County of Los Angeles
CHIEF EXECUTIVE OFFICE
Kenneth Hahn Hall of Administration
500 West Temple Street, Room 713, Los Angeles, California 90012
(213) 974-1101
http://ceo.lacounty.gov

WILLIAM T FUJIOKA
Chief Executive Officer

Board of Supervisors
GLORIA MOLINA
First District

MARK RIDLEY-THOMAS
Second District

ZEV YAROSLAVSKY
Third District

DON KNABE
Fourth District

MICHAEL D. ANTONOVICH
Fifth District

April 21, 2009

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

NEW TICKET POLICY
(ALL DISTRICTS AFFECTED) (3 VOTES)

SUBJECT

Approval of the recommended action will establish a new County policy for the receipt and distribution of passes and tickets to, or at the behest of, County officials.

IT IS RECOMMENDED THAT YOUR BOARD:

Approve the attached Ticket Policy for the receipt and distribution of passes and tickets to, or at the behest of, public officials.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended action is to establish, pursuant to the provisions of Title 2, California Code of Regulations section 18944.1(b)(2), a new County policy for the receipt and distribution of passes and tickets to, or at the behest of, County officials.

FISCAL IMPACT/FINANCING

No fiscal impact.

FACTS AND PROVISIONS/LEGAL REQUIREMENT

The Fair Political Practices Commission recently completely revised the regulation governing the receipt, distribution, and disclosure of tickets and passes to events and facilities for an entertainment, amusement, recreational or similar purpose. Under the new regulation, as was also allowed by the old regulation, a County official still may directly receive a ticket to an event. Direct receipt of a ticket will trigger the Political Reform Act's ("Act") disclosure and disqualification obligations and will be subject to the Act's gift limit (currently $420), unless the official is performing a ceremonial function at the event or another exception applies.

Pursuant to the new regulation, as under the old regulation, tickets may be provided to the County and distributed to the County official without being subject to the Act's disclosure and disqualification obligations or the gift limit, as long as certain requirements are met. One of the requirements of the new regulation is that the County adopt a written policy related to the distribution of tickets. Although the County currently has a Policy for Receipt and Distribution of Passes and Tickets, that policy, which was adopted in 2002, does not conform with the new regulation.

The written policy must include provisions (1) setting forth the public purposes to be accomplished by the distribution of tickets or passes; (2) requiring that the distribution of any ticket or pass by the agency to, or at the behest of, an official accomplish a public purpose; and (3) prohibiting the transfer by any official of any ticket or pass distributed to such official to any other person, except to members of the official's immediate family, solely for their personal use.

Attached is a Ticket Policy which we have developed in conjunction with the Office of the County Counsel. It includes all of the provisions required by the new regulation. In addition, it identifies the Chief Executive Officer, or my designee(s), as the County's Ticket Administrator. It also allows this Office the discretion to establish specific procedures for the distribution of tickets in accordance with the ticket policy. The Ticket Administrator will also be responsible for assuring that appropriate disclosure is completed.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

Once adopted by your Board, the attached policy, together with any ticket procedures established by this Office, will supersede and replace the County's March 14, 2002, Policy for Receipt and Distribution of Passes and Tickets.

Respectfully submitted,

WILLIAM T FUJIOKA
Chief Executive Officer

WTF:EFS:ef

Attachment

c: County Counsel

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Policy #:	Title:	Effective Date:
0.000	Ticket Policy	00/00/00

PURPOSE

Pursuant to the provisions of Title 2, California Code of Regulations section 18944.1(b)(2), the County establishes this policy for the receipt and distribution of passes and tickets to, or at the behest of, public officials.

REFERENCE

Title 2, California Code of Regulations, section 18944.1(b)(2)

April XX, 2009 Board Order, Synopsis XX

POLICY

1.0 Application of Policy

1.1 This Policy applies to tickets which provide admission to a facility or event for an entertainment, amusement, recreational, social, charitable, or similar purpose, and are either:

a) Gratuitously provided to the County by an outside source;
b) Acquired by the County by purchase;
c) Acquired by the County as consideration pursuant to the terms of a contract for the use of a County venue; or
d) Acquired and distributed by the County in any other manner.

1.2 This Policy does not apply to any other item of value provided to the County or any County Official, regardless of whether received gratuitously or for which consideration is provided.

