



Agenda Report

Fullerton City Council

MEETING DATE: NOVEMBER 19, 2019

TO: CITY COUNCIL / SUCCESSOR AGENCY

SUBMITTED BY: KENNETH A. DOMER, CITY MANAGER

PREPARED BY: ANISSA LIVAS, ADMINISTRATIVE ANALYST II

SUBJECT: PROPOSED AMENDMENT TO EVENT TICKET
DISTRIBUTION POLICY FOR FAIR POLITICAL
PRACTICES COMMISSION COMPLIANCE

SUMMARY

Consideration to move forward with amending and adopting an updated Event Ticket Distribution Policy. This item is submitted to ensure the City of Fullerton is in compliance with current Fair Political Practices Commission (FPPC) regulations regarding the distribution of event tickets and passes.

RECOMMENDATION

Adopt Resolution No. 2019-XX.

RESOLUTION NO. 2019-XX - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, AMENDING AND ADOPTING AN EVENT TICKET DISTRIBUTION POLICY FOR FAIR POLITICAL PRACTICES COMMISSION COMPLIANCE

PRIORITY POLICY STATEMENT

This item matches the following Priority Policy Statement:

- Fiscal and Organizational Stability.

FISCAL IMPACT

None.

BACKGROUND

The Fair Political Practices Commission adopts regulations that implement the Political Reform Act. In general, gifts to a public official that exceed \$50 in a calendar year from a single source are required to be reported on an official's annual Statement of Economic Interests (commonly known as a "Form 700"). An official may not accept gifts that exceed \$500 from a single source in a calendar year.

The FPPC has long had Regulation 18944.1 which creates an exception for gifted tickets and passes, provided that such passes are reported consistent with the City's adopted ticket policy. Regulation 18944.1 requires an agency to:

1. Adopt a distribution policy setting provisions required under 18944.1.
2. Post a copy of the policy on the agency's website and email a link to the FPPC for posting.
3. Ensure the event ticket or pass is used for governmental purposes.
4. Complete Form 802 for each distribution and retain Form 802 as a public record under the Political Reform Act.
5. Post a copy of each Form 802 on the agency's website and email a link to the FPPC for posting.

The existing Ticket Distribution Policy was adopted by Resolution No. 09-29 in 2009.

DISCUSSION

In May of 2019, the FPPC revised and amended Regulation 18944.1 and other related regulations in an effort to limit misuse of resources and the potential to abuse these policies. Two major updates were added to this Event Ticket Distribution Policy in response to changes in FPPC Regulations:

1. The addition of a Monopolization clause specifically prohibiting the disproportionate use of event tickets or passes by a member of the governing body, political appointee, department head or chief administrative officer of the agency.
2. Including a requirement stating in where the public purpose cited for the use of event tickets involves the oversight or inspection of facilities, the official must document the public purpose by submitting a written inspection report of the findings and recommendations to the official's agency.

A few other updates to policy include the following:

1. Amended guidelines for the distribution of event tickets in performing Ceremonial Roles. The FPPC has tightened this exception and has adopted a public disclosure requirement as well as a limitation on the number of event tickets or passes that can be utilized. The official is limited to receiving an event ticket for himself or herself and one guest.
2. All tickets distributed by the City must be disclosed on Form 802 within 45 days of distribution as required by the FPPC.

Attachments:

- Attachment 1 – Draft Resolution No. 2019-XX Event Ticket Distribution Policy
- Attachment 2 – Redline Version of Event Ticket Distribution Policy
- Attachment 3 – Resolution No. 09-29