

**Chapter 2.12
DISTRIBUTION OF CITY-CONTROLLED TICKETS TO CITY OFFICIALS**

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2.12.010 SPECIFIC GOVERNMENTAL OR PUBLIC PURPOSE FOR TICKET DISTRIBUTION.

Tourism-related activities are a significant source of revenue to the City of Indian Wells. The City engages in extensive marketing efforts to attract visitors to patronize the City's attractions. The City spends millions of dollars annually to sponsor tourism-related events that are consequently branded with the City's name.

In order to ensure that City-sponsored events maintain the utmost quality and provide the best experience to City residents and tourists alike, and to protect the City's investment in City-sponsored events, it is important and often imperative that City officials attend and participate in these events for public purposes including, but not limited to the following: (1) to ensure contractual compliance; (2) to provide management and/or official oversight of City-sponsored events; (3) to contribute to the City's interest in marketing and promotion of the City as a tourist destination; (4) to promote employee retention efforts; (5) to facilitate outreach and recognition programs for teachers, veterans, and community organizations; (6) to enhance foreign exchange programs; (7) to support City landmarks and facilities; (8) to permit performance of ceremonial functions on the City's behalf; and (9) to encourage volunteers to become members of City commissions, committees and boards and to encourage such members to continue their participation thereon.

2.12.020 DEFINITION OF "CITY OFFICIAL OR OFFICER."

For purposes of this policy, "City official or officer" means any individual required to file a Statement of Economic Interests pursuant to Government Code section 87200 or the City's Conflict of Interest Code adopted pursuant to Government Code section 87300.

2.12.030 DISTRIBUTION OF TICKETS; CITY MANAGER.

This Policy sets forth requirements and restrictions concerning the distribution of City controlled tickets other than tickets for which payment in full is made to the City, or which are distributed as compensation pursuant to the Municipal Code.

In order to accomplish the specific governmental and public purposes set forth in Section 2.12.010, the City may distribute tickets it has obtained from a third party by operation of a contractual relationship, or which are gratuitously provided to the City or purchased by the City. The City Manager or his or her designee shall distribute tickets in his or her discretion to a reasonable number of City officials in a manner that will best serve the City's interests and to persons whose participation in the particular event is reasonable and appropriate to further a specific governmental or public purpose.

All tickets distributed under the City's ticket distribution policy shall serve a specific governmental or public purpose. Separate and apart from tickets provided as compensation, any tickets provided to an official or at the official's behest shall be distributed for a public purpose as stated in this policy.

The City Manager shall distribute tickets, either on his or her own, or at a public official's behest, only for a public purpose as stated in this policy. The City Manager, or his or her designee, is responsible for determining in his or her sole discretion the specific public purpose, as stated in the City's ticket distribution policy, for the distribution of City-controlled tickets. All tickets distributed for a public purpose will not be considered a gift to, or a gift of tickets at the behest of, the City Manager. All tickets distributed at the behest of an official will be reported on Form 802.

The City Manager or his or her designee is responsible for determining the distribution of City-controlled tickets, in his or her sole discretion, to recipients that are not public officials, and such distribution does not constitute a "use" by the City Manager or his or her designee pursuant to subdivision (f) of section 18944.1 of the California Code of Regulations.

Distribution of tickets in a manner consistent with this policy shall not constitute a "use" by the City Manager or his or her designee pursuant to subdivision (f) of section 18944.1 of the California Code of Regulations.

2.12.040 DUTIES OF SPECIFIC CITY OFFICIALS OR OFFICERS TO ATTEND EVENTS.

(1) If available, the City Manager shall attend all events to which the City obtains control of tickets as the City's primary representative.

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(2) It shall be the explicit duty of the following City officials or officers to attend City-sponsored events to ensure contractual compliance, to provide management and official oversight of City-sponsored events, and to perform ceremonial functions and other duties necessitated by the specific event, on the City's behalf: Members of the City Council, heads of City departments, and administrative assistants whose job descriptions or duties include coordinating such events.

(3) The City Manager may designate City officials or officers not identified in subsection (2) of this Section 2.12.040 to attend City-sponsored events to fulfill the governmental or public purposes set forth in Section 2.12.010 when warranted by the nature of the particular event.

2.12.050 TICKETS PROVIDED AS COMPENSATION.

The City Manager may provide tickets in the possession and control of the City to City officials, as part of the compensation offered by the City for performance of official duties and pursuant to applicable Municipal Code provisions.

2.12.060 REPORTING DISTRIBUTION OF TICKETS.

It shall be the duty of the City Manager or his or her designee to ensure the City's compliance with section 18944.1(d) of the California Code of Regulations pertaining to the reporting of the distribution of tickets by a public agency to officials or officers of the City. The City shall post Forms 802 on the City's official website and otherwise retain Forms 802 for the required retention period, all in accordance with the Political Reform Act.

2.12.070 LIMITATION ON TRANSFER OF TICKET(S).

Separate and apart from tickets provided as compensation (which may be transferred by City officials to anyone without restriction), tickets distributed to City officials pursuant to this policy shall not be transferred to any other person, except to members of such City official's immediate family solely for their personal use. Government Code Section 82029 has defined "immediate family" to mean spouse and dependent children. Under no circumstances may either the City official or a member of his or her immediate family sell or further transfer any ticket and/or pass provided under this policy."