

COUNCIL POLICY			
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BACKGROUND

Under Title 2 of the California Code of Regulations, Section 18944.1 (“Section 18944.1”) tickets and passes are defined as an admission to a facility, event, show or performance for an entertainment, amusement, recreational, or similar purpose.

On December 11, 2008, the Fair Political Practices Commission (“FPPC”) adopted new regulations defining the circumstances under which the receipt of tickets and passes by a public official must be disclosed by the City and the recipient public official.

The City finds that tickets and passes distributed by the city are public resources.

The City desires to use these public resources in a manner that furthers the City’s governmental and public purposes as described herein, such as the promotion of local business activity and the development of community resources, programs and facilities.

The FPPC recognizes the discretion of the City Council to determine the circumstances under which the distribution of tickets and passes serves a purpose of the City and when only private interests are served such that the receipt of a ticket or pass should be viewed as a reportable gift to the public official who receives it.

POLICY

1. Purpose of Policy. The purpose of this policy is to provide that all tickets and passes distributed by the City are issued in furtherance of public purposes of the City as required under Section 18944.1 of the rules of the FPPC. This policy applies to any tickets or passes which the City (i) receives from a third party, (ii) controls as a sponsor of, or otherwise because it has control over, an event; or (iii) purchases.

This policy shall be applicable to every officer, agent and employee of the City who is obligated to file an Annual Statement of Economic Interests (Form 700) under state law or the City’s current Conflict of Interests Code.

2. Limitation. This Policy shall only apply to the City's distribution of tickets and passes to a public official, or at the request of a public official, for which no consideration of equal or greater value is provided by the public official. Reimbursement of actual and necessary expenses of any member of the City council or any City commission member,

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or any city employee, incurred in the performance of official duties shall be governed by the City's Travel and Expense Reimbursement Policy (Council Policy #000-50) and Employee Travel Reimbursement Policy (Finance Department Policy).

3. Public Purposes. The City may provide a ticket or pass to a person subject to this Policy for any of the following City purposes providing that the City Manager or his/her designees or the City Council determines that providing the ticket or pass actually benefits the City by accomplishing one or more of the following:

- a. Promotion of local and regional businesses or economic activities within the City, including conventions and conferences.
- b. Promotion of City-controlled or sponsored events, activities, or programs.
- c. Promotion of community programs and resources available to City residents, including nonprofit organizations and youth programs.
- d. Highlighting the achievements of local residents and businesses.
- e. Promotion of private facilities available to City residents, including charitable and nonprofit facilities.
- f. Promotion of public facilities available to City residents.
- g. Promotion of City growth and development, including economic development and job creation opportunities.
- h. Promotion of City landmarks and community events.
- i. Promotion of special events conducted pursuant to a contract to which the City is party.
- j. Promotion of the City on a local, regional, state, or national scale.
- k. Promotion of open government by participation of public officials at business or community events.
- l. Sponsorship agreements involving private events by which the City seeks to enhance the City's reputation both locally and regionally by serving as hosts providing the necessary opportunities to meet and greet visitors, dignitaries, and residents.
- m. Implementation of written contracts under which tickets or passes are required to be made available for City use.
- n. Employment retention programs.
- o. Special outreach programs for veterans, teachers, emergency services, medical personnel and other civil service occupations.
- p. Any purpose similar to above included in any City contract.

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4. Return of Tickets and/or Passes. Any public official may refrain from using or return any ticket and pass to the City. Under no circumstances may either the public official or a member of his or her immediate family sell any ticket and pass provided under this policy. If a public official transfers a ticket he or she has received from the City to another person, as opposed to returning the ticket to the City for redistribution, then the value of the ticket or tickets he or she transfers shall constitute a gift to him or her and shall be reportable as provided by the regulations of the FPPC.

5. City Manager and City Clerk. The City delegates the authority to distribute any tickets and pass in accordance with this policy to the City Manager or his or her designee and such authority includes the power to distribute such a ticket to the City Manager provided that doing so is otherwise consistent with this Policy.

- a. Upon distribution of a ticket or pass pursuant to this Policy, the City Manager shall either complete FPPC Form 802, Tickets Provided by Agency Report, or provide sufficient information to the City Clerk so that the Clerk may complete the form.
- b. No later than thirty (30) calendar days from the distribution of the ticket or pass or approval of this Policy, whichever date last occurs, the City Clerk shall post the FPPC Form 802 on the City website.
- c. The City Clerk shall maintain a completed Form 802 for not less than four (4) years, or other period as specified in any applicable FPPC Regulation.
- d. The City Clerk shall cause this Policy to be posted on the City website as soon as reasonably possible after its adoption and shall see to it that the most current version of this Policy is posted in a prominent fashion on the city website as soon as reasonably possible.