

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

Held: March 8, 2021

A regular meeting of the Commission of the Greater Bakersfield Separation of Grade District was held on March 8, 2021, via video and teleconference as authorized by Governor Newsom's Executive Orders issued during the state of emergency as a result of COVID-19.

CALL TO ORDER: _____)
_____)

President, Mark J. Smith, called the meeting to order at 5:00 p.m. and presided thereat.

ROLL CALL: _____)
_____)

The following Commissioners were present:

Mark J. Smith
Steven M. Ruetters
Terry A. Murray
John Spaulding (By phone)

Also present were Sheila K. Plane and John D. Schuler, District Engineers; and Robert G. Kuhs, District Legal Counsel.

PUBLIC STATEMENTS _____)
& COMMENTS: _____)
_____)

None

PRESIDENT'S REPORT: _____)
_____)

1. President, Mark J. Smith reported on resignation of William Patrick Marchbanks effective February 5, 2021. On motion of Commissioner Murray, and seconded by Commissioner Spaulding, and unanimously carried, Legal Counsel was directed to provide vacancy notification to the Kern County Board of Supervisors.

2. Resolution No. 21-1 was presented honoring Bernard C. Barmann, Jr. On motion of Commissioner Murray, seconded by Commissioner Ruetters, and unanimously carried, Resolution No. 21-1 was approved, and Commissioners were authorized to sign.

3. Resolution No. 21-2 was presented honoring William Patrick Marchbanks. On motion of Commissioner Spaulding, seconded by Commissioner Ruettgers, and unanimously carried, Resolution No. 21-2 was approved, and Commissioners were authorized to sign.

4. Legal Counsel engagement letter was presented from LeBeau Thelen, LLP. On motion of Commissioner Ruettgers, seconded by Commissioner Murray, and unanimously carried, the engagement letter was approved, and President and Secretary were authorized to sign.

5. Future project funding was discussed.

APPROVAL OF MINUTES,)
REGULAR MEETING OF)
JANUARY 11, 2021:)
_____)

On motion of Commissioner Murray, seconded by Commissioner Spaulding, and unanimously carried, the minutes of the regular meeting of January 11, 2021, were approved.

LEGAL COUNSEL'S REPORT:)
_____)

1. Kern County's Statement of Fact by Public Agency and the Secretary of State's Registry of Public Agencies were presented to the Commission. Upon motion of Commissioner Spaulding, seconded by Commissioner Ruettgers, and unanimously carried, Legal Counsel was authorized to submit the Statement of Fact by Public Agency and Registry of Public Agencies to the respective agencies.

2. Resolution No. 21-3 Declaring a Hardship for Compliance to SB 920 was presented to the Commission. On motion of Commissioner Murray, seconded by Commissioner Ruettgers, and unanimously carried, Resolution No. 21-3 was approved, and President and Secretary were authorized to sign.

DISTRICT ENGINEER'S)
REPORT:)
_____)

Mr. Schuler reported as follows:

Project Funding Sources. The County and City are updating Regional Traffic Impact Fee Program and anticipate increasing the project estimates and funding levels for grade separation projects. The County and City anticipate having RTIF funds available by 2023 following completion of TRIP program responsibilities. Federal and State funding sources are in flux with new Presidential administration.

Mr. Schuler gave a historic funding overview of the project costs and funding of completed projects over the past 20 years. He also provided the current funding available and shortfall for near term projects on the list.

High Speed Rail Project. The Revised 2020 Draft Business Plan is pending approval. Federal funding bills have been submitted for large scale HSR funding. HSR staff has indicated that they are not currently interested in contributing funds for the early delivery of the Morning Drive separation project.

Specific Plan Lines. Mr. Schuler presented update project cost estimates for Renfro/BNSF. He will be coordinating with adjacent land owners regarding possible cooperative strategies for advancing the project.

Morning Drive Project. The County and KernCOG are scheduled to meet with Caltrans regarding possible relinquishment of SR 184 from the State to the County.

