

## CITY OF WEST COVINA TICKETS AND/OR PASSES DISTRIBUTION POLICY

1. Purpose of the Policy. The purpose of this Policy is to ensure that all tickets and/or passes the City receives from public and private entities and individuals are distributed in furtherance of governmental and/or public purposes as required pursuant to FPPC Regulation Section 18944.1.
2. Definitions.
  - a. "City" shall mean the City of West Covina.
  - b. "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 Section 18701, as these sections are amended from time to time.
  - c. "FPPC" shall mean the California Fair Political Practices Commission.
  - d. "FPPC Regulations" shall mean the regulations of the FPPC set forth in Title 2, Division 6, of the California Code of Regulations.
  - e. "Immediate Family" shall have the same meaning as set forth in Government Code Section 82029 as the same may be amended from time to time. As of the date of adoption of this Policy, the term "Immediate Family" is defined in Section 82029 as the official's spouse and dependent children.
  - f. "Policy" shall mean this Ticket Distribution Policy.
  - g. "Ticket" shall mean 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 to a facility, event, show or performance for an entertainment, amusement, recreational, or similar purpose.
3. Tickets Covered by this Policy. Tickets covered by this Policy include those:
  - 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 the use of a venue incorporating services provided by the City.
4. Limitations and Exclusions.
  - a. This Policy shall only apply to the City's distribution of Tickets to, or at the behest of, a City Official. Consideration of equal or greater value shall be presumed if the Tickets are distributed pursuant to this Policy.
  - b. This Policy shall apply only if the Ticket is (i) not earmarked by the original source of the Ticket for use by the specific City Official who uses the Ticket and (ii) the City Manager or authorized designee determines in his/her sole discretion which official may use the Ticket.
  - c. This Policy shall not apply to any other item of value provided to the City or City Official regardless of whether received gratuitously or for which consideration is provided as part of admission, such as food and beverages. Any such item other than

- a Ticket may be reportable on the City Official's Form 700 and be subject to state law and FPPC regulations related to gifts to public officials.
- d. This Policy does not apply to any Ticket received by a City Official that:
    - i. The City Official treats as income consistent with applicable state and federal income tax laws and regulations and the City reports the distribution of the Ticket as income to the City Official; or
    - ii. For which the City Official pays the fair market value, or for which the City Official reimburses the original source of the Ticket in accordance with FPPC Regulations, or for which the City Official pays or reimburses the City for the fair market value; or
    - iii. Is a "gift" to the City Official in accordance with FPPC Regulations whether or not the City Official reports the gift on the City Official's Form 700.
5. Ticket Distribution for Public Purposes. The distribution of any Ticket by the City to, or at the behest of, a City Official shall be accomplished through a public purpose as defined below, or as otherwise considered and approved by the City Council where not listed herein. The City may accomplish one or more of the following public purposes through the distribution of Tickets to, or at the behest of, a City Official:
- a. Promotion of local and regional businesses, economic development and tourism 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. Marketing promotions highlighting the achievements of local residents and businesses.
  - e. Promotion and marketing of private facilities available for City resident use, including charitable and nonprofit facilities.
  - f. Promotion of public facilities available for City residents and other public uses.
  - g. Promotion of City growth and development, including economic development and job creation opportunities.
  - h. Promotion of City landmarks and/or community events.
  - i. Promotion of special events in accordance with any City contract.
  - j. Exchange programs with foreign officials and dignitaries.
  - k. Promotion of City recognition, visibility, and/or profile on a local, state, national or worldwide scale.
  - l. Promotion of open government by City official appearances, participation and/or availability at business and community events.
  - m. Sponsorship agreements involving private events where the City specifically 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, public officials, residents and their guests.
  - n. All written contracts where the City as a form of consideration has required that a certain number of Tickets or suites be made available for City use.
  - o. Employment retention programs.

- p. Special outreach programs for veterans, teachers, emergency services, medical personnel, and other civil service occupations.
  - q. Spouses of or immediate dependents of public officials in order to accompany or represent him or her to any of the items listed above.
6. Designation of Agency Head. For the purpose of implementing this Policy, and completing and posting the FPPC California Form 802, the City Manager or his/her authorized designee shall be the "Agency Head." In such cases where the City Manager or his/her authorized designee desires to use a Ticket, the City Council hereby authorizes the City Manager and his/her authorized designee 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.
  7. Transfer, Sale, and Reimbursement Prohibitions. The transfer by any City Official of any Ticket, distributed to such City Official pursuant to this Policy, to any other person, except to members of the City Official's Immediate Family for their personal use, is prohibited. No person receiving a Ticket pursuant to this Policy shall be permitted to sell, receive reimbursement for the value of, or further transfer any Ticket.
  8. Return of Tickets. Any City Official or any member of the City Official's Immediate Family, or any person or entity receiving a Ticket at the behest of any City Official, may return any unused Ticket to the City Manager or authorized designee for redistribution pursuant to this Policy, provided such Ticket(s) is/are returned prior to the event taking place. A City Official is not required to report on Form 802 any Ticket returned pursuant to this Section prior to the event taking place. Any Ticket returned unused but after the event has taken place shall be deemed to have been used by the recipient and reported as such on Form 802.
  9. Website Posting. This Policy shall be posted on the City website in a prominent fashion.
  10. Website Disclosure. The distribution of a Ticket pursuant to this Policy shall be posted on the City website in a prominent fashion within thirty (30) days after the Ticket distribution. Such posting shall use FPPC California Form 802 or such alternate form as from time to time the FPPC may designate, and in accordance with the reporting requirements specified under FPPC Regulation Section 18944.1(d).