


**APPLE VALLEY FIRE PROTECTION DISTRICT
STANDARD OPERATING POLICY**

POLICY NO. 1-27	REVISION NO. --
DATE: September 24, 2018	
APPROVAL: 	

TITLE: Distribution of Tickets and/or Passes

1.0 Purpose.

The policy's purpose is to ensure that all tickets and/or passes provided to the District are distributed in furtherance of governmental and/or public purposes as required under amended Section 18944.1 of Title 2, California Code of Regulations ("Regulation 18944.1").

In addition, the purpose of this policy is to ensure that tickets distributed by the District under and this policy are disclosed on Form 802 and posted to the District's website within forty-five days of distribution, as required by Regulation 18944.1.

2.0 Application. This policy applies to tickets that provide admission to a facility, event, show or performance for an entertainment, amusement, recreational or similar purpose, and are either:

- 2.1 gratuitously provided to the District by an outside source;
- 2.2 acquired by the District by purchase;
- 2.3 acquired by the District as consideration pursuant to the terms of a contract for the use of a District venue; or
- 2.4 acquired and distributed by the District in any other manner.

3.0 Scope.


This policy applies to all District Officials, as well as all designated District employees.

4.0 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 Political Reform Act of 1974 (Government Code section 81000 *et seq.*, as the same may from time to time be amended) and the Fair Political Practices Commission ("FPPC") Regulations (Title 2, California Code of Regulations, section 18110 *et seq.*, as the same may from time to time be amended).

- 4.1 "District" means the Apple Valley Fire Protection District.
- 4.2 "District Official" means every member, officer, employee or consultant of the District, as defined by Government Code section 82048 and Regulation 18701. Such term shall include, without limitation, any Commission member or other appointed official or employee required to file an annual Statement of Economic Interests (Form 700).
- 4.3 "Immediate family" means the District Official's spouse and dependent children.


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- 4.4 "Policy" means this Policy for the Distribution of Tickets and/or Passes.
- 4.5 "Ticket" shall mean and refer to a "ticket or pass" as those terms are defined in Regulation 18946 and referenced in Regulation 18944.1, both Regulations as being amended from time to time, but which currently define "ticket or "pass" as anything that provides admission or access to a facility, event, show or performance for an entertainment, amusement, recreational or similar purpose.
- 5.0 General Provisions.
 - 5.1 The use of complimentary tickets is a privilege extended by the District and not the right of any person to which the privilege may from time to time be extended.
 - 5.2 Tickets distributed to a District Official pursuant to this Policy shall not be transferred to any other person, except to members of such District Official's immediate family solely for their personal use or to no more than one guest solely for their attendance at the event.
 - 5.3 No person who receives a ticket pursuant to this Policy shall resell or receive compensation for the value of such ticket.
 - 5.4 The Fire Chief or a named designee such as a Battalion Chief or Administrative Services Manager, shall have the authority, in their 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 Fire Chief or named designee.
 - 5.5 The Fire Chief or designee shall be the "agency head" for purposes of implementing the provisions of this policy and completing and posting the Form 802. In such case, where the Fire Chief desires to obtain a ticket, the Commission authorizes the Fire Chief to exercise the District's sole discretion in determining whether the Fire Chief's use or behest of tickets is in accordance with the terms of this policy.
 - 5.6 No ticket gratuitously provided to the District by an outside source and distributed to, or at the behest of, a District Official pursuant to this policy shall be earmarked by the original source for provision to a particular District Official.
 - 5.7 A ticket provided to a District Official and one guest of the official at which the official performs a ceremonial role, as defined in Regulation 18942.3, on behalf of the District must be disclosed on Form 802 as set forth below. Any additional effort by the District to either limit or expand permissible ceremonial roles will require that the revised policy be forwarded to the FPPC.
 - 5.8 The value of any ticket shall be the face value of the ticket.

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6.0 Public Purpose for Which Tickets May be Distributed.

Subject to the provisions of this Policy, the District shall only provide a ticket and/or pass to a District Official, or at the behest of a District Official, under one of the following public and governmental purposes:

- 6.1 If the distribution is to a District Official, the District Official reimburses the District for the face value of the ticket(s).
- 6.2 If the distribution is to a District Official, the District Official treats the ticket(s) as income consistent with applicable federal and state income tax laws and the District complies with the reporting requirements of Section 7, below.
- 6.3 If the distribution is to a District Official, or is at the behest of a District Official, such distribution must accomplish a governmental and/or public purpose. The following is a list of governmental and/or public purposes the District may accomplish through the distribution of tickets. The list is illustrative rather than exhaustive:
 - a. Facilitating the performance of a ceremonial role or function by a District Official on behalf of the District at an event.
 - b. Promotion of intergovernmental relations and/or cooperation and coordination of resources with other governmental agencies, 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.
 - c. Promotion of local and regional businesses, healthcare providers, and other entities within the healthcare or health industries that serve or may potentially serve the District's consumers, including conventions and conferences.
 - d. Promotion of District-controlled or sponsored events, activities, or programs.
 - e. Promotion of community programs and resources available to District residents, including non-profit organizations and youth programs, particularly if the programs or resources relate to the provision of healthcare or healthy living.
 - f. Marketing promotions highlighting the achievements of local residents and businesses in matters related to community health or wellness.
 - g. Promotion and marketing of private facilities available for District consumer use, including charitable and nonprofit facilities.


