

ALAMEDA-CONTRA COSTA TRANSIT DISTRICT



STAFF REPORT

MEETING DATE: 8/6/2025

Staff Report No. 24-521a

TO: AC Transit Board of Directors
FROM: Linda A. Nemeroff, Board Administrative Officer/District Secretary
SUBJECT: Conflict of Interest Code

ACTION ITEM

AGENDA PLANNING REQUEST: ☐

RECOMMENDED ACTION(S):

Consider receiving report on amendments to the District's Conflict-of-Interest Code as approved by the California Fair Political Practices Commission (FPPC) and subsume the amendments into Board Policy 701.

Staff Contact:
Linda A. Nemeroff, Board Administrative Officer/District Secretary

STRATEGIC IMPORTANCE:

There is no strategic importance associated with this report.

BUDGETARY/FISCAL IMPACT:

There is no fiscal impact associated with this report.

BACKGROUND/RATIONALE:

The Political Reform Act requires every local government agency to review its Conflict-of-Interest Code in even-numbered years to determine if it is accurate or needs amendment. As the code-reviewing body for multi-county agencies like AC Transit, the FPPC must be given notice of any amendments.

The District Secretary, with the assistance of the General Counsel, reviewed the code in the fall of 2024 to identify areas that needed updates. On October 9, 2024, the Board of Directors received an update on the process and the proposed amendments. Shortly thereafter, the proposed code amendment, including justification for all changes, was forwarded to the FPPC for review. On May 16, 2025, a notice of the proposed amendments was posted and provided to all employees and consultants holding designated positions in the District's Conflict of Interest Code, beginning a 45-day comment period, which closed on June 28, 2025. No comments were received.

On July 22, 2025, the FPPC advised that the District's revised code was approved. Amendments to the code consist of the following:

- Revisions to the titles of existing positions; and
- Revisions to the disclosure categories for various positions listed in the code.

The new code will become effective on August 21, 2025. Because the Board does not exercise authority over the code, staff recommends that the Board subsume the current amendment approved by the California FPPC into Board Policy 701 - Conflict of Interest Code.

ADVANTAGES/DISADVANTAGES:

The advantage of conducting a thorough review of the District's Conflict-of-Interest Code every two years is to ensure accurate disclosure of material interests by agency officials who make or participate in making governmental decisions. Ultimately, this serves as a catalyst to ensure public trust in government.

ALTERNATIVES ANALYSIS:

Because AC Transit is a multi-county agency, the Board of Directors has no authority to approve or enact changes to the Conflict of Interest Code. The authority to amend the code rests solely with the FPPC.

PRIOR RELEVANT BOARD ACTION/POLICIES:

Board Policy 701 -Conflict of Interest Code for the Alameda-Contra Costa Transit District
Staff Report 24-521 - Report on proposed amendments to the AC Transit Conflict of Interest Code.

ATTACHMENTS:

1. Approved Conflict of Interest Code

Prepared by:

Jelena Harada, Assistant District Secretary

Linda Nemeroff, Board Administrative Officer/District Secretary

Approved/Reviewed by:

Linda A. Nemeroff, Board Administrative Officer/District Secretary

Aimee L. Steele, General Counsel/Chief Legal Officer