

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASADENA
ADOPTING THE REVISED TICKET POLICY FOR THE ROSE BOWL
STADIUM, THE ROSE PARADE, PASADENA CONVENTION CENTER AND
OTHER TICKETS PROVIDED BY THE CITY FOR ENTERTAINMENT
PURPOSES (2013)**

WHEREAS, in March of 2009 the City adopted a Ticket Policy in conformance with the requirements of the California Fair Political Practices Commission's ("FPPC") regulations regarding tickets as potential gifts prohibited by the California Political Reform Act ; and

WHEREAS, effective January 2012, the FPPC completed comprehensive amendments to its gift and ticket regulations, and the City is amending its ticket policy to bring it in line with the current regulations.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Pasadena that the attached CITY OF PASADENA TICKET POLICY: THE ROSE BOWL STADIUM, THE ROSE PARADE, PASADENA CONVENTION CENTER AND OTHER TICKETS PROVIDED TO THE CITY FOR ENTERTAINMENT PURPOSES (November, 2013) is hereby adopted, and effective immediately.

Adopted at the _____ meeting of the City Council on the _____
day of _____, 2013 by the following vote:

AYES:

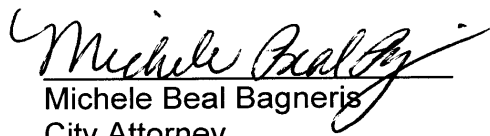
NOES:

ABSENT:

ABSTAIN:

Mark Jomsky, CMC, City Clerk

Approved as to form:



Michele Beal Bagneris
City Attorney

CITY OF PASADENA TICKET POLICY:

THE ROSE BOWL STADIUM, THE ROSE PARADE,
PASADENA CONVENTION CENTER AND OTHER TICKETS
PROVIDED TO THE CITY FOR ENTERTAINMENT PURPOSES
AND DISTRIBUTED TO CITY OFFICIALS

November, 2013

I. APPLICATION OF POLICY

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

1. gratuitously provided to the City by an outside source; or
2. acquired by the City by purchase; or
3. acquired by the City as consideration pursuant to the terms of a contract for the use of a City venue; or
4. acquired and distributed by the City in any other manner.

B. This policy does not apply to:

1. a single ticket provided to and used by a City Official to an event at which the official performs a ceremonial role or function on behalf of the City;
2. any other item of value provided to the City or any City Official, regardless of whether received gratuitously or for which consideration is provided;
3. tickets provided by sources other than the City;
4. tickets for which the City Official pays the City the value of the ticket, except as specified in section IX, below; or
5. tickets treated by the recipient as income (except that the City must still report receipt of this ticket).

- C. This policy, and any procedures established to implement this policy, shall supersede and replace any other City policies and procedures relating to tickets provided to the City or City Officials.

II. 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).

- A. “Ceremonial Role” shall mean and include events and activities set forth in FPPC Regulation Section 18942.3, and public introductions of a City Official during an event at which said City Official’s presence serves one of the public purposes set forth in Section V.B below.
- B. “City” or “City of Pasadena” shall mean and include the City of Pasadena, the Rose Bowl Operating Company, the Pasadena Center Operating Company, any other affiliated agency created or activated by the Pasadena City Council, and any departments, boards and commissions thereof.
- C. “City Official” means every member, officer, employee or consultant of the City of Pasadena required to file an annual Statement of Economic Interests (FPPC Form 700), and includes, without limitation, City board or commission members or other appointed officials or employees.
- D. “City Venue” means and includes the Rose Bowl Stadium, Pasadena Convention Center, or any other facility owned, controlled or operated by the City of Pasadena.
- E. “Ticket” means and includes any form of admission privilege to a facility, event, show or performance, and excludes working credentials.

F. "Ticket Administrator" shall be the person with the authority, in his or her sole discretion, to establish procedures for the distribution of tickets in accordance with this policy, and to implement the policy.

1. The City Manager shall be the Ticket Administrator.
2. The Rose Bowl Operating Company Chief Executive Officer/General Manager may also be the Ticket Administrator for tickets to events at the Rose Bowl.
3. The Pasadena Center Operating Company Chief Executive Officer may also be the Ticket Administrator for tickets to events at the Pasadena Center.

III. GENERAL PROVISIONS.

- A. 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.
- B. Limitation on Transfer of Tickets: Unless otherwise provided herein, 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 and no more than one guest solely for their personal use and attendance at the event.
- C. Prohibition Against Sale of Tickets: No person who receives a ticket pursuant to this policy shall sell or receive payment for such ticket in excess of the amount paid by the person.