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- h. Promotion of public facilities available for District consumer use.
- i. Promotion of District growth and development, including outreach efforts and job creation opportunities.
- j. Promotion of specific District community events provided by or sponsored by the District.
- k. Promotion of any District owned sites or facilities.
- l. Exchange programs with foreign officials and dignitaries.
- m. Promotion of District recognition, visibility, and/or profile on a local, state, national or world-wide scale.
- n. Promotion of open government and/or community relations by public official appearances, such as participation and/or availability at business or community events.
- o. Sponsorship agreements involving private events where the District specifically seeks to enhance the District's reputation both locally and regionally by serving as hosts or sponsors providing the necessary opportunities to meet and greet visitors, dignitaries, and residents.
- p. All written contracts where the District as a form of consideration has required that a certain number of tickets be made available for District use.
- q. Employment retention programs.
- r. Special outreach programs for veterans, teachers, emergency services, medical personnel and other civil service occupations.
- s. Charitable 501 (c)(3) fundraisers for the purpose of networking with other community and civic leaders.
- t. Promotion of and participation in intergovernmental relations and activities.
- u. Promoting, supporting and/or showing appreciation for programs or services rendered by charitable and non-profit organizations benefiting District consumers.
- v. Increasing public exposure to, and awareness of, the various recreational, cultural, and educational venues and facilities available to the public within the District's service area that provide healthcare or other wellness-related opportunities.

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- w. Attracting or rewarding volunteer public service related to the District's mission.
- x. Attracting and retaining highly qualified employees in the District's service.
- y. Recognizing or rewarding meritorious service by a District employee.
- z. Promoting enhanced District employee performance or morale.
- aa. Spouses of District Officials in order to accompany him or her to any of the events listed above.
- bb. Any purpose similar to above included in any District contract.

6.4 If the distribution is to an organization outside of the District, such distribution is done pursuant to a public purpose outlined in paragraph 6.3 above.

6.5 Subject to the provisions of this policy, tickets obtained by the District pursuant to terms of a contract for use of public property because the District controls the event, or, by purchase at fair market value, may be distributed to District Officials. Any distribution must accomplish a governmental and/or public purpose in accordance with paragraph 6.3 above.

6.6 Any ticket obtained pursuant to paragraph 6.5 which is distributed to a District Official, other than an elected official or member of the governing body of the District, for the official's personal use, to support general employee morale, retention, or to reward public service is also deemed to serve a public purpose. Such ticket distribution shall be disclosed pursuant to Section 7. For purposes of this subsection, "personal use" is defined as use by the official, his or her family, or no more than one guest.


6.7 Any District Official, any member of the District Official's immediate family, or guest of the District Official may return any unused ticket to the District for redistribution pursuant to this Policy.

6.8 The provisions of this policy apply only to benefits the District Official receives that are provided to all members of the public with the same class of ticket.

7.0 Disclosure Requirements.

7.1 This policy shall be posted on the District's website in a prominent manner. The District shall, within 30 days of adoption or amendment, send to the FPPC by email a website link that displays the policy.

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- 7.2 Tickets distributed by the District to any District Official which the District Official treats as income pursuant to paragraph 6.2 above, or, which are distributed for one or more public purposes described in paragraph 6.3 above, must be recorded on Form 802 or, on such alternative form(s) as may from time to time be designated by the FPPC. This form must be maintained as a public record, be subject to inspection and copying as required under Government Code section 81008(a). Within 45 days the District must post these forms on its website and email a website link to the FPPC that displays the Form.
- 7.3 Tickets distributed by the District for which the District receives reimbursement from the District Official as provided under paragraph 6.1 above shall not be subject to the disclosure provisions of paragraph 7.2.
- 7.4 For tickets distributed pursuant to this policy, the District may post the name of the department or other unit of the District and the number of tickets provided to the department or other unit in lieu of posting the name of the individual employee(s) as otherwise required.
- 7.5 Tickets distributed to an organization outside of the District pursuant to paragraph 6.4, shall be disclosed in accordance with paragraph 7.2 above, but, may be done by posting the name, address, description of the organization, and the number of tickets or passes provided to the organization in lieu of posting the names of each individual from the organization as otherwise required.