

RESOLUTION NO. R-2009-19

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLACENTIA CITY ADOPTING A TICKET DISTRIBUTION POLICY TO CONFORM WITH CALIFORNIA CODE OF REGULATIONS, SECTION 18944.1, AS AMENDED BY THE FAIR POLITICAL PRACTICES COMMISSION

**WHEREAS**, the California Fair Political Practices Commission ("FPPC") recently amended Section 18944.1 of the California Code of Regulations relating to tickets or passes to facilities or events for entertainment purposes distributed by the City to, or at the behest of, public officials to further restrict the use of event tickets and passes by City officials and employees; and

**WHEREAS**, from time to time, the City receives complimentary or discounted tickets or passes from outside sources for distribution to City officials and/or employees; and

**WHEREAS**, the distribution to and use of such tickets and passes by employees or officials frequently serve legitimate governmental purposes; and

**WHEREAS**, the City occasionally will purchase tickets or passes to entertainment events for its employees or officials for governmental purposes; and

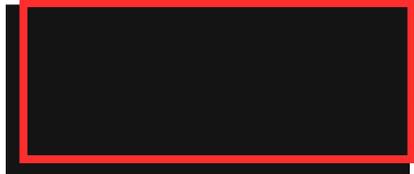
**WHEREAS,** based on such practices and the amended regulations the City Council desires to adopt a clear and concise policy regarding tickets and passes to facilities or events for entertainment purposes.

**NOW THEREFORE, BE IT RESOLVED,** by the City Council of the City of Placentia as follows:

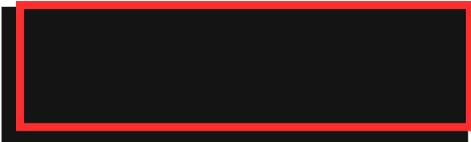
1. The City Council hereby adopts a Policy Number 315, *City of Placentia Ticket Distribution Policy*.

2. Policy Number 315, as attached, shall be effective upon adoption by the City Council and shall be distributed per procedure to all City officials.

PASSED and ADOPTED this 3rd day of March, 2009.



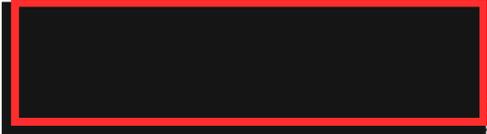
CITY OF PLACENTIA



STATE OF CALIFORNIA  
COUNTY OF ORANGE

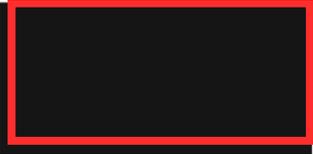
I, Patrick J. Melia, CITY CLERK of the CITY OF PLACENTIA,  
CALIFORNIA, DO HEREBY CERTIFY that the foregoing Resolution was  
adopted at a regular meeting of the City Council of the City of  
Placentia held on 3rd day of March, 2009 by the following vote:

AYES: COUNCILMEMBERS: NELSON, UNDERHILL, YAMAGUCHI, AGUIRRE, SOWARDS  
NOES: COUNCILMEMBERS: NONE  
ABSENT: COUNCILMEMBERS: NONE  
ABSTAINING: COUNCILMEMBERS: NONE



CLERK

APPROVED AS TO FORM:



BRADL

ATTORNEY

**CITY OF PLACENTIA**  
**TICKET DISTRIBUTION POLICY**

1.0 Purpose of Policy.

- 1.1 The purpose of this Policy is to ensure that all Tickets the City receives from public and private entities and individuals are distributed in furtherance of governmental and/or public purposes.

