

EAST BAY REGIONAL PARK DISTRICT

POLICY FOR RECEIPT AND DISTRIBUTION OF TICKETS AND PASSES

1. AUTHORITY.

This policy is enacted pursuant to the Political Reform Act (California Code of Regulations, Title 2, Division 6, section 18944.1).

2. PURPOSE.

The purpose of this policy is to ensure that all tickets and/or passes provided to an official or employee for admission to a facility, event, show, or performance for an entertainment, amusement, recreational, or similar purpose, either from the District or from an outside source, shall be distributed in furtherance of a governmental and/or public purpose pursuant to section 18944.1. In some instances, these tickets and/or passes are not gifts to an official or employee if the District distributes these tickets and/or passes in accordance with an adopted written policy.

3. PUBLIC PURPOSE.

The public purpose of providing the complimentary ticket and/or pass to an official or employee for admission to an event is to enable him or her to promote the District and District events, activities, or programs. This includes, but is not limited to the following:

- (a) Promotion of special events in accordance with any District contract.
- (b) Promotion of public facilities available for public use.
- (c) Promotion of District visibility, recognition, or profile on a local, state, or national scale.
- (d) Promotion of District-controlled or sponsored events, activities, or programs.
- (e) Promotion of tourism activities within the District, including conferences and conventions.
- (f) Marketing promotions highlighting the achievements of District.
- (g) Employment recruitment programs.

4. DEFINITIONS.

Ticket or Pass: For the purposes of Regulation 18944.1 and this policy, “ticket” or “pass” means admission to a facility, event, show, or performance for an entertainment, amusement, recreational, or similar purpose.

Immediate Family: As defined in Government Code section 82029, “immediate family” means the spouse and dependent children.

5. AUTHORITY OF GENERAL MANAGER.

The District delegates the authority to distribute any tickets and/or passes in accordance with this policy to the General Manager or his or her designee.

In instances where the General Manager desires to obtain a ticket and/or pass, the Board President shall make the determination whether the General Manager’s use of the ticket and/or pass is in accordance with this policy.

6. TICKETS AND/OR PASSES PROVIDED BY DISTRICT.

A ticket and/or pass provided to an official by the District is not subject to section 18944.1 if the official or employee treats the ticket/pass as income consistent with applicable state and federal income tax laws and the District reports the distribution of the ticket and/or pass pursuant to this policy.

This provision applies only to the benefits the official receives by the admission and are not applicable to any other benefits the official or employee may receive that are not included with the admission, such as food, beverages, or any item presented to him or her at the event.

7. TICKETS AND/OR PASSES PROVIDED FROM AN OUTSIDE SOURCE.

A ticket and/or pass provided from an outside source to the official by the District is not considered a “gift” and will not be reportable if the following requirements are met:

- (a) The ticket and/or pass is not “earmarked” by the source for use by the official or employee who uses the ticket/pass;
- (b) The District determines, in its sole discretion, which official or employee may use the ticket and/or pass; and
- (c) The distribution of the ticket and/or pass by the District is made in accordance with this policy.

8. EXEMPTION.

A ticket and/or pass provided to an official or employee for admission at an event at which the official or employee performs a ceremonial role or function on behalf of the District is not a gift to the official and is exempt from this policy. These tickets/passes are exempt from any disclosure or reporting requirements.

9. TRANSFER PROHIBITION.

The transfer by any official or employee of any tickets and/or passes distributed pursuant to this policy to any other person, except to members of the official’s immediate family for their personal use, is prohibited.

10. WEBSITE POSTING.

This policy and any reporting requirement shall be posted on the District’s website.

11. DISCLOSURE FORM.

The distribution of a ticket and/or pass pursuant to this policy shall be posted on FPPC Form 802, or any other form as may be required, and shall be posted in a prominent fashion on the District’s website within thirty (30) days after the distribution. The information contained in the posting shall include all the information as required under section 18944.1.

12. FILING OFFICER AND RETENTION OF FORMS.

The Clerk of the Board is the filing officer of these forms and shall keep a log of the forms under both the name of the District and official receiving the payment.

The forms are public record and are subject to inspection and copying. The forms shall be maintained on file and on the District’s website for a period of not less than four (4) years.