

RESOLUTION NO. 2010-007

**A RESOLUTION OF THE COUNCIL OF THE CITY  
OF SAN BUENAVENTURA ADOPTING AN EVENT  
TICKET AND PASS DISTRIBUTION POLICY  
PURSUANT TO TITLE 2 OF THE CALIFORNIA  
CODE OF REGULATIONS, SECTION 18944.1**

WHEREAS, 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; and

WHEREAS, 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; and

WHEREAS, the City finds that tickets and passes distributed by the City pursuant to this policy are most appropriately treated as public resources rather than providing an individualized benefit to the recipient; and

WHEREAS, 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; and

WHEREAS, according to Section 18944.1(b)(2) tickets and passes are not reportable gifts to public officials if City distributes these tickets and passes in accordance with a duly adopted written policy that is posted on the City's website; and

WHEREAS, 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, in contrast to situations 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.

BE IT RESOLVED by the Council of the City of San Buenaventura as follows:

**SECTION 1: Purpose of Policy.** The purpose of this policy is to ensure 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 Interest Code.

SECTION 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.

SECTION 3: Official Duties and Ceremonial Roles. Tickets provided to public officials as part of their official duties, or tickets provided so that the public official may perform a ceremonial role or function on behalf of the City are exempt from any disclosure or reporting requirements under Section 18944.1 and this Policy.

SECTION 4: 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 designee 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 and 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 similar purpose stated in any City contract.

SECTION 5: Return of Tickets and 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.

SECTION 6: City Manager. The City delegates the authority to distribute any ticket 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.

//

//

SECTION 7: Website Posting. This policy and Form 802 reports required by Section 18944.1 of the FPPC Rules shall be posted on the City's website as required by that Section.

PASSED AND APPROVED this 8 day of March, 2010.

Mabi Covarrubias Plisky  
Mabi Covarrubias Plisky  
City Clerk

APPROVED AS TO FORM

By:

  
Ariel Pierre Calonne  
City Attorney

STATE OF CALIFORNIA )  
COUNTY OF VENTURA ) ss  
CITY OF SAN BUENAVENTURA )

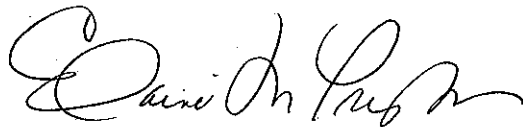
I, Elaine M. Preston, Deputy City Clerk of the City of San Buenaventura, California, certify that the foregoing Resolution was passed and adopted by the City Council of the City of San Buenaventura at a regular meeting on March 8, 2010, by the following vote:

AYES: Councilmembers Brennan, Weir, Morehouse, Andrews, Monahan, Deputy Mayor Tracy, and Mayor Fulton.

NOES: None.

ABSENT: None.

IN WITNESS WHEREOF, I have set my hand and affixed the seal of the City of San Buenaventura on March 9, 2010.



Deputy City Clerk