2.0 Application of Policy.

- 2.1 Types of Tickets: 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) gratuitously provided to the City by an outside source;
  - b) acquired by the City by purchase;
  - c) acquired by the City as consideration pursuant to the terms of a contract for the use of a city venue; or
  - d) acquired and distributed by the City in any other manner.
- 2.2 Policy Applicable to Tickets Only: This Policy shall only apply to the City's distribution of Tickets to, or at the behest of, a City Official. This Policy does not apply to any other item of value provided to the City or any City Official, regardless of whether received gratuitously or for which consideration is provided.
- 2.3 This Policy, together with the procedures established pursuant to Section 4.4 below, shall supersede and replace any prior City policy governing Tickets to which this Policy applies.
- 3.0 Definitions: Unless otherwise expressly provided herein, words and terms used in this Policy shall have the same meaning as that ascribed to such words and terms in the California Political Reform Act of 1974 (Government Code Sections 81000, et seq., as the same may from time to time be amended) and the Fair Political Practices Commission ("FPPC") Regulations (Title 2, Division 6 of the California Code of Regulations, Sections 18110 et seq., as the same may from time to time be amended).
- 3.1 "City" or "City of Placentia" shall mean and include the City of Placentia, the Placentia Redevelopment Agency, any other affiliated agency created or activated by the Placentia City Council or the City Charter, and any departments, boards and commissions thereof.
- 3.2 "City Official" shall mean and refer to the City's "public officials," as that term is defined by Government Code Section 82048 and FPPC Regulation 18701. Such term shall include, without limitation, any City board, commission, or committee member or other appointed official or employee required to file an annual Statement of Economic Interests (FPPC Form 700).

- 3.3 "FPPC" shall mean and refer to the California Fair Political Practices Commission.
- 3.4 "Immediate family" shall mean and refer to the spouse and dependent children.
- 3.5 "Policy" shall mean and refer to this Ticket Distribution Policy.
- 3.6 "Ticket" shall mean and refer to a "ticket or pass" as that term is defined in FPPC Regulation 18944.1, as amended from time to time, but which currently defines a "ticket or pass" as admission privilege to a facility, event, show or performance for an entertainment, amusement, recreational, or similar purpose.
- 4.0 General Provisions.
- 4.1 No Right to Tickets: The use of complimentary Tickets is a privilege extended by the City and not the right of any person to which the privilege may from time to time be extended.
- 4.2 Limitation on Transfer of Tickets: Tickets distributed to a City Official 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.
- 4.3 Prohibition Against Sale of 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.
- 4.4 Implementation of Policy: The City 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 City Administrator.
- 4.5 Designation of Agency Head: The City Administrator or his/her designee shall be the "Agency Head" for purposes of implementing the provisions of this Policy and completing and posting the FPPC California Form 802.
- 4.6 No Earmarking of Ticket to City: No Ticket gratuitously provided to the City by an outside source and distributed to, or at the behest of, a City Official pursuant to this Policy shall be earmarked by the original source for provision to a particular City Official.
- 5.0 Conditions Under Which Tickets May be Distributed: Subject to the provisions of this Policy, complimentary Tickets may be distributed to City Officials under the following conditions:
- 5.1 The City Official reimburses the City for the face value of the Ticket(s).
- 5.2 The City Official treats the Ticket(s) as income consistent with applicable federal and state income tax laws.

- 5.3 The distribution of the Ticket(s) to, or at the behest of, the City Official accomplishes a governmental and/or public purpose. The following list of governmental and/or public purposes the City may accomplish through the distribution of Tickets is illustrative rather than exhaustive:
- a) Facilitating the performance of a ceremonial role or function by a City Official on behalf of the City at an event.
  - b) Facilitating the attendance of a City Official at an event where the job duties of the City Official require his or her attendance at the event.
  - c) Promotion of intergovernmental relations and/or cooperation and coordination of resources with other governmental agencies, 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.
  - d) Promotion of City resources and/or facilities available to Placentia residents.
  - e) Promotion of City-run, sponsored or supported community programs or events.
  - f) Promoting, supporting and/or showing appreciation for programs or services rendered by charitable and non-profit organizations benefiting Placentia residents.
  - g) Promotion of business activity, development, and/or redevelopment within the City.
  - h) Promotion of City-owned businesses.
  - i) Promotion of City tourism on a local, state, national or worldwide scale.
  - j) Promotion of City recognition, visibility, and/or profile on a local, state, national or worldwide scale.
  - k) Promotion of open government by City official appearances, participation and/or availability at business and/or community events.
  - l) Increasing public exposure to, and awareness of, the various recreational, cultural, and educational venues and facilities available to the public within the City.
  - m) Attracting or rewarding volunteer public service.
  - n) Encouraging or rewarding significant academic, athletic, or public service achievements by Placentia students, residents or businesses.
  - o) Attracting and retaining highly qualified employees in the City service.
  - p) Recognizing or rewarding meritorious service by a City employee.
  - q) Promoting enhanced City employee performance or morale.

