

RESOLUTION NO. CC-0906-197

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REDONDO BEACH, CALIFORNIA, ESTABLISHING A POLICY TO REGULATE THE DISTRIBUTION AND USE OF ENTERTAINMENT TICKETS FOR PUBLIC PURPOSES

WHEREAS, the California Fair Political Practices Commission has issued new Regulations governing the distribution and use of entertainment tickets by Cities and their officials; and

WHEREAS, the City of Redondo Beach maintains and operates the Redondo Beach Performing Arts Center and has access to a regular inventory of entertainment tickets and passes; and

WHEREAS, the City of Redondo Beach wishes to have a policy regulating entertainment tickets that complies with the new Regulations of the California Fair Political Practices Commission; and

WHEREAS, a Ticket Distribution Policy governing the distribution and use of entertainment tickets for public purposes by officials of the City of Redondo Beach is necessary to be in compliance with the new California Fair Political Practices Commission Regulations.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF REDONDO BEACH, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. That the Redondo Beach City Council hereby adopts the following City of Redondo Beach Ticket Distribution Policy:

**CITY OF REDONDO BEACH
TICKET DISTRIBUTION POLICY**

**REDONDO BEACH PERFORMING ARTS CENTER
AND OTHER TICKETS PROVIDED TO THE CITY FOR ENTERTAINMENT PURPOSES**

1.0 Purpose and Application of Policy.

1.1 The purpose of this Policy is to ensure that all Tickets acquired by or otherwise provided to the City are distributed to accomplish a public purpose.

1.2 This Policy applies to Tickets which provide admission to a facility or event for an entertainment, amusement, recreational or similar purpose, and are either:

- a) gratuitously provided to the City by an outside source;**
- b) acquired by the City through purchase;**
- c) acquired by the City as consideration pursuant to the terms of a contract for the use of a City controlled venue; or**
- d) acquired and distributed by the City in any other manner.**

1.3 This policy does not apply to:

- a) any item of value provided to the City other than Tickets; or**

- b) **Tickets, or any other item of value, provided to a City Official by a source other than the City.**

1.4 **This Policy, together with any Ticket procedures established pursuant to Section 4.2 below, shall supersede and replace the City's "Policy Guidelines for the Administration and Distribution of Redondo Beach Performing Arts Center House Seats" relating to Tickets for the Redondo Beach Performing Arts Center.**

2.0 **Definitions: Unless otherwise expressly provided herein, words and terms used in this Policy shall have the same meaning as that ascribed to such words and terms in the California Political Reform Act of 1974 (Government Code Sections 81000, et seq., as the same may from time to time be amended) and the Fair Political Practices Commission ("FPPC") Regulations (Title 2, Division 6 of the California Code of Regulations, Sections 18110 et seq., as the same may from time to time be amended).**

2.1 **"City" or "City of Redondo Beach" shall mean and include the City of Redondo Beach, the Redondo Beach Redevelopment Agency, the Redondo Beach Housing Authority, any other affiliated agency created or activated by the Redondo Beach Mayor and City Council, and any departments, boards and commissions thereof.**

2.2 **"City Official" means every member, officer, employee or consultant of the City of Redondo Beach, as defined in Government Code Section 82048 and FPPC Regulation 18701. Such term shall include, without limitation, any City board or commission member or other appointed official or employee required to file an annual Statement of Economic Interests (FPPC Form 700).**

2.3 **"City Venue" means and includes the Redondo Beach Performing Arts Center or any other facility owned, controlled or operated by the City of Redondo Beach, CA.**

2.4 **"Immediate family" means the spouse and dependent children.**

2.5 **"Ticket" means and includes any form of admission privilege to a facility event, show or performance.**

3.0 **General Provisions.**

3.1 **No Right to Tickets: The use of Tickets is a privilege extended by the City and not the right of any person to which the privilege may from time to time be extended.**

3.2 **Limitation on Transfer of Tickets: Tickets distributed to a City Official pursuant to this policy shall not be transferred to any other person, except to members of such City Official's immediate family solely for their personal use.**

3.3 **Prohibition Against Sale of or Receiving Reimbursement for Tickets: No person who receives a Ticket pursuant to this Policy shall sell or receive reimbursement for the value of such Ticket.**