Baker/Truxtun/Beale @ BNSF & UPRR. Nick Fidler (City of Bakersfield) indicated that the City anticipates changing traffic patterns in the vicinity of the project with the relocation of the homeless center.

Rosedale Highway at Landco. Mr. Schuler and Mr. Smith met with the owners of San Joaquin Refining Company regarding the timing and potential funding for the project.

Cherry Ave. & Los Angeles St./Beech Ave. @ BNSF. The Kern COG KARGO study phase II will be looking at design and cost for the BNSF grade separation as part of a West Bypass along the Cherry Avenue alignment.

Sunset Branch @ Panama Lane and Berkshire Road. The City is proceeding with railroad coordination at these crossings.

CPUC Nominations F.Y. 2022-2023 and 2023-2024. Mr. Schuler provided a list of crossings to be studied and submitted to the CPUC for nomination in fall 2021.

FINANCIAL REPORT: _____)
_____)

The Secretary then presented the Financial Report for January, 2021, in the form attached as **Exhibit A**. Following discussion, on motion of Commissioner Murray, seconded by Commissioner Spaulding, and unanimously carried, the report was approved and ordered filed, vouchers to pay the bills from the District Expense Fund as noted in part A(1) of the report were ordered to be drawn and presented to the County Controller for payment.

AYES: Mark J. Smith
Steven M. Ruettgers
Terry A. Murray
John Spaulding

NOES: None

ABSENT: None

ABSTAIN: None

COMMITTEE REPORTS:)
_____)

1. DPV&B's representation letter for 2021 was presented for approval. On motion of Commissioner Ruettgers, seconded by Commissioner Murray, and unanimously carried, the representation letter was authorized to be signed by the President and Assistant Secretary.

2. Final audit report presented. On motion of Commissioner Murray, seconded by Commissioner Spaulding, and unanimously carried, the final audit report was received and filed.

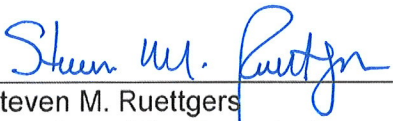
CORRESPONDENCE:)
_____)

1. CalPERS response to Annual Information Request dated January 22, 2021, was received and filed.

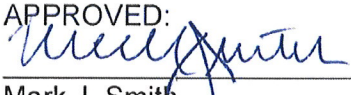
2. Email notice from Intuit re: QuickBooks was received and filed.

ADJOURNMENT:)
_____)

There being no further business to come before the meeting, it was, on motion of Commissioner Ruettgers, seconded by Commissioner Spaulding, and unanimously carried, adjourned at 6:19 p.m. The Commission will next meet at a special meeting on Monday, April 12, 2021, at 5:00 p.m.



Steven M. Ruettgers
Secretary of the Commission

APPROVED:


Mark J. Smith
President of the Commission

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MONTHLY MEETING MARCH 2021

ACCOUNTS PAYABLE

A(1) DISTRICT EXPENSE FUND:

Mark Smith	Commissioner Expense - January 2021	\$	100.00
Steven Ruettgers	Commissioner Expense - January 2021	\$	100.00
Terry Murray	Commissioner Expense - January 2021	\$	100.00
John Spaulding	Commissioner Expense - January 2021	\$	100.00
Kuhs & Parker	Professional Services - December 2020	\$	373.85
Kuhs & Parker	Professional Services - January 2021	\$	1,537.25
Ruettgers & Schuler	Engineering Services - 1/1/2021 - 2/28/2021	\$	5,756.25
Ruettgers & Schuler	Specific Plan Line - 1/1/2021 - 2/28/2021	\$	3,913.44
Kern County Auditor	Vouchers or Accounts Payable Warrants	\$	178.50
Andrea R. Hill, CPA, AAC	Preparation of 2020 1099s	\$	95.00
Daniells Phillips Vaughn & Bock	Audit for year ended June 30, 2020	\$	1,250.00
		\$	<u>13,504.29</u>