



**Solano County Transit**

## **TICKETS AND PASSES DISTRIBUTION POLICY**

**Adopted: May 18, 2017**

### **I. Purpose**

This policy governs the distribution, use and reporting of tickets or passes to a facility, event, show or performance for entertainment, amusement, recreation or similar purpose (the "Event") donated or given to Solano County Transit (SolTrans). This policy is established in accordance with Section 18944.1 of the Fair Political Practices Commission ("FPPC") Regulations and identifies the circumstances under which SolTrans' distribution of tickets or passes to a SolTrans official for which no consideration of equal or greater value is provided by the public official does not result in a gift to the individual official or employee. Tickets or passes distributed and accounted for in compliance with this policy and Section 18944.1 will not be considered gifts to SolTrans officials who make use of such tickets and passes.

This policy is subject to all applicable FPPC Regulations and the Political Reform Act. Nothing in this policy is intended to alter, amend or otherwise affect the obligations of SolTrans officials and employees under the Political Reform Act and its implementing regulations or under the SolTrans' Conflict of Interest Code.

### **II. Application of Policy**

This policy applies to tickets or passes that are A) gratuitously provided to SolTrans by an outside source; or B) acquired by SolTrans by purchase; or C) received by SolTrans as consideration pursuant to the terms of a contract or because SolTrans owns or controls the facility or venue at which the Event occurs or sponsors the Event.

### **III. Definitions**

Unless otherwise expressly provided in this policy, terms in this policy shall have the same meaning as that ascribed to such terms in the Political Reform Act (Government Code sections 81000 et seq., as may be amended from time to time) and the FPPC Regulations (Title 2, Division 6 of the California Code of Regulations, Sections 18110 et seq., as may be amended from time to time).

"SolTrans" shall mean the Solano County Transit.

"SolTrans official" shall mean every Board member, officer, employee or consultant of Solano County Transit, as defined in Government Code section 82048 and FPPC Regulation section 18700 and includes, without limitation, any SolTrans Board or commission member or other appointed official or employee required to file an annual Statement of Economic Interests (FPPC Form 700).

"Family" shall mean spouse, registered domestic partner, children and dependent children as defined in FPPC Regulation Section 18943.

"Ticket" shall mean "ticket or pass" and includes anything that provides an admission privilege to an event or function and for which similar tickets or passes are offered for sale to the public. If other

benefits, such as food, beverages or other items, are provided to the SolTrans official at the event and such benefits are not included as part of the admission to the event, those benefits are not covered by this policy.

#### **IV. Procedures for Distribution**

- A. Tickets or passes received by SolTrans from an outside source without designation as to the specific SolTrans official who may use the tickets shall be forwarded to the SolTrans Executive Director or designee. The SolTrans Executive Director or designee shall determine the face value of the tickets, the individuals who may use them and report their distribution as provided in Section VII.
- B. Tickets or passes received by SolTrans from an outside source(s) that are earmarked for use by a specific SolTrans official are considered gifts to the SolTrans official and are subject to the FPPC disclosure and reporting requirements applicable to gifts, unless one of the exemptions listed below applies.
- C. For tickets or passes received by SolTrans pursuant to the terms of a contract or because SolTrans owns or controls the facility or venue at which the event occurs or the SolTrans sponsors the event, a SolTrans official may request use of these tickets or passes, or for distribution to an individual or organization outside SolTrans, by completing Parts 3 and 4 of the FPPC Form 802 and submitting the request to the SolTrans Executive Director.
- D. For tickets or passes purchased or acquired by SolTrans for use by an elected SolTrans official, or for distribution to an individual or organization outside SolTrans at the request of an elected SolTrans official, the SolTrans official shall be responsible for reporting the distribution of the tickets or passes on the Form 802.
- E. The SolTrans Executive Director shall have the authority, in his or her sole discretion, to establish procedures for the distribution of tickets and passes 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 SolTrans Executive Director.

