



TOWN OF LOOMIS

ADMINISTRATIVE POLICIES AND PROCEDURES

DISTRIBUTION, USE AND REPORTING OF TICKETS AND PASSES POLICY

Effective Date: 1/12/2021	Resolution 21-01	
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PURPOSE

This policy is to establish a town-wide procedure for the distribution, use and reporting of tickets or passes provided to the Town to a facility, event, show or performance for an entertainment, amusement, recreational or similar purposes in compliance with section 18944.1 of the Fair Political Practices Commission (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 public official or employee does not result in a gift to the public official or employee. 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 Town officials and employees who make use of such tickets and passes. This policy is subject to all applicable FPPC Regulations and the Political Reform Act.

The public and governmental purpose in distributing tickets and passes to events is to enable Town officials and employees to promote Town businesses, resources, programs and facilities, to monitor and evaluate Town venues and Town-sponsored events, to promote cultural, recreational and educational facilities, services and programs available to the public within the Town of Loomis, and to enhance employee morale.

POLICY

1. Definitions.

- a. "Town Manager" means Town Manager or his/her designee.
- b. "Town official" means every member, officer, employee or consultant of the Town of Loomis. Such term shall include, without limitation, any Town board or commission member or other appointed official or employee required to file an annual Statement of Economic Interests (FPPC Form 700).
- c. "Immediate Family" means spouse and dependent children.
- d. "Ticket" means "ticket or pass" as that term is defined in FPPC Regulation 18944.1, as amended from time to time, but which currently defines "ticket or pass" as admission to a facility, event, show, or performance for an entertainment, amusement, recreational, or similar purpose.

2. Applicability.

This policy applies to tickets and passes that are: 1) gratuitously provided to the Town by an outside source; or 2) acquired by the Town by purchase; or 3) received by the Town as consideration pursuant to

the terms of a contract or because the Town owns or controls the facility or venue at which the Event occurs or sponsors the Event.

3. Public Purpose.

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

EXEMPTIONS TO POLICY

1. Ceremonial Role or Function.

Tickets or passes provided to a Town official to carry out his or her job duties or where the Town official will perform a ceremonial role or function on behalf of the Town at the Event are not considered gifts to the Town official and are exempt from the disclosure and reporting requirements of this policy.

2. Income.

The Town official treats the tickets or passes as income consistent with federal and state income tax laws and the Town reports distribution of the tickets or passes as income to the Town official on the FPPC Form 802.

3. Reimbursement.

The Town official purchases or reimburses the Town for the face value of the tickets or passes.

PROCEDURE FOR DISTRIBUTION AND REPORTING

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

- a. Tickets or passes that are donated or provided by an outside source and are earmarked for use by a specific Town official are considered gifts to the Town 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 Town from an outside source without designation as to the specific Town official who may use the tickets or passes shall be forwarded to the Town Manager. The Town Manager shall determine the face value of the tickets or passes, the Town official who may use them, and report their distribution as provided in "Reporting Requirement" below.
- c. For tickets or passes received by the Town pursuant to the terms of a contract or because the Town owns or controls the facility or venue at which the Event occurs, or the Town sponsors the Event, a Town official may request use of these tickets or passes, or for distribution to an individual or organization outside the Town, by completing Parts 3 and 4 of FPPC Form 802 and submitting the request to the Town Manager.
- d. Elected Town Officials. For tickets or passes purchased or acquired by the Town for use by an elected Town official, or for distribution to an individual or organization outside the Town at the

request of an elected Town official, the office of the elected Town official shall be responsible for reporting the distribution of the tickets or passes as provided in "Reporting Requirement," below.

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

f. The Town Manager may establish an internal procedure for distribution of tickets or passes in accordance with this policy.

g. Any tickets or passes not distributed pursuant to this policy may be sold by the Town to the public.

2. Reporting Requirement.

Tickets or passes distributed by the Town to a Town official, or to an individual or organization outside the Town at the behest of a Town 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 filed with the Town Clerk and posted on the Town's website in a prominent fashion within 30 days after distribution of the tickets or passes.

3. Transfer Prohibition.

A Town official who receives tickets or passes distributed by the Town 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 Town 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 Town official.

EFFECTIVE DATE

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