



2035 Tulare Street, Suite 201  
Fresno, CA 93721  
Phone: (559) 233-6789  
Fax: (559) 233-9645  
[www.ruraltransit.org](http://www.ruraltransit.org)

**FRESNO COUNTY RURAL TRANSIT AGENCY (FCRTA)  
REVISED MEETING AGENDA**

DATE: Thursday, July 25, 2024  
TIME: 5:30pm, **BEFORE** the *Fresno Council of Governments (FCOG) Meeting*  
PLACE: FCOG / FCRTA Offices  
Sequoia Conference Room  
2035 Tulare Street, Suite 201  
Fresno, CA 93721  
*(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 (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 are 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.

**AB 23 Requirement:** In accordance with the Brown Act and AB23 the amount of stipend paid to members of the Board of Directors for attending this meeting of the Fresno County Rural Transit Agency, is \$50.00.

**THE FRESNO COUNCIL OF GOVERNMENTS AND FRESNO COUNTY RURAL TRANSIT AGENCY BOARD MEETINGS WILL TAKE PLACE IN PERSON AT THE FRESNO COG SEQUOIA ROOM.**

**1. ROLL CALL**

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.

**2. CONSENT ITEMS**

**A. Approve Minutes of June 27, 2024 [ATTACHMENT]**

**B. Fresno County Transportation Authority (FCTA) Measure C Allocation FY 2024-25 [APPROVE]**

**Summary:** The estimated FCTA Measure C allocation of \$4,379,246 will be used in the FY 2023-24 FCRTA annual budget for operations and capital expenses. The Resolution 2024-06 is attached for your review (**ATTACHMENT**).

**Action:** Staff recommends Board approval of the FCTA claim for FY 2024-25 and adoption of Board Resolution No 2024-06.

**C. New Technology Grant Application [APPROVE]**

**Summary:** FCRTA will be submitting a grant application through the Fresno Council of Governments (FCOG) Measure C New Technology Reserve Grant Program. FCRTA was previously awarded

\$595,000 for partial funding of this project which included the solar and level 2 plug-in charging units. FCRTA's project application is requesting funding to complete this project which consists of construction of the resiliency hub including inductive chargers, battery storage, energy management system, and concrete in a public parking lot in downtown Kingsburg. The resiliency hub will include electric vehicle charging infrastructure that will enable FCRTA to transition to a fully electric vehicle fleet. The hub will also allow FCRTA to expand its innovative on-demand EV Micro Transit service to bring more riders to the system and better connect rural communities to jobs, healthcare, social services, and other quality-of-life locations. The solar chargers would also further reduce reliance on the electrical grid, bringing FCRTA's fleet closer to zero emissions. For increased resiliency, FCRTA plans to install a battery energy storage system (powered-microgrid) to store energy generated by the solar infrastructure. This energy will provide critical backup power when solar generation rates are low. FCRTA is requesting \$986,936.40 in funding for this project.

**Action:** Staff recommends approval of the New Technology grant application and adoption of Board Resolution No. 2024-07.

### 3. ACTION ITEMS

#### A. Rejection of Claim [APPROVE]

**Summary:** On July 19, 2024 FCRTA received a claim submitted on behalf of Paola Spillman by the B&D Law Group of Los Angeles, CA. The claim relates an incident which allegedly occurred on January 28, 2024 on a FAX bus in the City of Fresno near Ventura Ave and 1<sup>st</sup> St. Attached is the Claim for Damages form and proposed Rejection Letter for your review (ATTACHMENTS).

The facts alleged in the claim demonstrate that the injury could not have occurred on equipment owned by FCRTA or as a result of the acts of any FCRTA agent or employee. Attempts to persuade the claimant's attorneys to withdraw the claim as to FCRTA have not succeeded.

**Action:** Staff recommends rejection of the claim and adoption of Resolution No. 2024-08.

### 4. CLOSED SESSION

#### A. PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Government Code, Section 54957)-Title: General Manager

### 5. RETURN TO OPEN SESSION

### 6. OTHER BUSINESS

#### A. Items from staff.

#### B. Items from members.

### 7. ADJOURNMENT

FRESNO COUNTY RURAL TRANSIT AGENCY (FCRTA)

**ITEM 2A**

Minutes

Thursday, June 27, 2024 at 5:30 P.M FCRTA Meeting  
COG Sequoia Conference Room  
2035 Tulare St., Suite 201, Fresno, CA

Members Attending:

