

MINUTES OF A REGULAR MEETING OF THE COMMISSION OF THE
GREATER BAKERSFIELD SEPARATION OF GRADE DISTRICT

Held: November 11, 2024

A regular meeting of the Commission of the Greater Bakersfield Separation of Grade District was held on November 11, 2024, at 1800 30th Street, Suite 260, Bakersfield, California.

CALL TO ORDER:)
_____)

Vice President Steven Ruettgers called the meeting to order at 5:03 p.m. and presided thereat.

ROLL CALL:)
_____)

The following Commissioners were present:

Steven M. Ruettgers
Jeremy Tobias
Jeevan Muhar

Also present were Sheila K. Plane and John D. Schuler, District Engineers; and Ben LeBeau, District Legal Counsel. Commissioner Jake Wood was absent from the meeting.

PUBLIC STATEMENTS)
& COMMENTS:)
_____)

None.

APPROVAL OF MINUTES,)
REGULAR MEETING OF)
September 9, 2024)
_____)

On motion of Commissioner Muhar, seconded by Commissioner Tobias, and unanimously carried, the minutes of the regular meeting of September 9, 2024, were approved.

ATTORNEY OF DISTRICT)
REPORT:)
_____)

Mr. LeBeau presented the District with the letter of resignation from Mark Smith. Commissioner Smith resigned from the District effective November 4, 2024 as he no longer qualified to be a commissioner after moving out of Kern County. On motion of Commissioner Tobias, seconded by Commissioner Muhar, and unanimously carried, the Commissioners approved the motion to receive and file Mr. Smith's resignation letter.

Mr. LeBeau next presented Commissioners with a draft letter to the Clerk of the Kern County Board of Supervisors to notify them of Mark Smith's resignation and the District's recommendation to the Board of Supervisors to appoint Barry G. Hibbard as a commissioner to fill the vacancy left by Mr. Smith. The form of the letter is attached hereto as **Exhibit A**. On motion of Commissioner Muhar, seconded by Commissioner Tobias, and unanimously carried, the Commissioners approved and directed the District Counsel to deliver letter to the Clerk of the Board of Supervisors.

Ayes:

Steven M. Ruetters
Jeremy Tobias
Jeevan Muhar

Noes: None

Absent: Jake Wood

Abstain: None

DISTRICT ENGINEER'S)
REPORT:)
_____)

Mr. Schuler reported as follows:

1. Project Funding Sources:

- a) CRISI: Anticipated submittal to next cycle in Spring 2025
- b) Railroad Crossing Elimination (RCE) Program: \$1.2 billion NOFO came out in July. Grant request submitted September, 2024.

2. Project Funding Strategies and TY Lin Coordination:

- a. RCE Grant Opportunity
 - a. Combined local project with Bakersfield, Shafter and County
 - b. BNSF Grants team prepared document
 - c. Kern County as lead agency submitting to FRA

- d. \$84 million estimate for combine Renfro & Cherry crossings
 - e. \$16.8 million local match commitment
 - f. Broad range of support letters
 - b. New City of Bakersfield Public Works Director – Zac Meyer
3. High Speed Rail Impacts/Santa Fe Way Corridor/Edison Highway Corridor:
- a. Shafter to Bakersfield section: Design is moving forward to 60%, including BNSF track elevation through Shafter.
4. Specific Plan Lines:
- a. Renfro and Cherry crossing – were bundled for RCE Grant Application
Follow-up actions include:
 - i. Positioning for grant award or future grant cycles
 - ii. Develop Joint Agencies Agreement(s)
 - iii. Preliminary design and environmental exemptions and exclusion
 - b. Kratzmeyer/BNSF –
 - i. Need to develop scope and agreement with agencies re: Specific Plan Line
5. Morning Drive @ UPRR:
- a. County – possible pursuit of federal funding next year
6. Baker/Truxtun/Beale @ BNSF & UPRR:
- a. No change
7. Baker Street @ UPRR:
- a. COB conducting feasibility study of pedestrian crossing and minimalized vehicular underpass in connection with Sumner Station revitalization
8. Rosedale Highway @ Landco Branch SJVRR:
- a. Ongoing discussions re Caltrans relinquishment of Rosedale Hwy to local agencies
9. Cherry Avenue & Los Angeles Street/Beech Avenue @ BNSF:
- a. Bundled with Renfro crossing in the RCE grant application

FINANCIAL REPORT:)
_____)

The Secretary then presented the Financial Report for November 11, 2024, in the form attached as **Exhibit B**. Following discussion, on motion of Commissioner Ruettgers, seconded by Commissioner Muhar, and unanimously carried, the report was approved and ordered filed.

