

STAFF REPORT
City of Lancaster, California

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11/10/09
MVB

Date: November 10, 2009

To: Mayor Parris and City Council Members

From: David R. McEwen, City Attorney

Subject: **Tickets Provided by Agency – Reporting Policy**

Recommendation:

Approve the Tickets Provided by Agency Reporting Policy.

Fiscal Impact:

None

Background:

The City owns the Lancaster Performing Arts Theater; Clear Channel Stadium and other venues, which provide a variety of entertainment opportunities.

It is important for the long term viability of these facilities and is in the public interest, that the City encourage the use of such facilities by ensuring attendance by representatives of the City. To facilitate the public purpose, the City desires to establish the policies as set forth herein.

1.0 Purpose

To establish a policy regarding tickets which provide admission to a facility or event for an entertainment, amusement, recreational or similar purpose.

The City owns the Lancaster Performing Arts Theater; Clear Channel Stadium and other venues, which provide a variety of entertainment opportunities.

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

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

2.0 Organizations Affected

Lancaster City Council
Lancaster Redevelopment Agency
All City Departments/Divisions

3.0 References

4.0 Definitions

4.1 “City” shall mean the City of Lancaster

4.2 “City Official” shall mean and refer to the City’s “public officials”, meaning every member, officer, employee or consultant of the City of Lancaster, as defined by Government Code Section 82048 and FPPC Regulation Section 18701, as these sections are amended from time to time.

4.3 “FPPC” shall mean the California Fair Political Practices Commission.

4.4 “Ticket” shall mean a “ticket or pass” as that term is defined in FPPC Regulation 18944.1, as amended from time to time, but which currently defines a “ticket or pass” as admission to a facility, event, show or performance for an entertainment, amusement, recreational, or similar purpose.

4.5 “Ticket Administrator”

The City Manager or designee shall be the Ticket Administrator for purposes of implementing the provisions of this policy.

5.0 Policy

General Provisions:

5.1 No Right to Tickets: The use of complimentary 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.

5.2 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.

5.3 No official receiving tickets in accordance with this policy shall transfer any ticket or pass distributed pursuant to this policy to any other person, except to members of the official’s immediate family solely for their personal use.

6.0 Procedure

6.1 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.

- 6.2 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.
- 6.3 Disclosure Requirements: Tickets distributed by the City to any City Official, shall be posted on a form provided by the FPPC in a prominent fashion on the City's website within thirty (30) days after distribution. Such posting shall use FPPC California Form 802 or such alternate form as from time to time the FPPC may designate, and in accordance with the reporting requirements specified under FPPC Regulation Section 18944.1(d).

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) If the ticket was distributed at the behest of a City Official, the name of the City Official who made such behest; and
- g) A description of the public purpose(s) under which the distribution was made.