Mayor Brandon Pursell, City of Kingsburg  
Mayor Alma Beltran, City of Parlier  
Mayor Scott Robertson, City of Selma  
Mayor Elsa Lopez, City of Firebaugh  
Councilmember Mary Fast, City of Reedley  
Mayor Diana Guerra Silva, City of Orange Cove  
Mayor Frank Gonzalez, City of Sanger  
Councilmember Amarjeet Gill, City of Fowler  
Mayor Rey Leon, City of Huron  
Mayor James Horn, City of Coalinga  
Mayor Maria Pacheco, City of Kerman  
Mayor Victor Martinez, City of Mendota

Moses Stites, General Manager  
Janelle Del Campo, Deputy Director  
Bryan Rome, County Counsel  
Denise Flores, FCOG

Absent:

Supervisor Sal Quintero, Fresno County  
Mayor Julia Hernandez, City of San Joaquin

1. **ROLL CALL** — Meeting called to order 5:35 p.m.

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.

**2. ACTION ITEMS**

**A. FCRTA 2024-2025 Annual Budget [APPROVE]**

A motion was made by Mayor Pacheco (Kerman) and second by Mayor Martinez (Mendota). A vote was called, and motion carried.

**3. CONSENT ITEMS**

- A. **Minutes of May 30, 2024 Meeting [ATTACHMENT]**
- B. **Consolidated Transportation Services Agency (CTSA) Operations Program & Budget FY 2024-25 [APPROVE]**
- C. **Fresno Economic Opportunities Commission Contractor Services Agreement [APPROVE]**
- D. **Safety and Security Service Agreements for FY 2023-24 [APPROVE]**
- E. **Amendment V to the Walker Contractor Services Agreement [APPROVE]**

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

- F. Kings Area Rural Transit Agreement for FY 2023-24 [APPROVE]
- G. Amendment VIII to the Agreement for Contractor Services with MV Transportation [APPROVE]
- H. Amendment V to the Agreement for Maintenance Services with City of Selma [APPROVE]

A motion was made by Mayor Leon (Huron) and second by Mayor Horn (Coalinga). A vote was called, and motion carried.

#### 4. OTHER ITEMS

**Items from Staff:** Moses Stites provided the Board with a slide show presentation of an update on the maintenance facility construction project. Moses said the construction is about 75% complete and we are waiting for PG&E to bring power to the facility.

**Items from Member:** None

#### 4. ADJOURNMENT @ 5:59P.M.

Respectfully submitted,



Moses Stites  
General Manager

BEFORE THE  
FRESNO COUNTY RURAL TRANSIT AGENCY  
RESOLUTION NO. 2024-06

**ITEM 2B**

In the Matter of:

MEASURE "C"  
TRANSPORTATION  
PLANNING CLAIM

RESOLUTION OF APPROVAL  
MEASURE "C" FUNDING CLAIM  
FOR THE FRESNO COUNTY  
RURAL TRANSIT AGENCY, FY 2024-25

**WHEREAS**, The Fresno County Transportation Authority (Authority) is the administrator of Retail Transactions and Use Tax (1/2 cent) Funds collected pursuant to the Fresno County Transportation Improvement Act as provided by Part 1.6 (commencing with Section 7251) of Division 2 of the Revenue and Taxation Code and Public Utilities Code Sections 14200, et seq, and

**WHEREAS**, the Fresno County Rural Transit Agency ("claimant") is an eligible claimant of funds for local transportation program pursuant to California Public Utilities Code Section 142257, and

**WHEREAS**, The Fresno County Transportation Authority has adopted a Resolution of Appointment for Fiscal Year 2023-24, reflecting an estimated revenue setting 3.99% of \$109,755,533 (or \$4,379,246) for the Regional Public Transit Program, Public Transit Agencies – FCRTA sub program funds available to claimant, and

**WHEREAS**, the Regional Public Transit Program, Public Transit Agencies – FCRTA are not being used to substitute for property tax funds which claimant had previously used for local transportation purposes. Such substitution of property tax funds is prohibited by California Public Utilities Code Section 142257, and

**WHEREAS**, claimant has segregated property tax revenues from claimant's other general fund revenues used to support the Regional Public Transit Program, Public Transit Agencies – FCRTA sub program funds so that verification of non-substitution can be proved through audit or that the non-substitution of funds shall apply to claimant's general fund, and

**WHEREAS**, claimant shall account for the Regional Public Transit Program, Public Transit Agencies – FCRTA sub program funds received pursuant to Public Utilities Code Section 142257. Claimant shall maintain current records in accordance with generally accepted accounting principles, and shall separately record expenditures for each type of eligible purpose. Claimant shall make such records available to the Authority for inspection or audit at any time.

