

CITY OF ROSEVILLE TICKETS AND/OR PASSES DISTRIBUTION POLICY

A. Purpose

This policy is to establish a City-wide procedure for the distribution, use and reporting of tickets or passes to a facility, event, show or performance, for an entertainment, amusement, recreational, charitable, or similar purposes (defined as an "Event" below) in compliance with section 18944.1 of the Fair Political Practices Commission Regulation (hereinafter "FPPC Regulation"). FPPC Regulation 18944.1 sets out the circumstances under which a public agency's distribution of tickets or passes, for which no consideration of equal or greater value is provided by the City official (defined below), does not result in a gift to the City official. Tickets or passes to an Event distributed and accounted for in compliance with this policy and FPPC Regulation 18944.1 will not be considered as gifts to the City official who make use of such tickets and passes.

The City finds the public and governmental purpose in distributing tickets and passes to Events is 1) to enable City officials to promote City businesses, resources, programs and facilities, 2) to monitor and evaluate City venues and City-sponsored events, 3) to promote cultural, recreational and educational facilities, services and programs available to the public within the City of Roseville, 4) to support diversity and inclusiveness, and 5) to enhance employee morale. For purposes of "employee morale" as used in this section, a ticket or pass distributed to a City official for the official's personal use, other than a member of the City Council, the City Manager, political appointee, or a department head, to support general employee morale, retention, or to reward public service is deemed to serve a public purpose.

This policy is subject to all applicable FPPC Regulations and the Political Reform Act. Nothing in this policy is intended to alter, amend, or otherwise affect the obligations of City officials under the Political Reform Act and implementing regulations, or under Roseville Municipal Code § 3.15.030 and City's Administrative Regulation 2.14, as may be amended from time to time.

B. Policy

1. Definitions.

- a. "City" means the City of Roseville.
- b. "City Manager" means the Roseville City Manager or his/her designee.
- c. "City official" means every member, officer, employee or consultant of the City of Roseville, as defined in Government Code Section 82048, as may be amended from time to time, and FPPC Regulation 18940.1, as may be amended from time to time. Such term shall include, without limitation, any City board or commission member or other appointed official or employee required to file an annual Statement of Economic Interests FPPC Form 700.
- d. "Disproportionate" means too frequent in comparison to all City officials, taking into consideration all reasonable circumstances.

e. "Event" means a facility, event, show, or performance, for an entertainment, amusement, recreational, charitable, or similar purpose, and has the meaning provided in FPPC Regulation 18944.1, as amended from time to time.

f. "Immediate Family" means spouse, registered domestic partner, and/or dependent children.

g. "Ticket" or "pass" means admission to an Event.

2. Applicability. This policy applies to tickets and passes that are: (i) gratuitously provided to the City by an outside source; or (ii) acquired by the City by purchase; or (iii) received by the City as consideration pursuant to the terms of a contract; or (iv) because the City owns or controls the facility or venue at which the Event occurs; or (v) the City sponsors the Event.

3. Public Purpose. Any distribution of tickets or passes in accordance with this policy to a City official, or to an individual or organization outside the City at the request of a City official, must be in furtherance of a governmental and/or public purpose as stated in section A, and be reported as provided in this policy.

C. Exemptions to Policy

1. Ceremonial Role or Function. Tickets or passes provided, by a third party, to a City official to carry out his or her job duties or where the City official will perform a ceremonial role or function on behalf of the City at the Event are exempt from this policy. Such tickets or passes may be subject to other FPPC reporting requirements, including the filing of a FPPC Form 802, or such other form(s) as the FPPC may designate.

2. Income. The City official treats the tickets or passes as income consistent with federal and state income tax laws and the City reports distribution of the tickets or passes as income to the City official on the FPPC Form 802, or such other form(s) as the FPPC may designate.

3. Reimbursement. The City official returns, purchases, or reimburses the City for the face value of the tickets or passes.

D. Procedure for Distribution and Reporting

1. Distribution. The City has sole discretion to determine who shall receive the tickets or passes received or acquired by the City.

a. Tickets or passes that are donated or provided by an outside source and are earmarked for use by a specific City official are considered gifts to the City official and are subject to the disclosure and reporting requirements applicable to gifts, unless one of the exemptions listed above apply.

b. Tickets or passes received by the City from an outside source without designation as to the specific City official who may use the tickets or passes shall be forwarded to the City Manager. The City Manager shall determine the face value of the

tickets or passes, the City official who may use them, and will cause the City Clerk to report their distribution as provided in section D(2) below.

c. Any City Official receiving tickets or passes pursuant to this policy must cooperate with the City Clerk and provide the information required in Parts 3 and 4 of FPPC Form 802, or such other form(s) as the FPPC may designate.

d. If the tickets or passes do not have a face value stated or state something to the effect of "complimentary" or "promotional," the City Manager will determine the value of the tickets or passes based on the reasonable cost for attendance at such an Event.

e. The City Manager may establish any reasonable procedure for distribution of tickets or passes in accordance with this policy.

f. Any tickets or passes not distributed pursuant to this policy may be sold or donated by the City to the public.

g. Disproportionate use of tickets or passes by members of the City Council, the City Manager, an appointed committee, board, or commission member, or a department head or assistant department head shall be prohibited.

2. Reporting Requirement. Tickets or passes distributed by the City to a City official, or to an individual or organization outside the City at the behest of a City official, pursuant to this policy shall be documented in a completed FPPC Form 802, or such other form(s) as the FPPC may designate. The completed Form 802 shall be completed by the City Clerk, provided to the FPPC, and posted on the City's website in a prominent fashion within 45 days after distribution of the tickets or passes.

3. Transfer Prohibition. A City official who receives tickets or passes distributed by the City according to this policy is prohibited from transferring or giving the tickets or passes to any other person except to members of the official's immediate family for their personal use. No person receiving a ticket or pass pursuant to this policy shall sell or receive reimbursement for the value of the ticket or pass.

4. Policy Limited to Just Tickets or Passes. If other benefits, such as food, beverages or other items, are provided to the City official at the Event and they are not included as part of the admission to the Event, those benefits will need to be accounted for as gifts to the City official.

E. Effective Date

This policy shall be effective upon City Council approval and shall be posted on the City website in a prominent fashion.

F. Public Record

This policy shall be posted prominently on the City's website within 30 days of adoption or amendment and sent to the FPPC by emailing the City's website link that displays the policy, so that the FPPC may post the link, in accordance with the FPPC Regulation 18944.1(c), as may be amended from time to time.