

RESOLUTION 2018- 29

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TULARE, CALIFORNIA,
ADOPTING A TICKET AND PASS DISTRIBUTION POLICY IN ACCORDANCE WITH
TITLE 2 OF THE CALIFORNIA CODE OF REGULATIONS, SECTION 18944.1**

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 seeks to adopt a policy in accordance with the Section 18944.1.

NOW THEREFORE, the City Council of the City of Tulare, California does hereby resolve to adopt the City of Tulare Ticket and Pass Distribution Policy as follows:

CITY OF TULARE TICKET AND PASS DISTRIBUTION POLICY

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.

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. Reimbursement of actual and necessary expenses of any member of the City Council or any City commission incurred in the performance of official duties shall be governed by the City's Reimbursement Policy.

SECTION 3. Official Duties; 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. The ceremonial role or function must be performed as part of the event, and at the request of the event holder.

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 or the City Council determines that providing the ticket or pass 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. Reporting. Any tickets or passes distributed under this policy must be reported on FPPC Form 802 (or such other forms as the FPPC may designate) within 30 days of the distribution. The completed Form 802 is a public record, and is subject to inspection and copying under Government Code section 81008, subdivision (a).

The report must include, at a minimum, the following:

1. The name of the person receiving the ticket(s) or pass(es);
2. A description of the event;
3. The date of the event;
4. The face value of the ticket(s) or pass(es)
5. The number of tickets or passes provided to each person;
6. If the ticket or pass is behested, the name of the official who behested the ticket; and
7. A description of the public purpose under which the distribution was made or, alternatively, that the ticket or pass was distributed as income to the official.

SECTION 8. Effective Date. This Resolution shall take effect and be in force on the date of its adoption.

APPROVED AND ADOPTED this 19th day of June, 2018.

David Maresden

President of the Council and Ex-Officio Mayor
of the City of Tulare



ATTEST:

STATE OF CALIFORNIA)
COUNTY OF TULARE) ss.
CITY OF TULARE)

I, Willard Epps, Interim City Clerk of the City of Tulare, certify the foregoing is the full and true Resolution 18 - 29 passed and adopted by the Council of the City of Tulare at a regular meeting held on 6/19/2018 by the following vote:

Aye(s) Jose Sigala; Greg Nulty; Carter Jones; Marissa Castellanos; David Alarcon

Noe(s) NA Abstention(s) NA

Dated: 6/19/18

WILLARD EPPS, INTERIM CITY CLERK

By Roxanne Yoder, Chief Deputy