**WHEREAS**, claimant shall complete the reporting requirements no later than November 15, 2023 for the FCRTA's Measure "C" Programs.

**NOW, THEREFORE, BE IT RESOLVED**, that the Fresno County Rural Transit Agency hereby adopts the Regional Public Transit Program, Public Transit Agencies – FCRTA sub program funds Claim and authorizes the General Manager to sign the Certification and Claim Form.

**THE FOREGOING RESOLUTION** was passed and adopted by the Fresno County Rural Transit Agency this 25th day of July, 2024.

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

Signed: \_\_\_\_\_  
Alma Beltran, Chairperson

I hereby certify that the foregoing is a true copy of a resolution of the Fresno County Rural Transit Agency duly adopted at a meeting thereof held on the 25th day of July, 2024.

Signed: \_\_\_\_\_  
Moses Stites, General Manager

**RESOLUTION # 2024-07**

**ITEM 2C**

**AUTHORIZATION FOR THE FCRTA GRANT APPLICATION TO THE  
MEASURE C NEW TECHNOLOGY RESERVE GRANT PROGRAM**

**WHEREAS**, the FCRTA is an eligible project applicant and may receive funding from the Fresno County Transportation Authority's (FCTA) and Fresno Council of Government's (Fresno COG) Measure C New Technology Reserve Grant Program; and

**WHEREAS**, the FCRTA wishes to delegate authorization to execute these documents and any amendments thereto to the General Manager; and

**WHEREAS**, the FCRTA has prepared an Application in the amount of \$986,936.40 for the grant project of installing a resiliency hub with charging infrastructure, back-up energy storage, and facility and infrastructure improvements; and

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the FCRTA that the fund recipient agrees to comply with all conditions and requirements set forth in the FCTA and Fresno COG Measure C New Technology Grant Application document and any applicable statutes, regulations and guidelines for all FCTA and Fresno COG funded projects.

**NOW THEREFORE, BE IT FURTHER RESOLVED** that the General Manager, be authorized to make financial decisions, authorize the submittal of the application to the FCTA and Fresno COG, and implement the resiliency hub project.

**AGENCY BOARD DESIGNEE: MOSES STITES, GENERAL MANAGER**

Passed and approved this 25th day of July, 2024.

AYES:

NOES:

ABSTAIN:

ABSENT:

Signed \_\_\_\_\_  
Alma Beltran, FCRTA Board Chair

I hereby certify that the foregoing is a true copy of a resolution of the Fresno County Rural Transit Agency Duly adopted at a meeting thereof held on the 25th day of July, 2024.

Signed \_\_\_\_\_  
Moses Stites, General Manager

B&D LAW GROUP, APLC

10700 SANTA MONICA BOULEVARD, SUITE 200  
LOS ANGELES, CALIFORNIA 90025  
TEL: (310) 424-5252  
FAX: (310) 492-5855

RECEIVED  
JUL 19 2024  
By: FRESNO COG

CLAIM FOR DAMAGES

(Government Code §911.2)

TO: FRESNO COUNTY RURAL TRANSIT AGENCY

SENT VIA CERTIFIED MAIL: 9405 5112 0623 9937 3542 91

Fresno County Rural Transit Agency  
Moses Stites, General Manager  
2035 Tulare Street Suite 201  
Fresno, CA 93721

RE: Paola, Spillman  
Date of Incident: 01/28/2024  
Our File Number 22106

Name of Claimant(s): Paola Spillman

Mailing Address of Claimant:  
848 W. Eden, Fresno, CA. 93706

Give Address to Which You Desire Notices or Communications to be Sent regarding this Claim:  
B&D LAW GROUP, APLC , 10700 Santa Monica Blvd., Suite 200, Los Angeles, California 90025-4768

How Did Damage or Injury Occur? Give full particulars:  
Claimant Paola Spillman was a bus passenger on Fresno Area Express, when the bus driver shook, bounced, rapidly decelerated and/or otherwise operated the bus in an unsafe manner, causing damages and injuries to claimant.

