



Legislation Text

File #: 19-0633, **Version:** 1

Recommendation to adopt resolution amending the City's Policy Regarding Event Tickets and Passes. (Citywide)

Consistent with the regulations of the Fair Political Practices Commission ("FPPC"), in 2008 the City Council adopted a policy governing the use of event tickets and passes, covering such events as the Grand Prix and attractions like the Aquarium of the Pacific. Adoption of the policy provided an exception to the usual rule requiring "gifts" to public officials to be reported on their annual statement of economic interests (the "Form 700"). If followed, the policy results in the tickets not qualifying as gifts under the regulations, so that the official may accept the ticket where there is a public purpose achieved through that official's use of the ticket.

As required by FPPC regulations, the City's policy currently provides:

- The use of the ticket must further a governmental or public purpose;
- The City Council must adopt a distribution policy that contains provisions set forth in the regulations;
- The City must complete a form for each distribution that must be maintained as a public record subject to inspection and copying; and
- The form for each distribution must be forwarded to the FPPC for posting.

Tickets distributed under the policy, including tickets distributed at the behest of a public official, must be identified on FPPC Form 802 and posted on the City's website to comply with this regulation. The form must be completed within 30 days of distribution of a ticket or pass. Where the distribution is made pursuant to the public purpose exception, that purpose must also be described on the form. The City Manager's office acts as the ticket administrator under the policy.

Recently, the FPPC revised Regulations 18944.1, 18946, 18946.1, and 18942 in response to allegations of misuse in another city made in a Grand Jury report. The alleged misuse occurred in two ways: a disproportionate number of tickets were consistently used by certain staff and officials, and some staff and officials claimed the public purpose of their attendance at such events as NBA playoff games was to perform "facility inspections."

The attached policy, provided in redlined form to highlight the revisions, addresses these two primary policy changes by prohibiting the disproportionate use of tickets by City officials and staff (see Section III. D) as determined by the City ticket administrator, and by requiring that an official who uses tickets for the purpose of oversight or inspection of facilities must promptly provide a written report of findings and recommendations (see Section V.C.2). Some additional revisions were made to clarify definitions.

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Approve recommendation.

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