



ADMINISTRATIVE POLICY

SUBJECT:

TICKET DISTRIBUTION POLICY

Policy No.: II-08
Adopted: 04/07/2009
Amended: 02/15/2011
08/21/2012

A handwritten signature in black ink, appearing to read "D. Smith".

CITY MANAGER

A. PURPOSE

The purpose of this policy is to ensure that all Tickets provided to the City shall be distributed in furtherance of governmental and/or public purposes as required under Fair Political Practices Commission (FPPC) Regulation 18944.1.

B. APPLICATION

1. This policy applies to Tickets which provide admission to a facility, event, show, or performance 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 at full price or at a discount;
 - 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. 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.
3. This policy shall supersede and replace any other City policy pertaining to the distribution of Tickets.

C. 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).

1. "City" or "City of Arcadia" shall mean and include the City of Arcadia, any other affiliated agency or body created or activated by the Arcadia City Council, and any departments, boards and commissions of the City of Arcadia.



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2. "City Official" means every member, official, officer, employee or consultant of the City of Arcadia, as defined in Government Code Section 82048 and FPPC Regulation 18701. Such term shall include, without limitation, any City board or commission member or other appointed official or designated employee required to file an annual Statement of Economic Interests (FPPC Form 700).
3. "Immediate family" means spouse and dependent children. The term "spouse" includes registered domestic partners (FPPC Regulation 18229).
4. "Ticket" means and includes any form of admission privilege, including without limitation passes, to a facility, event, show or performance for an entertainment, amusement, recreational or similar purpose provided by the City to, or at the behest of, a City Official.

D. GENERAL PROVISIONS

1. The use of complimentary Tickets is a privilege extended by the City and not the right of any person to whom the privilege may from time to time be extended.
2. Tickets received by a City Official pursuant to this policy shall not be transferred, except to members of such City Official's immediate family or to no more than one guest solely for his or her attendance at the event.
3. No person who receives a Ticket pursuant to this policy shall sell or receive reimbursement for the value of such Ticket.
4. 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 outside source for use by a specific City Official or a certain class of City Officials.
5. This policy does not generally apply to political or nonprofit fundraisers which are governed by a separate FPPC regulation.
6. Tickets received or directed for use by a City Official not in conformance with this policy remain subject to separate disclosure requirements and the annual gift limit under the California Political Reform Act and related regulations, unless otherwise exempted or excluded under state law.



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7. Tickets to events that primarily provide information and related material and are provided to assist the City Official in the performance of his or her official duties or those of his or her elected office are also not generally subject to this policy. To the extent that any event might be considered to be more entertainment-oriented, the City Attorney's office should be consulted concerning possible disclosure and reporting requirements.
8. Tickets provided to a City Official and one guest for admission to a facility, event, show, or performance for an entertainment, amusement, recreational, or similar purpose, at which the City Official performs a ceremonial role on behalf of the City, shall not be subject to this policy so long as the City complies with the reporting requirements set forth below. Any City Official who attends the event as part of his or her job duties for the purpose of assisting another City Official who is performing the ceremonial role shall not be deemed to have received a gift or income by attending the event.
9. Any City Official, any member of the City Official's immediate family, or any guest of the City Official may return any unused ticket to the City for redistribution pursuant to this policy.
10. The FPPC recognizes the discretion of the City Council to determine whether the distribution of a Ticket serves a legitimate public purpose of the City, provided the determination is consistent with state law.
11. The provisions of this policy apply only to benefits the City Official receives that are provided to all members of the public possessing the same class of Ticket.

E. TICKET ADMINISTRATOR

1. The City Manager or his/her designee, shall be the Ticket Administrator for purposes of implementing the provisions of this policy. In such case where the City Manager desires to obtain a Ticket, the City Council authorizes the Mayor to exercise the City's sole discretion in determining whether the City Manager's use or behest of Tickets is in accordance with the terms of this policy.
2. 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 these procedures.



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3. The value of any Ticket shall be deemed to be its face value unless calculated otherwise pursuant to FPPC Regulation 18946.1.
4. 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.
5. If available, the City Manager shall attend all events to which the City obtains control of Tickets as the City's primary representative.

