

ALAMEDA-CONTRA COSTA TRANSIT DISTRICT



STAFF REPORT

MEETING DATE: 9/8/2021

Staff Report No. 20-324a

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

ACTION ITEM

RECOMMENDED ACTION(S):

Consider receiving report on the process to amend the District's Conflict of Interest Code and incorporate the final code approved by the Fair Political Practices Commission (FPPC) into Board Policy 701, effective September 12, 2021.

STRATEGIC IMPORTANCE:

There is no strategic importance associated with this report.

BUDGETARY/FISCAL IMPACT:

There is no budgetary/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 in need of amendment. As the code reviewing body for multi-county agencies, the FPPC must be given notice of any amendments. The District Secretary's Office performed the required review of the District's Conflict of Interest code in the summer of 2020 and presented the Board with an update on the amendment process along with an overview of the proposed changes on September 9, 2020. Shortly thereafter, the proposed code amendment, including justification for all changes, was forwarded to the FPPC for review. On June 16, 2021, notice of the proposed amendments was given to all persons holding a designated position in the code, which initiated a 45-day comment period. No comments were received by the close of the comment period on July 30, 2021.

Amendments to the code consisted of the following:

- Designation of new positions;
- Removal of positions that have been abolished; and
- Revisions to the titles of existing positions.

The FPPC concluded its review of the code amendment and notification of final approval was received on August 13, 2021. The new code will become effective on September 12, 2021. Because the Board does not exercise authority over the code, staff recommends that the Board incorporate the final code approved by the

FPPC into Board Policy 701 - Conflict of Interest Code (Attachment 1).

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:

There are no alternatives to the course of action recommended in this report.

PRIOR RELEVANT BOARD ACTION/POLICIES:

Board Policy 701 - Conflict of Interest Code for the Alameda-Contra Costa Transit District

ATTACHMENTS:

1. Approved Conflict of Interest Code

Prepared by:

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In Collaboration with:

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Approved/Reviewed by:

Linda A. Nemeroff, District Secretary

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