

**COUNCIL POLICY STATEMENT**

|                   |                         |
|-------------------|-------------------------|
| Policy No.        | <u>76</u>               |
| Date Issued       | <u>October 27, 2009</u> |
| Effective Date    | <u>October 27, 2009</u> |
| Cancellation Date | <u>n/a</u>              |
| Supersedes No.    | <u>n/a</u>              |

General Subject: TICKET DISTRIBUTION POLICY

Specific Subject: DISTRIBUTION OF TICKETS OR PASSES TO CITY OFFICIALS

Copies to: City Council, City Manager, City Clerk, and City Attorney

**BACKGROUND:**

Fair Political Practices Commission ("FPPC") revised Regulation 18944.1 as of February 1, 2009 to set out the circumstances under which an agency's distribution of tickets or passes to or at the behest of an official in the agency does not result in a gift to the official. The distribution of tickets or passes to an official under the regulation is not a gift to the official if it is not earmarked by the original source for use by the agency official who uses the ticket or pass, the agency determines in its sole discretion, which official may use the ticket or pass, and the distribution of the ticket or pass by the agency is made in accordance with the written policy adopted the agency.

The regulation requires the City to adopt a "written policy" containing a provision setting forth the public purposes of the agency to be accomplished by the distribution of tickets or passes, a provision requiring that the distribution of any ticket or pass by the agency, to or at the behest of, an official of any ticket or pass, distributed to such official, to any other person, except to members of the official's immediate family solely for their person use. This written policy should also be posted on the City's website. If the ticket or pass is distributed as income, the ticket or pass must also be reported on Form 802 and posted on the City's website.

**PURPOSE:**

It is the intent of this policy to set forth public purposes to be accomplished concerning the distribution of tickets or passes provided to the City of Carlsbad.

**POLICY:**

1. This policy applies to tickets which provide admission to a facility, event, show or performance for the purpose of 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

**COUNCIL POLICY STATEMENT**

|                   |                         |
|-------------------|-------------------------|
| Policy No.        | <u>76</u>               |
| Date Issued       | <u>October 27, 2009</u> |
| Effective Date    | <u>October 27, 2009</u> |
| Cancellation Date | <u>n/a</u>              |
| Supersedes No.    | <u>n/a</u>              |

General Subject: TICKET DISTRIBUTION POLICY

Specific Subject: DISTRIBUTION OF TICKETS OR PASSES TO CITY OFFICIALS

Copies to: City Council, City Manager, City Clerk, and City Attorney

- d) acquired and distributed by the City in any other manner.
2. The City may only distribute such ticket(s) to or at the behest of, an official in order to accomplish a public purpose. The following is a list of public purposes the City may accomplish through the distribution of tickets:
- a) Performance of a ceremonial role or function representing the City at the event, for which the City Official may receive enough tickets for the City Official and each member of his or her immediate family.
  - b) The job duties of the City Official require his or her attendance at the event, for which the City Official may receive enough tickets for the City Official and each member of his or her immediate family.
  - c) Economic or business development purposes on behalf of the City.
  - d) Intergovernmental relation 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.
  - e) Attracting or rewarding volunteer public service.
  - f) Supporting and/or showing appreciation for programs or services rendered by non-profit organizations benefiting City of Carlsbad residents.
  - g) Attracting and retaining highly qualified employees in City service.
  - h) As special recognition or reward for meritorious service by a City employee.
  - i) For use in connection with a City employee competition or drawing.
  - j) Recognition of contributions made to the City by former City Council Members or City Executive Managers.
  - k) Any other public purpose as determined by majority vote of the City Council.

**COUNCIL POLICY STATEMENT**

|                   |                         |
|-------------------|-------------------------|
| Policy No.        | <u>76</u>               |
| Date Issued       | <u>October 27, 2009</u> |
| Effective Date    | <u>October 27, 2009</u> |
| Cancellation Date | <u>n/a</u>              |
| Supersedes No.    | <u>n/a</u>              |

General Subject: TICKET DISTRIBUTION POLICY

Specific Subject: DISTRIBUTION OF TICKETS OR PASSES TO CITY OFFICIALS

Copies to: City Council, City Manager, City Clerk, and City Attorney

3. Tickets distributed 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. Tickets distributed by the City to any City Official either i) which the City Official treats as income, or ii) for one or more public purposes described above, shall be posted on a form provided by the FPPC in a prominent fashion on the City'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, 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;
  - 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;
  - f) if the ticket was distributed at the behest of a City Official, the name of the City Official who made the behest; and
  - g) a description of the public purpose(s) under which the distribution was made, or alternatively, that the City Official is treating the ticket as income.