

**ALAMEDA-CONTRA COSTA TRANSIT DISTRICT  
RESOLUTION NO. 25-018**

**A RESOLUTION APPOINTING ONE PUBLIC MEMBER TO THE ALAMEDA-CONTRA COSTA  
TRANSIT DISTRICT RETIREMENT BOARD AND REPEALING RESOLUTION 25-013**

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**WHEREAS**, the Alameda-Contra Costa Transit District Board of Directors (the District) is authorized by Public Utilities Code Sections 25301 and 25361 to establish a retirement system and a retirement board; and

**WHEREAS**, the District has created a retirement system and a five-member Retirement Board; and

**WHEREAS**, on March 26, 2025, the Board appointed Fabian John as the public member on the AC Transit Retirement Board;

**WHEREAS**, on March 28, 2025, two days after the Board appointed Mr. John to the Retirement Board, the District's General Counsel received a call from counsel for the Retirement Board regarding the applicability of Government Code section 7513.95 which provides that, "A member or employee of the board shall not, directly or indirectly, by himself or herself, or as an agent, partner, or employee of a person or entity other than the board, sell or provide any investment product that would be considered an asset of the fund to any public retirement system in California."; and

**WHEREAS**, The District's General Counsel met with the Retirement Board's counsel and outside counsel and have concluded that Government Code section 7513.95 precludes Mr. John from serving on the Retirement Board since his employer, Morgan Stanley, provides investment products to retirement systems in California.

**NOW THEREFORE**, the Board of Directors of the Alameda-Contra Costa Transit District does resolve as follows:

**Section 1.** Repeals Resolution No. 25-013.

**Section 2.** In accordance with Sections 2.A. and 2.C. of Ordinance No. 10, appoints R. Bradford Huss as the public member of the Alameda-Contra Costa Transit District Retirement Board.

**Section 3.** The individual identified in Section 2 of this Resolution shall serve out the remainder of the term expiring on March 31, 2027.

**Section 4.** This resolution shall become effective immediately upon its passage by four affirmative votes of the Board of Directors.

**PASSED AND ADOPTED** this 23rd day of April 2025.

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Diane Shaw  
President

Attest:

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Linda A. Nemeroff  
Board Administrative Officer/District Secretary

I, Linda A. Nemeroff, Board Administrative Officer/District Secretary for the Alameda-Contra Costa Transit District, do hereby certify that the foregoing Resolution was passed and adopted at a special meeting of the Board of Directors held on the 23rd day of April, 2025 by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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Linda A. Nemeroff  
Board Administrative Officer/District Secretary

Approved as to Form and Content:

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Aimee L. Steele,  
General Counsel/Chief Legal Officer