

ALAMEDA-CONTRA COSTA TRANSIT DISTRICT



STAFF REPORT

MEETING DATE: 10/14/2020

Staff Report No. 20-344

TO: AC Transit Board of Directors
FROM: Jill A. Sprague, General Counsel
SUBJECT: Board Policy 294 (Attorneys - Outside Employment)

ACTION ITEM

RECOMMENDED ACTION(S):

Consider approving amendments to Board Policy 294 (Attorneys-Outside Employment), including the renumbering of the Policy to 238.

STRATEGIC IMPORTANCE:

The act of amending this policy has no strategic importance.

BUDGETARY/FISCAL IMPACT:

There is no budgetary or fiscal impact associated with this report.

BACKGROUND/RATIONALE:

Board Policy 294 was adopted February 24, 1988 and amended on July 13, 2016 to expand to whom the policy applies, and to provide a mechanism to make the District aware of the private practice of law by attorney employees working in departments other than the General Counsel's office.

The proposed changes to the policy serve to reinforce that any approved personal legal work performed by attorney employees shall not interfere with the employee's work duties and to include all employees at the District who are also licensed attorneys. In addition, the policy number is changing to 238 as the policy is no longer specific to Unrepresented employees and is moving to another sub-category under within 200 Series of Board Policies.

ADVANTAGES/DISADVANTAGES:

The advantage of amending this policy is to clarify that any personal legal work performed by attorneys at the District shall not interfere with work duties.

There is no disadvantage to amending this policy.

ALTERNATIVES ANALYSIS:

The alternative is to keep the policy as is. This is not recommended because the changes reinforce the focus of

the District's attorneys on District business.

PRIOR RELEVANT BOARD ACTION/POLICIES:

Board Policy 294 (previously 140), adopted February 1988.

ATTACHMENTS:

1. Proposed Board Policy 238 (redlined)

Prepared by:

Elisabeth West, Human Resources Manager

Approved/Reviewed by:

Jill A. Sprague, General Counsel

Linda A. Nemeroff, District Secretary