



Board of Directors Governing Policy



## Policy 2.11 – EVENT TICKET DISTRIBUTION

*Date Adopted/Last Revised: April 22, 2010*

*Management Limitations*

The CEO will not operate without following established policies and procedures pertaining to the equitable and rational distribution of complimentary event tickets in support of OCFEC's strategic business purposes. Ticket policies and their implementation are to follow applicable state laws and regulations.

1. The CEO will not operate without maintaining and adhering to explicit policies, procedures, controls and record-keeping over the distribution of complimentary tickets.
2. In accordance with California Food & Agricultural Code section 3026, the CEO will not allow distribution of a total number of courtesy fair admission tickets in an amount that exceeds four percent (4%) of the quantity of gross paid admissions to the OC Fair in the preceding calendar year.
3. The CEO will not allow the distribution of courtesy tickets except as allowed for in this policy statement:
  - A. Application of Policy
    - i. This policy applies to tickets distributed by the OC Fair & Event Center (OCFEC) for events and activities which may include the OC Fair; Pacific Amphitheatre; Grandstand Arena; and other events and activities taking place at the OCFEC facility.
    - ii. This policy applies to tickets which provide admission to a facility or event for an entertainment, amusement, recreational or similar purpose, and are either:
      - a) Issued by OCFEC as the producer of the event;
      - b) Gratuitously provided to OCFEC by an outside source;
      - c) Acquired by OCFEC by purchase;
      - d) Acquired by OCFEC as consideration pursuant to the terms of a contract for the use of an OCFEC venue; or
      - e) Acquired and distributed by OCFEC in any other manner.
    - iii. This policy does not apply to any other item of value provided to OCFEC or any OCFEC Official, regardless of whether received gratuitously or for which consideration is provided.
  - B. Definitions
    - i. "OC Fair & Event Center" or "OCFEC" shall mean and include the 32<sup>nd</sup> District Agricultural Association, known as the OC Fair & Event Center.

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- ii. “OCFEC Official” means every board member, officer, employee, or consultant of the OC Fair & Event Center, as defined in Government Code Section 82048 and FPPC Regulation 18701. Such term shall include, without limitation, any OCFEC board member or other appointed official or employee required to file an annual Statement of Economic Interests (FPPC Form 700).
- iii. “OCFEC Venue” means and includes the OC Fair & Event Center, OC Fairgrounds, Pacific Amphitheatre, Grandstand Arena, or any other venue owned, controlled, or operated by OCFEC.
- iv. “Immediate family” means the spouse and any dependent children.
- v. “Ticket” means and includes any form of admission privilege to a facility, event, show or performance.

C. General Provisions

- i. No Right to Tickets: The use of complimentary tickets is a privilege extended by OCFEC and not the right of any person to which the privilege may from time to time be extended.
- ii. Limitation on Transfer of Tickets: Tickets distributed to an OCFEC Official pursuant to this policy shall not be transferred to any other person, except to members of such OCFEC Official’s immediate family solely for their personal use.
- iii. Prohibition Against Sale or Receiving Reimbursement for Tickets: No person who receives a ticket pursuant to this policy shall sell or receive reimbursement for the value of such ticket.

D. Ticket Administrator

- i. The President & CEO shall be the Ticket Administrator for purposes of implementing the provisions of this policy, and may delegate this responsibility within the organization as necessary.
- ii. The Ticket Administrator shall have the authority, in his or her sole discretion, to establish procedures for the distribution of tickets in accordance with this policy. All requests for tickets which fall within the scope of this policy shall be made in accordance with the procedures established by the Ticket Administrator.
- iii. The Ticket Administrator shall determine the face value of tickets distributed by OCFEC for purposes of Sections E(i), E(ii), and G(i)(d) of this policy. Face value will include any applicable fees and service charges.
- iv. The Ticket Administrator, in his or her sole discretion, may revoke or suspend the ticket privileges of any person who violates any provision of this policy or the procedures established by the Ticket Administrator for the distribution of tickets in accordance with this policy.

