



BOARD OF DIRECTORS APPROVED MINUTES

REGULAR MEETING
of the
BOARD OF DIRECTORS
of the
SANTA BARBARA METROPOLITAN TRANSIT DISTRICT
A Public Agency
Tuesday, September 6, 2022
8:30 AM
John G. Britton Auditorium
550 Olive Street, Santa Barbara, CA 93101

1. **CALL TO ORDER**
Chair Dave Davis called the meeting to order at 8:31 AM.
2. **ROLL CALL OF THE BOARD MEMBERS**
Chair Davis reported that all members were present except Vice Chair Tabor and Director McQuary.
3. **REPORT REGARDING THE POSTING OF THE AGENDA**
4. **STATUS REPORT ON THE COVID-19 STATE OF EMERGENCY (ACTION MAY BE TAKEN - ATTACHMENTS)**
The Board reconsidered the circumstances of the COVID-19 State of Emergency.

Director Sarkar moved to approve staff's recommendation to continue to allow noticing and holding remote hearings, consistent with Government Code § 54953(e)(3).
Director Perotte seconded the motion.

Vice Chair Tabor entered the meeting at 8:32am.

CONSENT CALENDAR

5. **APPROVAL OF PRIOR MINUTES - (ACTION MAY BE TAKEN)**
The Board of Directors was asked to approve the draft minutes for the meeting of August 23, 2022.
6. **CASH REPORTS - (ACTION MAY BE TAKEN)**
The Board of Directors was asked to review and approve the Cash Reports from August 6, 2022 through August 26, 2022.

Director McQuary entered the meeting at 8:34am.

Director Perotte abstained from the prior minutes.

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Chair Davis held a roll call vote and the consent calendar was approved unanimously with 5 ayes 0 nays with abstention from Director Perotte for the prior minutes.

THIS CONCLUDES THE CONSENT CALENDAR

7. PUBLIC COMMENT

No public comments were made.

8. RECESS TO CLOSED SESSION: REAL PROPERTY NEGOTIATIONS (GOVERNMENT CODE §54956.8) – (INFORMATIONAL)

Property: 4678 Calle Real / 149 North San Antonio Road.

Agency Negotiators: General Manager Jerry Estrada; District Outside Counsel, Graham Lyons.

Negotiating Parties: Con/Am Group.

Under Negotiation: Price and terms of payment.

Public comment was made by Mr. Tom Elliot, President of the Homeowners' Association at Forte Ranch. Mr. Elliot stated his concerns regarding the number of rental units being proposed in the Calle Real Project, the traffic with nearby drive through restaurants, and parking. Furthermore, Mr. Elliot shared his hopes that MTD will conduct more meetings including with the county supervisors on the plans being proposed.

Mr. Elliot commended General Manager Estrada on the fruition of the resolution and the work put into the Calle Real Project over the years.

9. RECESS TO CLOSED SESSION: CONFERENCE WITH LEGAL COUNSEL REGARDING ANTICIPATED LITIGATION - (ACTION MAY BE TAKEN)

The Board will meet in closed session with legal counsel for anticipated litigation (Significant Exposure to Litigation) pursuant to Government Code § 54956.9(d)(2), (e)(2) and e(3).

Number of cases (1) – Claim Received from Brittani Williams and minor child regarding a bus accident on February 5, 2022.

Chair Davis recessed the Board to Closed Session at 8:40 AM.

The Board reconvened from Closed Session at 9:06 AM. Chair Davis reported that no action was taken on item #8 in closed session. Matter to be considered in open session under agenda item #10.

Chair Davis reported that in closed session for item #9 the Board authorized General Manager Estrada into a settlement agreement in the amount of \$87,500.

10. ADOPTION OF RESOLUTION TO ENTER OPTION AGREEMENT REGARDING MTD'S CALLE REAL PROPERTY (ACTION MAY BE TAKEN – ATTACHMENTS)

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General Manager Estrada introduced MTD's Attorney Graham Lyons to allow Mr. Lyons to provide the Board of Directors with an explanation of the attached Option Agreement with ConAm RE Investments LLC ("ConAm").

Mr. Zach Adams with ConAm shared his gratitude for ConAm being considered for this development.

Vice Chair Tabor moved to approve the adoption of Resolution 2022-03. Director Perotte seconded the motion. Chair Davis held a roll call vote and adoption was approved unanimously

11. FISCAL YEAR 2021-22 ANNUAL RIDERSHIP & CUSTOMER SERVICE REPORT – (INFORMATIONAL)

Planning and Marketing Manager Hillary Blackerby presented a report regarding annual ridership and customer service statistics for FY 2021-22.

12. CONFLICT OF INTEREST CODE UPDATE – (ACTION MAY BE TAKEN – ATTACHMENT)

General Manager Jerry Estrada requested that the Board approve recommended changes to the Conflict of Interest Code.

Director Sarkar moved to approve the recommended changes. Director Perotte seconded the motion. The motion passed unanimously.

13. GENERAL MANAGER'S REPORT – (INFORMATIONAL)

General Manager Estrada provided an update on district activities.

14. OTHER BUSINESS AND REPORTS – (INFORMATIONAL)

No other business was discussed.

15. ADJOURNMENT

The meeting was adjourned at 9:43 AM.