



FAIR POLITICAL PRACTICES COMMISSION

428 J Street • Suite 620 • Sacramento, CA 95814-2329
(916) 322-3660 • Fax (916) 322-0886

March 11, 2010

Robin Dufault

REDACTED

**Re: Advisory Letter
FPPC No. 08/564 and 09/915; Robin Dufault**

Dear Ms. Dufault:

Fair Political Practices Commission (FPPC) enforces the provisions of the Political Reform Act (Act)¹ found in Government Code section 81000, and following. As you are aware, the Commission notified you that you may have violated the gift limits imposed by the Act when serving as a planning commissioner of the City of Indio ("City"). After review of the information you provided, we have determined that we will close this matter with an advisory letter.

You stated that the producers of the Coachella Music Festival provide the City with concert tickets as part of the contract with the City of Indio. Under the City's direction, tickets are provided to city council members, planning commissioners, and city staff.

The FPPC has advised in the past that tickets or passes which provide admission or access to facilities which are provided to an official are not gifts to the official whenever the tickets or passes provided to the agency are part of the contract for the use of the facility and the distribution and use of the passes or tickets are regulated by an official adopted policy of the agency. (Regulation 18944.1(c).) Under this past advice, if proper procedures were followed, the tickets would not need to be reported as gifts by you.

¹ The Political Reform Act is contained in Government Code sections 81000 through 91014. All statutory references are to the Government Code, unless otherwise indicated. The regulations of the Fair Political Practices Commission are contained in Sections 18109 through 18997 of title 2 of the California Code of Regulations. All regulatory references are to title 2, division 6 of the California Code of Regulations, unless otherwise indicated.

Ms. Robin Dufault
FPPC No. 09/915
Page 2

However, please note that the FPPC has amended this regulation and any future gifts received may need to be reported as income. Before receiving these tickets in the future, it is recommended that you contact the FPPC's Technical Assistance Division at 1-866-275-3772.

Thank you for your attention to this matter.

Sincerely,

REDACTED

✓ Gary S. Winuk
Chief, Enforcement Division

GSW/tr