1.3 This policy, together with the ticket procedures established pursuant to Section 4.2 below, shall supersede and replace the County's March 14, 2002 "Policy for Receipt

and Distribution of Passes and Tickets."

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 "County" or "County of Los Angeles" shall mean and include the County of Los Angeles, its Special Districts, any other affiliated agency created by the County, and any departments, boards and commissions thereof.

2.2 "County Official" means every elected and appointed official or employee of the County of Los Angeles, as defined in Government Code Section 82048 and FPPC Regulation 18701.

2.3 "County Venue" means and includes the Walt Disney Concert Hall, Performing Arts Center of Los Angeles County, John Anson Ford Amphitheatre, Hollywood Bowl Performing Arts Complex, Santa Fe Dam Recreational Area, Arboretum of Los Angeles County, Descanso Gardens, South Coast Botanic Garden, Virginia Robinson Gardens, Los Angeles County Museum of Art, Museum of Natural History or any other facility owned, controlled or operated by the County of Los Angeles.

2.4 "Immediate family" means 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 complimentary tickets is a privilege extended by the County 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 County Official pursuant to this policy shall not be transferred to any other person, except to members of such County 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 Chief Executive Officer 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.

4.3 The Ticket Administrator shall determine the face value of tickets distributed by the County for purposes of Sections 5.1, 5.2 and 7.1(d), of this policy.

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: Subject to the provisions of this policy, complimentary tickets may be distributed to County Officials under the following conditions:

5.1 The County Official Reimburses the County for the face value of the ticket(s).

a) Reimbursement shall be made at the time the ticket(s) is/are distributed to the County Official.
b) The Ticket Administrator shall, in his or her sole discretion, determine which event tickets, if any, shall be available under this section.

5.2 The County Official treats the ticket(s) as income consistent with applicable federal and state income tax laws.

5.3 The County Official uses, or behests, such ticket(s) for one or more of the following public purposes:

a) Performance of a ceremonial role or function representing the County at the event, for which the County Official may receive enough tickets for the County Official and each member of his or her immediate family.
b) The job duties of the County Official require his or her attendance at the event, for which the County Official may receive enough tickets for the County Official and each member of his or her immediate family.
c) Promoting open government by public official appearances, participation, and/or availability at business or community events.
d) Promoting security and safety at events.
e) Monitoring and evaluating County venues and the quality of performances at those venues.
f) Promoting local and regional businesses, economic development, and tourism activities within the County, including conventions and conferences, and including job creation opportunities.
g) Promoting intergovernmental relations, 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.
h) Promoting public and private facilities available for County resident use.
i) Supporting and/or showing appreciation for community and nonprofit programs or services, including youth programs, that benefit County residents.
j) Encouraging or recognizing significant academic, athletic, or public achievements by County students, residents, or businesses.
k) Attracting or retaining highly qualified County employees and volunteers or

recognizing the meritorious service of current or former County employees, officials, and volunteers, for which such individual may receive no more than four (4) tickets per event.

l) For use in connection with a County employee competition or drawing, for which there shall be made available no more than (4) tickets per event.

6.0 Tickets Distributed at the Behest of a County Official.

6.1 Tickets shall be distributed at the behest of a County Official only for one or more public purposes set forth in Section 5.3 above.

6.2 If tickets are distributed at the behest of a County Official, such County Official shall not use one of the tickets so distributed to attend the event.

7.0 Disclosure Requirements.

7.1 Tickets distributed by the County to any County Official either i) which the County Official treats as income pursuant to Section 5.2 above, or ii) for one or more public purposes described in Section 5.3 above, shall be posted on a form provided by the FPPC in a prominent fashion on the County'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 County 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 or organization;
f) if the ticket was distributed at the behest of a County Official, the name of the County Official who made such behest; and
g) a description of the public purpose(s) under which the distribution was made, or, alternatively, that County Official is treating the ticket as income.

7.2 Tickets distributed by the County for which the County receives reimbursement from the County Official as provided under Section 5.1 above shall not be subject to the disclosure provisions of Section 7.1.

RESPONSIBLE DEPARTMENT

Chief Executive Office

Executive Office of the Board

County Counsel

DATE ISSUED/SUNSET DATE

Issue Date: April XX, 2009 **Sunset Date: April XX, 2013**