Ayes: Steven M. Ruettgers
Jeremy Tobias
Jeevan Muhar

Noes: None

Absent: Jake Wood

Abstain: None

COMMITTEE REPORTS:)
_____)

1. Right of Way: None
2. Advance Planning: None
3. Budget: None
4. Regulatory & Audit: None
5. Government Relations: None

CORRESPONDENCE:)
_____)

None

NEXT MEETING AND)
ADJOURNMENT:)
_____)

There being no further business to come before the Commission, it was, on motion of Commissioner Tobias, seconded by Commissioner Muhar, and unanimously carried, adjourned at 5:20 p.m. The next regular meeting is scheduled for January 13, 2025, at 5:00 p.m.



Jeevan Muhar
Secretary of the Commission

APPROVED:



Steven M. Ruettgers
President



Bernard G. LeBeau Jr.	Andrew K. Sheffield	Bernard G. LeBeau III	S. Gwen Atherton
Dennis R. Thelen	Daniel K. Klingenberg	Robert G. Kuhs	Chelsie L. Morgan
Thomas S. McIntosh	Kevin E. Thelen	Gary L. Logan	
Thomas A. Crear	Alan J. Mish	Briar R. Keeler	Of Counsel:
Thomas P. Fehér	Amanda M. Lucas	Matthew J. Dobbs	J. Nile Kinney

November 19, 2024

12370.001

Via Email and U.S. Mail

Kathleen Krause (krausek@kerncounty.com)
Clerk of the Board of Supervisors
1115 Truxtun Avenue, 5th Floor
Bakersfield, CA 93301

Re: Greater Bakersfield Separation of Grade District – Commissioner
Vacancy/Replacement

Dear Ms. Krause:

We are legal counsel to the Greater Bakersfield Separation of Grade District (the District) and wish to advise the Board of Supervisors regarding a recent change.

Pursuant to the Separation of Grade District Act, the Board of Supervisors appoints Commissioners and fills vacancies on the District's Commission. (Sts. & Hwys. Code, §§ 8130, 8132.) Section 8130 of the Streets and Highways Code provides that three members of the Commission shall reside within the City of Bakersfield and two members in the unincorporated area of the District.

Please be advised that Commissioner Mark Smith has resigned his position as Commissioner effective November 4, 2024, due to his pending move out of Kern County. Mr. Smith resides in the City of Bakersfield. Therefore, his replacement must also reside within the City of Bakersfield.

The District recommends Barry G. Hibbard, a resident of the City of Bakersfield and an associate of Mark Smith at ASU Commercial, as Mr. Smith's replacement on the District's Commission.

Should there be any questions, please contact me or the District's Engineer, Sheila Plane, at 661-809-4898.

Very truly yours,

A handwritten signature in blue ink, appearing to read "B. LeBeau III", is written over a horizontal line.

Bernard G. LeBeau III

BL/vjh

Kathleen Krause
Clerk of the Board of Supervisors
November 19, 2024
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cc: Mark Smith
Sheila Plane
Barry Hibbard

MONTHLY MEETING NOVEMBER 2024

ACCOUNTS PAYABLE

DISTRICT EXPENSE FUND:

LeBeau Thelen	Legal Services - September 2024	\$ 1,690.00
California Special District	Annual Membership Dues Jan - Dec 2025	\$ 1,312.00
TYLin	Progress Report No. 2	\$ 15,847.97
Ruettgers & Schuler	Consulting Services Sept - Oct 2024	<u>\$ 18,792.50</u>
		<u>\$ 37,642.47</u>