IV. TICKETS DISTRIBUTED AT THE DIRECTION OF THE TICKET ADMINISTRATOR.

- A. 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.
- B. The Ticket Administrator shall determine the value of tickets distributed by the City as necessary to implement this policy.

- C. 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.

V. CONDITIONS UNDER WHICH TICKETS MAY BE DISTRIBUTED.

Subject to the provisions of this policy, complimentary tickets may only be distributed to accomplish the public purposes of the City set forth below, and may be distributed, as available, to City Officials under the following conditions:

- A. The City Official treats the tickets as income consistent with applicable federal and state income tax laws; or
- B. The City Official uses, or provides, such tickets for one or more of the following public purposes:
 - 1. If performing of a Ceremonial Role or function representing the City at the event, the City Official may receive enough tickets for him/herself, each member of his or her immediate family, or no more than one guest.
 - 2. 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, each member of his or her immediate family, or no more than one guest.
 - 3. Economic, civic or business development purposes on behalf of the City.
 - 4. 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.
 - 5. Attracting or rewarding volunteer public service.
 - 6. Supporting and/or showing appreciation for programs or services rendered by non-profit organizations benefiting Pasadena residents.

7. Encouraging or rewarding significant academic, athletic, or public service achievements by Pasadena students, residents or businesses.
8. Attracting and retaining highly qualified employees in City service.
9. As special recognition or reward for meritorious service by a City employee.
10. For use in connection with a City employee or resident competition or drawing.
11. Recognition of contributions made to the City by former City Council Members, City Managers, or City Officials.
12. Encouraging Pasadena resident and business support for and attendance at local events.
13. Encouraging participants in City sponsored programs to attend local events.
14. Encouraging City Officials and employees to attend local events on City-recognized holidays by being accompanied by their parents, children, grandchildren, siblings, nieces and/or nephews.

VI. TICKETS DISTRIBUTED AT THE DIRECTION OF A CITY OFFICIAL.

This section shall apply to those tickets that are given directly to a City Official on behalf of the City.

- A. Only the following City Officials shall have authority to distribute tickets: City Council Members, the City Manager, the Assistant City Manager, Department Heads, the Rose Bowl Operating Company Chief Executive Officer/General Manager, Rose Bowl Operating Company Board Members, the Pasadena Center Operating Company Chief Executive Officer, and Pasadena Center Operating Company Board Members.

- B. Tickets shall be distributed at the direction of a City Official only for one or more public purposes as set forth in Section V.B above.

VII. DISCLOSURE REQUIREMENTS.

- A. Tickets distributed by the City to any City Official either: i) which the City Official treats as income pursuant to Section V.A above, or ii) for one or more public purposes described in Section V.B above, shall be posted on a form provided by the FPPC in a prominent fashion on the City's website ("Ticket Policy Report" page) within thirty (30) days after distribution, and shall also be submitted to the FPPC for posting on its website. Such posting shall include all of the following information:

- 1. The name of the recipient, except that

- a) 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) The City is not required to post the name of the recipient and instead may post the name of the relevant department or operating company and number of tickets received if:

- (1) the ticket is received from an outside source and the City has sole discretion to determine who will use the ticket because it is not earmarked for use by a particular City Official; or

- (2) the ticket is obtained pursuant to the terms of a contract for use of public property, or the City controls the event, or the City purchased the ticket at fair market value, or the ticket is given to a City employee to support morale, retention, or the ticket is given to reward public service.

- 2. A description of the event.

- 3. The date of the event.

- 4. The face value of the ticket.

5. The number of tickets provided to each person.
6. If the ticket was distributed at the direction of a City Official, the name of the City Official who provided such direction.
7. A description of the public purpose(s) under which the distribution was made, or, alternatively, that the City Official is treating the ticket as income.

VIII. INCOME TAX CONSIDERATIONS.

Tickets which are provided free of charge or at a price below the fair market value may have tax consequences for the recipient and may be reportable and taxable as regular income or as taxable fringe benefits to a recipient. Recipients of tickets must consult with their own tax advisers to determine the reporting requirements for income tax purposes, as well as the tax consequences of any tickets received.

IX. FURTHER RESTRICTIONS AND REPORTING REQUIREMENTS FOR ROSE PARADE AND ROSE BOWL EVENT TICKETS

No City Official or employee may re-sell Rose Parade or Rose Bowl event tickets obtained from the City for more than the Official/employee paid for the ticket. The City Official or employee shall report to the Ticket Administrator the names of the Official/employee who purchased such tickets, and the number of tickets purchased.