Name of Agency against which this claim is filed?  
Fresno County Rural Transit Agency  
County of Fresno  
Fresno Area Express  
City of Fresno

When Did Damage or Injury Occur? Give full particulars; date, time of day:  
January 28, 2024, at approximately 6:30pm

City of Fresno  
Attention: Fresno County Rural Transit Agency  
RE: Paola, Spillman  
Page 2 of 2

**Where Did Damage or Injury Occur? Describe fully:**  
City of Fresno Bus stop near Ventura Ave & 1<sup>st</sup> St.

**What Particular Act or Omission Do You Claim Caused the Injury or Damage?**

Claimant was injured when the public entity Respondent's bus shook, bounced, rapidly decelerated and/or was otherwise operated in an unsafe manner causing damages and injuries to the Claimant. The public entity Respondents owed Claimant a duty or duties, pursuant to, including but not limited to, Government Code §§ 815.2, 815.4, 815.6, 815.20 and/or 820, as well as Vehicle Code §§ 17001, 17002, 21703 22350 and/or 23123 for their acts and/or failures to act, and thus are not immune from liability.

Claimant further alleges that as common carriers, the public entity Respondents owed Claimant a duty to use the utmost care and diligence for passenger safe carriage and to ensure that the vehicles were safe, hazard free and being operated in a safe and hazard free manner and the public entity Respondents breached these duties. (California Civil Code § 2100)

**Give Names of employees causing the injury or Damage, if known:**

N/A

**Names and Address of Witnesses, Doctors and Hospitals:**

Clovis Community Hospital- 2755 Herndon Ave. Clovis, CA. 93611  
Neurosurgical Associates Medical Group- 7130 N. Sharon Ave. #100, Fresno CA. 93720

**What Damage or Injuries Do You Claim Resulted? Please give full extent of injuries or damages claimed.**

By way of example and without limitation: Injuries to their person and body, including but not limited to Low back, Neck, Headaches, LT Fractured Shoulder.

**What is the amount of Your Claim? Please itemize your Damages:**

Within the jurisdiction of the Superior Court (Unlimited Civil Case). Demand excess of \$35,000.00.

DATED: 7-13-2024

  
DANIEL D. GEOULLA, ESQ.





## Fresno County Rural Transit Agency

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2035 Tulare Street, Suite 201, Fresno, CA 93721  
tel 559-233-6789 Fax 559-233-9645  
www.ruraltransit.org

July 26, 2024

Daniel Geoulla  
B&D Law Group, APLC  
10700 Santa Monica Blvd., Suite 200  
Los Angeles, California 90025

On behalf of Paola Spillman, an Individual

### NOTICE OF REJECTION OF CLAIM

NOTICE IS HEREBY GIVEN that the claim, which you presented to the Fresno County Rural Transit Agency on July 19, 2024 on behalf of Paola Spillman, was rejected by the Board of Directors on July 25, 2024.

### WARNING

Subject to certain exceptions, you have only six (6) months from the date this notice was personally delivered or deposited in the mail to file a court action on this claim. (See Government Code Section 945.6.) "The six month time limit referred to in this notice applies only to claims or causes of action which are governed by the California Tort Claims Act." You may seek the advice of an attorney of your choice in connection with this matter. If you desire to consult an attorney, you should do so immediately.

Sincerely,

Moses Stites, General Manager  
Fresno County Rural Transit Agency

c. Cassandra Angel,  
Gordon-Creed, Kelley, Holl, Angel & Sugerman, LLP

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**BEFORE THE BOARD OF DIRECTORS**  
**FRESNO COUNTY RURAL TRANSIT AGENCY**

IN THE MATTER OF:  
Claim for Damages Filed on Behalf of Paola  
Spillman, an individual.

**DENIAL OF CLAIM**  
Resolution No. 2024-08

Acting upon the recommendation of Staff and upon motion duly made, seconded and carried, IT IS ORDERED that the claim for damages submitted by Attorney Daniel Geoulla, of the B&D Law Group, APLC, 10700 Santa Monica Blvd., Suite 200, Los Angeles, California 90025, on behalf of Paola Spillman, the amount within Unlimited Civil Court limits, filed on July 19, 2024, is hereby DENIED.

THE FOREGOING RESOLUTION was passed and adopted by the Fresno County Rural Transit Agency this 25th day of July, 2024.

- AYES:
- NOES:
- ABSTAIN:
- ABSENT:

Signed: \_\_\_\_\_  
Alma Beltran, Chairperson

I hereby certify that the foregoing is a true copy of a resolution of the Fresno County Rural Transit Agency duly adopted at a meeting thereof held on the 25th day of July, 2024.

Signed: \_\_\_\_\_  
Moses Stites, General Manager