- r) Recognizing contributions made to the City by former City Council Members or City employees.

## 6.0 Disclosure Requirements.

- 6.1 This Policy shall be posted on the City website in a prominent fashion.
- 6.2 Tickets distributed by the City to any City Official either i) which the City Official treats as income pursuant to Section 5.2 above, or ii) for one or more public purposes described in Section 5.3 above, shall be posted on the City website in a prominent fashion, within thirty (30) days after distribution. Such posting shall incorporate the use of FPPC California Form 802, attached to and incorporated in this Policy as **Exhibit A**, or such alternative form(s) as may from time to time be designated by the FPPC.
- 6.3 Tickets distributed by the City for which the City receives reimbursement from the City Official as provided under Section 5.1 above shall not be subject to the disclosure provisions of Section 6.2.

**Agency Report of:  
Ceremonial Role Events and  
Ticket/Admission Distributions**

**A Public Document**

<b>1. Agency Name</b>		Date Stamp	<b>California Form 802</b> <small>For Official Use Only</small>
<u>Division, Department, or Region (if applicable)</u>			
<u>Street Address</u>			
<u>Designated Agency Contact (Name, Title)</u>		<input type="checkbox"/> <b>Amendment</b> <i>(Must provide explanation in Part 3.)</i>	
<u>Area Code/Phone Number</u>	<u>E-mail</u>	Date of Original Filing: _____ <small>(month, day, year)</small>	

**2. Function, Event, or Ceremonial Role Information**

Title \_\_\_\_\_ Face Value of Each Admission \$ \_\_\_\_\_

Description \_\_\_\_\_ Date(s) \_\_\_\_/\_\_\_\_/\_\_\_\_ \_\_\_\_/\_\_\_\_/\_\_\_\_

Ticket(s)/Admission(s) provided by agency? Yes  No  If no: \_\_\_\_\_  
Name of Source

**Was the distribution to persons identified below made at the behest of an agency official?**

Yes  No  If yes: \_\_\_\_\_  
Official's Name (Last, First) and Title

**The identity of recipient(s) and the explanation:**

Name (Last, First) or Organization (Name, Address, Description)	Number of Admission(s)/ Ticket(s)	Agency Official	<ul style="list-style-type: none"> <li>• Check the income box if the agency official claims admission as taxable income. If the agency official performed a ceremonial role, also provide a description.</li> <li>• If not income, describe the public purpose, including ceremonial roles, performed by an agency official, individual, or organization.</li> </ul>
		Yes <input type="checkbox"/> No <input type="checkbox"/>	Income <input type="checkbox"/>
		Yes <input type="checkbox"/> No <input type="checkbox"/>	Income <input type="checkbox"/>
		Yes <input type="checkbox"/> No <input type="checkbox"/>	Income <input type="checkbox"/>
		Yes <input type="checkbox"/> No <input type="checkbox"/>	Income <input type="checkbox"/>
		Yes <input type="checkbox"/> No <input type="checkbox"/>	Income <input type="checkbox"/>

**3. Verification**

*I have read and understand FPPC Regulations 18944.1 and 18942. I have verified that the distribution of admissions, set forth above, is in accordance with the provisions.*

\_\_\_\_\_  
Signature of Agency Head or Designee                      Print Name                      Title                      (month, day, year)

Comment: *(Use this space or an attachment for any additional information including amendment explanation.)*