4.0 **Ticket Administrator.**

- 4.1** The City Manager or his/her designee shall be the Ticket Administrator for purposes of implementing the provisions of this Policy.
- 4.2** The Ticket Administrator shall have the authority, in his or her sole discretion, to establish procedures for the distribution of Tickets in accordance with this Policy. All requests for Tickets which fall within the scope of this Policy shall be made in accordance with the procedures established by the Ticket Administrator. No Public Official, other than the Ticket Administrator or his/her designee, shall have the right to behest, direct or control the distribution of Tickets under this Policy.
- 4.3** The Ticket Administrator shall determine the face value of Tickets distributed by the City for purposes of Sections 5.1, 5.2, and 6.1, subparagraph d), of this Policy, utilizing the California Code of Regulations governing the reporting and valuation of tickets and passes.
- 4.4** The Ticket Administrator, in his or her sole discretion, may revoke or suspend the Ticket privileges of any person who violates any provision of this policy or the procedures established by the Ticket Administrator for the distribution of Tickets in accordance with this Policy.
- 5.0** Conditions Under Which Tickets May be Distributed.
- 5.1** Subject to the provisions of this Policy, Tickets may be distributed by the Ticket Administrator to City Officials under either of the following conditions:
- a)** The City Official reimburses the City for the face value of the Ticket(s).
 - i)** Reimbursement shall be made at the time the Ticket(s) is/are distributed to the City Official.
 - ii)** The Ticket Administrator shall, in his or her sole discretion, determine which event Tickets, if any, shall be available under this section.
 - iii)** No Ticket shall be earmarked by the original source for use by the Public Official who actually uses the Ticket.
 - b)** The City Official treats the Ticket(s) as income consistent with applicable federal and state income tax laws.
- 5.2** In addition to Section 5.1 above, the Ticket Administrator may also distribute Ticket(s) to City Officials and/or other parties for one or more of the following public purposes:
- 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 each 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 each member of his or her immediate family.
 - c)** Economic or business development purposes on behalf of the City.

- d) Intergovernmental relations purposes, including but not limited to attendance at an event with or by elected or appointed public officials from other jurisdictions, their staff members and their guests.
- e) Attracting or rewarding volunteer public service.
- f) Supporting and/or showing appreciation for programs or services rendered by non-profit organizations benefiting Redondo Beach residents.
- g) Encouraging or rewarding significant academic, athletic, or public service achievements by Redondo Beach students, residents or businesses.
- h) Attracting and retaining highly qualified employees in City service, for which such employee may receive no more than four (4) Tickets per event.
- i) As special recognition or reward for meritorious service by a City employee, for which such employee may receive no more than four (4) Tickets per event.
- j) For use in connection with a City employee competition or drawing, for which there shall be made available no more than (4) Tickets per event.
- k) Recognition of contributions made to the City by former Mayor and City Council Members or executives, for which such former Mayor and City Council Member or executive may receive no more than (4) Tickets per event.

6.0 Disclosure Requirements.

6.1 Tickets distributed by the City to any City Official, either i) which the City Official treats as income pursuant to Section 5.1b) above, or ii) for one or more public purposes described in Section 5.2 above, shall be posted on a form provided by the FPCC in a prominent fashion on the City's website within thirty (30) days after distribution. Such posting shall include the following information:

- a) The name of the recipient, except that if the recipient is an organization, the City may 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;
- b) a description of the event;
- c) the date of the event;
- d) the face value of the Ticket;
- e) the number of Tickets provided to each person;
- f) a description of the public purpose(s) under which the distribution was made, or, alternatively, that City Official is treating the Ticket as income.

6.2 Tickets distributed by the City for which the City receives reimbursement from the City Official as provided under Section 5.1a) above shall not be subject to the disclosure provisions of Section 6.1.

SECTION 2. This Resolution shall take effect immediately upon its adoption.

SECTION 3. That the City Clerk shall certify to the passage and adoption of this Resolution and shall enter the same in the Book of Original Resolutions.

PASSED, APPROVED AND ADOPTED this 2nd day of June, 2009.


Mike Gin, Mayor

ATTEST:

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS
CITY OF REDONDO BEACH)

I, Eleanor Manzano, City Clerk of the City of Redondo Beach, California, do hereby certify that the foregoing Resolution No. CC-0906-197 was duly passed, approved and adopted by the City Council of the City of Redondo Beach, California, at a regular meeting of said City Council held on the 2nd day of June, 2009, by the following vote:

AYES: ASPEL, BRAND, AUST, DIELS, KILROY

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE


Eleanor Manzano, City Clerk

APPROVED AS TO FORM:


Michael W. Webb, City Attorney