

RESOLUTION NO. 7248**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF SOUTH PASADENA CALIFORNIA,
AMENDING ITS POLICY FOR THE DISTRIBUTION OF TICKETS
AND/OR PASSES TO CONFORM WITH SECTION 18944.1 OF TITLE 2
OF THE CALIFORNIA CODE OF REGULATIONS**

WHEREAS, on or about November 10, 2011, the Fair Political Practices Commission (“FPPC”) amended Section 18944.1 of Title 2 of the California Code of Regulations (“Regulation 18944.1”), setting forth the circumstances under which the City of South Pasadena (“City”) may distribute certain tickets and passes to a public official without triggering disclosure requirements as “income” pursuant to a Statement of Economic Interest; and

WHEREAS, tickets or passes subject to Regulation 18944.1 are defined as an admission to a facility, event, show or performance for an entertainment, amusement, recreational, or similar purpose; and

WHEREAS, Regulation 18944.1 provides that tickets or passes that are distributed by the City to public officials in accordance with a duly adopted policy are not gifts to the public officials as defined by Government Code section 82028; and

WHEREAS, the FPPC recognizes the discretion of the legislative or governing body of an agency to determine whether the City’s distribution of tickets and/or passes to City officials serves a legitimate public purpose of the City, provided that the determination is consistent with state law; and

WHEREAS, from time to time, the City may receive complimentary or discounted tickets or passes from outside sources, or receive tickets or passes pursuant to the City’s co-sponsorship of an event, or receive tickets or passes pursuant to a contract for the use of City property, or receive tickets or passes pursuant to City ownership or control of a venue, or may purchase tickets or passes for both public and private events for distribution to City officials; and

WHEREAS, the distribution to, and use of such tickets and passes by, public officials frequently serves legitimate governmental and/or public purposes; and

WHEREAS, based on such practice and in conformance to the requirements of Regulation 18944.1, the City Council desires to adopt a policy regarding the distribution of tickets and/or passes pursuant to Regulation 18944.1.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SOUTH PASADENA, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. That Resolution 7073 is hereby rescinded;

SECTION 2. That the Gift Ticket Distribution Policy is hereby amended and the revised Gift Ticket Distribution Policy attached hereto as "Exhibit A," and incorporated herein by this reference, is hereby adopted.

SECTION 3. That the City Clerk of the City of South Pasadena shall certify to the passage and adoption of this resolution and its approval by the City Council and shall cause the same to be listed in the records of the City. This Resolution shall become effective immediately from and after its passage.

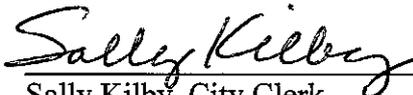
PASSED, APPROVED AND ADOPTED ON this 7th day of November, 2012.



Michael A. Cacciotti, Mayor

ATTEST:

APPROVED AS TO FORM:



Sally Kilby, City Clerk



Richard L. Adams II, City Attorney

I HEREBY CERTIFY the foregoing resolution was duly adopted by the City Council of the City of South Pasadena, California, at a regular meeting held on the 7th day of November, 2012, by the following vote:

AYES: Joe, Khubesrian, Putnam, Schneider and Mayor Cacciotti

NOES: None

ABSENT: None

ABSTAINED: None



Sally Kilby, City Clerk

EXHIBIT A

**City of South Pasadena
Gift Ticket Distribution Policy**

1. Definitions

- a. "City" shall mean and refer to the City of South Pasadena.
- b. "City Official" shall mean and refer to the City's "public officials," as that term is defined by Government Code section 82048 and Fair Political Practices Commission Regulation 18701.
- c. "FPPC" shall mean and refer to the California Fair Political Practices Commission.
- d. "Policy" shall mean and refer to this Gift Ticket Distribution Policy.
- e. "Ticket" or "ticket" shall mean and refer to a "ticket or pass" as that term is defined in FPPC Regulation 18944.1, as amended from time to time, but which currently defines a "ticket or pass" as admission to a facility, event, show, or performance for an entertainment, amusement, recreational, or similar purpose.

2. Purpose of Policy

The purpose of this Policy is to ensure that all tickets the City receives from public and private entities and individuals are distributed in furtherance of governmental and/or public purposes. Tickets received by a City Official pursuant to this policy shall not be considered a gift to that public official.

3. Limitation

This Policy shall only apply to the City's distribution of tickets to, or at the behest of, a City Official.

4. Ticket Distribution Public Purposes

The City may accomplish one or more of the following governmental, ceremonial and/or public purposes through the distribution of tickets to, or at the behest of, a City Official. The following list is illustrative rather than exhaustive:

- a. Promotion of business activity within the City;
- b. Promotion of City-owned businesses;
- c. Promotion of community resources available to City residents, including charitable and nonprofit organization resources;
- d. Promotion of City resources available to City residents;
- e. Promotion of community programs available to City residents, including charitable and nonprofit organization programs;
- f. Promotion of City-run, sponsored or supported community programs;

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- g. Promotion of private facilities available for City resident use, including charitable and nonprofit organization facilities;
 - h. Promotion of City facilities available for City resident use;
 - i. Promotion of City growth and development;
 - j. Promotion of City tourism on a local, state, national or worldwide scale;
 - k. Promotion of City recognition, visibility, and/or profile on a local, state, national or worldwide scale;
 - l. Promotion of open government by City Official appearances, participation and/or availability at business and/or community events; and
 - m. Increasing public exposure to, and awareness of, the various public recreational, cultural, and education facilities available to the public within the City;
 - n. Performance of a ceremonial role or function representing the City at the event, for which the City Official may receive enough tickets for the City Official and each member of his or her immediate family;
 - o. For personal use or to support general morale, retention or service of City employees.
5. Public Purpose Requirement
The distribution of any ticket by the City to, or at the behest of, a City official shall accomplish a governmental, ceremonial and/or public purpose.
6. Transfer Prohibition
The transfer by any City Official of any ticket distributed to such City Official pursuant to this Policy to any other person, except to members of the City Official's immediate family for their personal use, is prohibited.
7. Website Posting
This Policy shall be posted on the City website in a prominent fashion.
8. Disclosure Requirements
- a. The distribution of a ticket or tickets pursuant to this Policy shall be disclosed on a form provided by FPPC, forwarded to the FPPC and made available as a public record by the City within thirty (30) days after the ticket distribution.
 - b. The form shall include the following information:
 - i.) The name of the recipient,
 - 1. except that if the ticket or pass is distributed to a city employee, the agency may post the name of the department or other unit of the agency;
 - 2. except that if the recipient is an organization, the City shall post the name, address, description of the organization and

- number of tickets provided to the organization in lieu of posting the names of each recipient;
- ii. a description of the event;
- iii. the date of the event;
- iv. the face value of the ticket;
- v. the number of tickets provided to each person;
- vi. if the ticket was distributed at the behest of a City Official, the name of the City Official who made such behest; and
- vii. a description of the public purpose(s) or ceremonial function under which the distribution was made, or, alternatively, that City Official is treating the ticket as income.

9. Designation of Agency Head

For the purpose of implementing this policy, and completing and posting the FPPC California Form 802, the City Manager or his designee shall be the "Agency Head."