#### **V. Exemption to the Policy**

- A. Ceremonial Role or Function. Tickets or passes provided to a SolTrans official to carry out his or her job duties or where the SolTrans official will perform a ceremonial role or function on behalf of SolTrans at the event are not considered gifts to SolTrans official and are exempt from the disclosure and reporting requirements of this policy.
- B. Income. Tickets or passes received by a SolTrans official who treats the tickets or passes as income consistent with federal and state income tax laws and SolTrans reports distribution of the tickets or passes as income to the SolTrans official on the FPPC Form 802 are otherwise exempt from this policy.
- C. Reimbursement. Tickets or passes which the SolTrans official purchases or reimburses SolTrans for the face value of the tickets or passes are exempt from this policy.

#### **VI. Public Purpose**

The distribution of any ticket by SolTrans to, or at the behest of, a SolTrans official must accomplish a "public purpose" of SolTrans. The public purposes to be accomplished by the distribution of tickets or passes by SolTrans include, but are not limited to:

- A. To obtain oversight of facilities or events that have received SolTrans funding or support;
- B. To review facilities or events that may require SolTrans funding or support in the near future or to gather information about the operation of a facility similar to one presently or potentially operated by SolTrans;

- C. To promote local and regional businesses, community programs, economic development and tourism within SolTrans;
- D. To attend a community event in which SolTrans is a participant;
- E. To attend an event, activity or program sponsored by SolTrans;
- F. To promote intergovernmental relations, including but not limited to, attendance at an event with, or by, elected or appointed public officials from other jurisdictions, their staff and guests;
- G. To promote public and private facilities available for use by SolTrans customers;
- H. To support and/or show appreciation for community and nonprofit programs or services that benefit SolTrans customers;
- I. To encourage or recognize significant academic, athletic or public achievements by students, residents or businesses within SolTrans' service area;
- J. To reward SolTrans employees for their exemplary service to the public;
- K. To promote SolTrans growth and development, including economic development and job creation opportunities;
- L. To promote open and accessible government by appearances or participation of SolTrans officials at business and community events;
- M. To promote employment retention, including enhancement of employee morale;
- N. To promote SolTrans recognition, visibility and/or profile on a local, state, national or worldwide scale;
- O. To comply with all written contracts where SolTrans, as a form of consideration, has required that a certain number of tickets or suites be made available for SolTrans use.

#### **VII. Prohibited Transfer of Ticket**

A SolTrans official may not transfer any ticket distributed to him or her, pursuant to this policy, to any other person, except to members of the SolTrans official's family or no more than one (1) guest solely for their attendance at the event.

#### **VIII. Ticket Reporting and Disclosure Requirements**

Tickets distributed by SolTrans to a SolTrans official, or to an individual or organization outside SolTrans at the behest of a SolTrans official pursuant to this policy, shall be documented in a completed FPPC Form 802. The completed Form 802 must be maintained as a public record, and it shall be forwarded to the FPPC for posting on its website.

Such postings shall include the following information and any other information that may be required by the FPPC:

- A. The name of the person receiving the ticket or pass;
- 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 request of a SolTrans official, the name of the SolTrans official who made such request; and
- G. A description of the public purpose(s) under which the distribution was made, or, alternatively, that the SolTrans official is treating the ticket as income.

**IX. Alternatives to Policy**

As an alternative to complying with Section IV through VIII of this policy, a SolTrans official may either (A) ask that the SolTrans report the distribution of the ticket or pass as income to the SolTrans official and then treat the ticket or pass as income, consistent with applicable state and federal income tax laws, or (B) report the receipt of the ticket or pass on their Form 700, if the value of the ticket or pass is over \$50 and the aggregate value of tickets and passes from single source in a calendar year is \$460 or less.

**X. Policy Limited to Just Tickets or Passes.**

If other benefits, such as food, beverages or other items, are provided to the SolTrans official at the Event and they are not included as part of the admission to the Event, those benefits will need to be accounted for as gifts to the SolTrans official who receives them.