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- E. Conditions Under Which Tickets May Be Distributed: Subject to the provisions of this policy, tickets may be distributed to OCFEC Officials under the following conditions:
- i. The OCFEC Official reimburses OCFEC for the face value of the ticket(s), including any applicable fees and service charges.
    - a) Reimbursement shall be made at the time the ticket(s) is/are distributed to the OCFEC Official.
    - b) The Ticket Administrator shall, in his or her sole discretion, determine which event tickets, if any, shall be available under this provision.
  - ii. The OCFEC Official treats the value of the ticket(s) as income consistent with applicable federal and state income tax laws.
  - iii. The OCFEC Official uses, or behests, such ticket(s) for one or more of the following public purposes:
    - a) Performance of a ceremonial role or function representing OCFEC at the event, for which the OCFEC Official may receive enough tickets for the OCFEC Official and each member of his or her immediate family.
    - b) The job duties of the OCFEC Official require his or her attendance at the event, for which the OCFEC Official may receive enough tickets for the OCFEC Official and each member of his or her immediate family.
    - c) Economic or business development purposes on behalf of OCFEC.
    - d) Promotion of OCFEC events, activities, facilities, or programs.
    - e) Fulfillment of contractual obligations where OCFEC has agreed to provide tickets as a form of consideration.
    - f) Intergovernmental relations purposes, including but not limited to attendance at an event with or by elected or appointed public officials from other jurisdictions, their staff members and their guests.
    - g) Recognition of volunteer service to OCFEC.
    - h) Supporting programs or services rendered by non-profit organizations benefiting Orange County residents, with emphasis on youth organizations, schools, scholarship programs, and organizations serving the active military and their families.
    - i) Attracting and retaining highly qualified employees, for which such employee may receive no more than four (4) tickets per event.

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- iv. The Ticket Administrator may also elect to offer OC Fair admission tickets at a discounted price to OCFEC Officials for one or more of the public purposes described in Section E(iii). If offered, the Ticket Administrator will establish the prices of such tickets and any applicable quantity limits.
- F. Tickets Distributed at the Behest of an OCFEC Official
- i. Only the following OCFEC Officials shall have the authority to behest tickets: Board Officers, Board Members, the President & CEO, and Staff Vice Presidents.
  - ii. Tickets shall be distributed at the behest of an OCFEC Official only for one or more public purposes set forth in Section E(iii) above.
  - iii. If tickets are distributed at the behest of an OCFEC Official, such OCFEC Official shall not use one of the tickets so distributed to attend the event.
- G. Disclosure Requirements
- i. Tickets distributed by OCFEC to any OCFEC official either i) which the OCFEC Official treats as income pursuant to Section E(ii) above, or ii) for one or more public purposes described in Section E(iii) above, shall be posted on a form provided by the FPPC in a prominent fashion on OCFEC's website within thirty (30) days after distribution. Such posting shall include the following information:
    - a) The name of the recipient, except that if the recipient is an organization, OCFEC may post the name, address, description of the organization and number of tickets provided to the organization in lieu of posting the names of each recipient;
    - b) A description of the event;
    - c) The date of the event;
    - d) The face value of the ticket;
    - e) The number of tickets provided to each person or organization;
    - f) If the ticket was distributed at the behest of an OCFEC Official, the name of the OCFEC Official who made such behest; and
    - g) A description of the public purpose(s) under which the distribution was made, or, alternately, that the OCFEC Official is treating the ticket(s) as income.
  - ii. Tickets distributed by OCFEC for which OCFEC receives reimbursement from the OCFEC Official as provided under Section E(i) above shall not be subject to the disclosure provisions of Section G(i).

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4. The CEO will not operate without maintaining and adhering to explicit policies, procedures, controls and record-keeping over reserving and selling or courtesy distribution of “house seats” in the Pacific Amphitheatre for strategic business development and community relations.
  - A. House seats may not be held except for the following purposes:
    - i. Contractual fulfillment of agreements with artists and performers
    - ii. Promotions and marketing, including sponsorships
    - iii. Press and media relations
    - iv. Business development and community relations
  - B. House seats provided on a courtesy basis are subject to all requirements of Section 3 above.
5. The CEO is responsible for posting the ticket policy on the OC Fair website in accordance with FPPC requirements, and for reporting and recordkeeping regarding tickets as required by state and federal tax law as well as FPPC regulations 18944, 18944.1, 18944.2, and 18944.3.