

## City of Yuba City

<b>Applies:</b> City-Wide	<b>Supersedes:</b> Not Applicable	<b>Effective Date/Revision:</b> March 17, 2010
<b>Source:</b> Fair Political Practices Commission (FPPC) Regulation 18944.1 Form 802		<b>Department:</b> City Clerk
<b>Title</b> <b>TICKET DISTRIBUTION REPORTING POLICY</b>		
<b>Approved:</b> City Council March 16, 2010		

### **PURPOSE:**

The purpose of this policy is to define general conditions and procedures for the distribution of tickets or passes that are received by the City of Yuba City that allow admission to facilities, events, shows, or performances for entertainment, amusement, recreation, or similar purposes, in compliance with FPPC Regulation 18944.1.

A 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: Elected Officials, City Boards and Commission members, other appointed officials or any employee required to file an annual Statement of Economic Interests (FPPC Form 700).

### **TICKETS:**

This policy applies to tickets or passes that have been:

- 1) Gratuitously provided to the City by an outside source;
- 2) Acquired by the City by purchase;
- 3) Acquired by the City as consideration pursuant to the terms of a contract; or
- 4) Acquired by the City in any other manner; *AND*
- 5) For which no consideration of equal or greater value is being provided by the City Official. Consideration of equal or greater value is deemed to be the face value of the ticket or pass. If the ticket or pass does not have a face value stated or states something to the effect of "complimentary" or "promotional," then the City Manager or his/her designee shall set the value based on the reasonable cost for attendance at such an event for which the ticket or pass is being provided.

## **GENERAL PROVISIONS:**

- 1) **Designation of Agency Head:** The City Manager or his/her designee shall be the "Agency Head" for purposes of implementing the provisions of this Policy, and completed reporting requirements as set forth through FPPC Form 802.
- 2) **Implementation of Policy:** The City Manager or his/her designee shall have the authority, 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 Manager.
- 3) **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) **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.
- 5) **Prohibition of Sale of Tickets:** No person who receives a Ticket pursuant to this policy shall sell or receive reimbursement for the value of such Ticket.
- 6) **No Earmarking of Tickets:** No Ticket gratuitously provided to the City by an outside source and distributed to, or at the behest of, a City Official shall be earmarked by the original source for provision to a particular City Official. In the event that an outside source earmarks any Ticket for a particular City Official, such Ticket shall be returned to the source within 72 hours of its receipt.

## **PROCEDURE:**

Tickets may be distributed to City Officials under the following conditions:

- 1) Facilitating the performance of a ceremonial role or function by a City Official on behalf of the City at an event.
- 2) 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.
- 3) Promotion of special events available to Yuba City residents.
- 4) Promotion of City-run, sponsored, or supported community programs or events.
- 5) Promoting, supporting and/or showing appreciation for programs or services rendered by charitable and non-profit organizations benefiting Yuba City residents.
- 6) Promotion of business activity, development, and/or redevelopment within the City.
- 7) Promotion of local and regional business, economic development and tourism activities within the City and region, including conferences and conferences.
- 8) Promotion of open government by City official appearances, participation and/or availability at business and/or community events.
- 9) Recognizing or rewarding meritorious service by a City employee.

## **DISCLOSURE REPORTING REQUIREMENTS**

The distribution of tickets or passes pursuant to this policy shall be posted within 30 days after their use on FPPC Form 802 which will be kept on file by the City Clerk. A copy of the form will be posted on [www.yubacity.net](http://www.yubacity.net). These forms shall be posted for 12 months and may be removed at the City's discretion anytime thereafter. The City Clerk shall maintain a log of the forms for a period of not less than four years.

### **Exception to Policy**

- 1) Tickets provided directly to City Officials shall be reported as a gift in compliance with FPPC regulations (Form 700 Statement of Economic Interest) and subject to gift limits.
- 2) The City Official reimburses the City for the face value of the Ticket(s).

### **ATTACHMENT:**

- FPPC Form 802



## A Public Document

This form is for use by all state and local government agencies to disclose the distribution of tickets or passes that allow admission to facilities, events, shows, or performances for entertainment, amusement, recreational, or similar purposes. The agency must complete Form 802 identifying agency officials who receive tickets or passes from the agency as well as other individuals and organizations that receive tickets or passes at the behest of agency officials. Form 802 must be posted in a prominent fashion on the agency's website.

### Gifts of Tickets or Passes to Public Officials

FPPC Regulation 18944.1 sets 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. (Regulation 18944.1 is available on the FPPC website at [www.fppc.ca.gov](http://www.fppc.ca.gov).) Even though the distribution of tickets or passes to a public official under the regulation is not a gift to the official, the agency must disclose the distribution on Form 802. The official does not have to disclose tickets or passes received or distributed under the regulation on his or her Statement of Economic Interests (Form 700), but tickets or passes received or distributed by the official that do not fall under the regulation may be subject to disclosure on the official's Form 700 and subject to gift limits.

### Posting Form 802

The Form 802 must be posted on the agency's website within 30 days after the distribution. If the agency does not maintain a website, the form must be maintained by the agency as a public record, be available for public inspection and copying, and be forwarded to the FPPC for posting on its website.

### Part 1. Agency Identification

List the agency's name, address and the name of an agency contact. Mark the amendment box if changing any information on a previously filed form and include the date of the original filing.

### Part 2. Event For Which Tickets Were Distributed

Provide the date(s) of the event, a description of the event, and the face value (i.e. the cost to the public) of the ticket or pass. Check the box indicating whether the event was an "agency event" (such as a county fair, or an event for which the agency purchased tickets). If the agency received the tickets from an outside source, identify the source, the number of tickets received, and check the box to identify whether the tickets or passes were provided to the agency:

- Gratuitously; or
- Pursuant to a contract.

### Part 3. Agency Official(s) Receiving Ticket(s)

Disclose the name of each agency official that received a ticket or pass and the number of tickets or passes the official received. Also state whether the distribution is income to the official or describe the public purpose for which the official received the tickets or passes.

### Part 4. Individual or Organization Receiving Ticket(s)

If tickets or passes were distributed to an individual or organization outside the agency, at the behest of an official of the agency, provide the name of the official. Disclose the name(s) of the individual(s) who received the tickets or passes and the number of tickets or passes provided. If the tickets or passes were provided to an organization, the agency may post the name, address, a description of the organization, and the number of tickets or passes provided to the organization in lieu of posting the name of each individual that received a ticket or pass. Also, describe the public purpose for the distribution to the individual or organization.

### Part 5. Verification

The agency head or his or her designee must sign the form.

### Privacy Information Notice

Information requested on all FPPC forms is used by the FPPC to administer and enforce the Political Reform Act (Government Code Sections 81000-91014 and California Code of Regulations Sections 18109-18997). All information required by these forms is mandated by the Political Reform Act. Failure to provide all of the information required by the Act is a violation subject to administrative, criminal, or civil prosecution. All reports and statements provided are public records open for public inspection and reproduction.

If you have any questions regarding this Privacy Act Notice, please contact the FPPC.

General Counsel  
Fair Political Practices Commission  
428 J Street, Suite 620  
Sacramento, CA 95814  
(916) 322-5660