan (Selma) and seconded by Mayor Lopez (Orange Cove) to pay the fines totaling \$5,500 "under protest" and seek placement on the next California Air Resources Board (CARB) meeting Agenda to protest the issue. A vote was called for and the motion carried.

IV Approve Office of Homeland Security Grant for 2008-09, Resolution 2009-01

Jeffrey Webster, General Manager, reported that staff received an appropriation estimate and is submitting a Grant to complete phase II effort for On board Vehicle Video Surveillance Recording Systems.

Following an expressed opportunity for public comment, a motion was made by Councilmember Aguayo (Fowler) and seconded by Mayor Silva (Mendota) to approve Resolution 2009-01, approving the Office of Homeland Security Grant for 2008-09. 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 8:27p.m.

Respectfully submitted,


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

JDW/smm