F. CONDITIONS UNDER WHICH TICKETS MAY BE DISTRIBUTED

Subject to the following conditions, complimentary Tickets may be distributed to City Officials pursuant to any one or more of the following:

1. The City Official reimburses the City for the face value of the Ticket(s), provided that:
 - a) reimbursement shall be made at the time the Ticket(s) is/are distributed to the City Official, and
 - b) the Ticket Administrator shall, in his or her sole discretion, determine which Tickets, if any, shall be made available under this section.
2. The City Official treats the Ticket(s) as income consistent with applicable federal and state income tax laws and the City reports the distribution of the Ticket(s) as income to the City Official in compliance with the reporting requirements set forth below.
3. The City Official reports the Ticket(s) as a gift on his or her FPPC Form 700 when no governmental or public purpose (as set forth below) for the use of the Ticket(s), or for distribution at the behest of a City Official, has been identified by the Ticket Administrator.
4. The distribution of the Ticket(s) to, or at the behest of, a 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:



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- a) 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.
- b) 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.
- c) Promotion of City resources and/or facilities available to Arcadia residents.
- d) Promotion of City run, sponsored or supported community programs or events.
- e) Promoting, supporting and/or showing appreciation for programs or services rendered by charitable and non-profit organizations benefiting Arcadia residents.
- f) Promotion of business activity, development, and/or redevelopment within the City.
- g) Promotion of City-owned businesses.
- h) Promotion of City tourism on a local, state, national or worldwide scale.
- i) Promotion of City recognition, visibility, and/or profile on a local, state, national or worldwide scale.
- j) Promotion of open government by City Official appearances, participation and/or availability at business and/or community events.
- k) Increasing public exposure to, and awareness of, the various recreational, cultural, and educational venues and facilities available to the public within the City.
- l) Attracting or rewarding volunteer public service.
- m) Encouraging or rewarding significant academic, athletic, or public service achievements by Arcadia students, residents or businesses.
- n) Attracting and retaining highly qualified employees in City service.



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- o) Recognizing or rewarding meritorious service by a City employee.
- p) Promoting enhanced City employee performance or morale.
- q) Recognizing contributions made to the City by former City Council members or City employees.
- r) Fulfilling sponsorship agreements involving private events where the City specifically seeks to enhance the City's reputation, either locally or regionally, by serving as host in order to provide opportunities to meet and greet visitors, dignitaries and residents.
- s) Fulfilling written contracts where the City as a form of consideration has required that a certain number of tickets or suites be made available for its use.
- t) Attending charitable fundraisers for the purpose of networking with other community and civic leaders.
- u) Attendance by spouses/partners of a City Official in order to accompany the City Official to any of the events listed above.

5. Tickets obtained by the City (i) pursuant to the terms of a contract for use of public property, (ii) because the City controls the event, or (iii) by purchase at fair market value, are used by or distributed, at the behest of a City Official, in accordance with this policy. Any ticket received for the purposes set forth herein and distributed to a City Official, other than an elected official or member of the legislative or governing body of the City, for the City Official's personal use, to support general employee morale, retention, or to reward public service, is deemed to serve a public purpose, and any Tickets distributed to a City Official for such purpose must be reported as described below. For purposes of this subsection, "personal use" means use by the City Official, his or her family, or no more than one guest.

G. DISCLOSURE/REPORTING REQUIREMENTS

Tickets distributed to City Officials pursuant to Section F above, or for a ceremonial purpose as defined in FPPC Regulation 18942 (a)(12), must be maintained as a public record by the City, subject to inspection and copying under Government Code section 81008 (a). A record of the Ticket must be completed on Form 802, or any alternative form subsequently



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adopted by the FPPC. This form must be forwarded to the FPPC for posting on the FPPC's website.

This public record shall include the following information.

- The name of the recipient, except that if the recipient is an organization, the City 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;
- a description of the event;
- the date of the event;
- the face value of the Ticket;
- the number of Tickets provided to each person;
- if the Ticket is requested by an official, the name of the official who requested the Ticket; and
- a description of the public purpose under which the distribution was made or, alternatively, that the Ticket was distributed as income to the official.

Tickets distributed by the City for which the City receives reimbursement from a City Official, or which are reported as a gift on FPPC Form 700, shall not be subject to the disclosure provisions set forth above.

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