

RESOLUTION NO. 2016-055

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF THOUSAND OAKS, CALIFORNIA ESTABLISHING A POLICY FOR THE DISTRIBUTION OF TICKETS AND PASSES RECEIVED BY THE CITY PURSUANT TO TITLE 2 OF THE CALIFORNIA CODE OF REGULATIONS, SECTION 18944.1

WHEREAS, under Title 2 of the California Code of Regulations, 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, Regulation 18944.1 requires that local government agencies adopt a written policy governing distribution of tickets to local government officials in order that receipt of tickets will not necessarily be treated as reportable gifts.

NOW, THEREFORE, the City Council of the City of Thousand Oaks resolves as follows:

SECTION 1: Definitions. Unless specifically stated to the contrary, all terms in this Resolution are defined as set forth in California Government Code Section 82000, *et seq.*, and Title 2 of the California Code of Regulations ("CCR"), Section 18944.1.

SECTION 2: Purpose. The purpose of this policy is to ensure all tickets and passes received by the City are distributed in furtherance of the City's stated public purposes and in accordance with Title 2 of the CCR, Section 18944.1.

SECTION 3: Application. This Resolution applies only to tickets or passes distributed by the City to, or at the behest of, public officials. This includes distribution of any tickets or passes received under contract or agreement where the consideration to the City includes a certain number of tickets or passes to the event which is the subject of the contract or agreement. Tickets or passes received by an official from sources other than the City will be treated in accordance with applicable law including, without limitation, the Political Reform Act and FPPC regulations.

SECTION 4: Public Purposes. The City has a strong public purpose in ensuring the quality and continued improvement of events and attractions in the City. Tickets and passes may be distributed by the City only in furtherance of any or all of the following public purposes:

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- A. 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 one member of his or her immediate family;
- B. The job duties of the City official require his or her attendance at the event for which the City official may receive enough tickets for the City official and one member of his or her immediate family;
- C. Intergovernmental relations purposes, including but not limited to attendance at an event with elected or appointed public officials from other jurisdictions, and/or their staff members;
- D. Promoting civic, economic or business development purposes on behalf of City;
- E. Promoting local events, tourism, or public facilities;
- F. Promoting City programs, facilities, and resources;
- G. Promoting programs and resources available to the City's residents from sources other than the City;
- H. Promoting or acknowledging achievements or accomplishments of residents or businesses of the City;
- I. Employee recognition or retention;
- J. A public purpose identified by written resolution adopted by the City Council at the time of distributing tickets or passes; and
- K. As an incident to the above public purposes, allowing for the immediate family of public officials to accompany the officials to events to accomplish any of the purposes listed in this Resolution.

SECTION 5: Limitations. Tickets or passes distributed to a public official under this policy are solely for the personal use of the official or his or her immediate family or one guest. Any unused ticket or pass distributed to a public official under this policy must be returned to the City for redistribution if the ticket or pass remains valid. Under no circumstances may the ticket or pass be sold or further distributed by the official, except to the official's immediate family or no more than one guest for their personal use and attendance at the event.

SECTION 6: Other Benefits Not Included. Recipient officials are advised to review Title 2 of the CCR, Section 18944.1(f), which limits the ticket or pass gift exemption to only the value of the ticket or pass, and does not include other benefits received at the event, including food or beverages.

SECTION 7: Ticket or Pass Distribution. The City Manager, or designee, is responsible for distribution of tickets or passes in accordance with this policy. The City Council authorizes the City Manager to exercise the City's discretion in determining if distribution of the tickets or passes complies with this policy.

SECTION 8: Posting of Policy. This policy must be posted on the City's website in a prominent fashion within 30 days of adoption or amendment and sent to the FPPC, as required by Title 2 of the CCR, Section 18944.1(c).

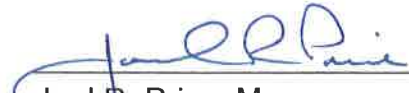
SECTION 9: Posting of Ticket or Pass Distribution. In accordance with Title 2 of the CCR, Section 18944.1(d), any distribution of passes or tickets under this policy must be posted in a prominent fashion on the City's website within forty five (45) days of the distribution on FPPC Form 802. The posting must contain:

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 10: The City Clerk is directed to certify the adoption of this Resolution; record this Resolution in the book of the City's original resolutions; and make a minute of the adoption of the Resolution in the City Council's records and the minutes of this meeting.

SECTION 11: This Resolution will become effective immediately upon adoption and will remain effective unless repealed or superseded.


PASSED AND ADOPTED this 13th day of September, 2016.

  
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Joel R. Price, Mayor  
City of Thousand Oaks, California

ATTEST:

  
\_\_\_\_\_  
Cynthia M. Rodriguez, City Clerk

APPROVED AS TO FORM:  
Office of the City Attorney

  
\_\_\_\_\_  
Tracy M. Noonan, City Attorney

APPROVED AS TO ADMINISTRATION:

  
\_\_\_\_\_  
Andrew P. Powers, Interim City Manager

CERTIFICATION

STATE OF CALIFORNIA     )  
COUNTY OF VENTURA     ) SS.  
CITY OF THOUSAND OAKS    )

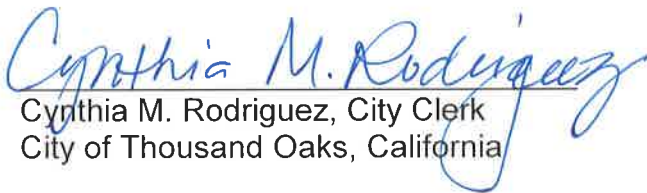
I, CYNTHIA M. RODRIGUEZ, City Clerk of the City of Thousand Oaks, DO HEREBY CERTIFY that the foregoing is a full, true, and correct copy of Resolution No. 2016-055 which was duly and regularly passed and adopted by said City Council at a regular meeting held September 13, 2016, by the following vote:

AYES: Councilmembers Fox, Adam, McCoy, Bill-de la Peña, and Mayor Price

NOES: None

ABSENT: None

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Thousand Oaks, California.

  
Cynthia M. Rodriguez, City Clerk  
City of Thousand Oaks, California

  
Date Attested