

Ticket Administrator Policy

1.2.7

PURPOSE

To establish administrative guidelines and procedures for Ticket Administrators to ensure compliance with City Council Policy 9-11, [Distribution of Tickets or Passes to City/Agency Officials](#), regarding the distribution of City owned tickets to City/Agency officials.

AUTHORITIES

1. The Regulations of the Fair Political Practices Commission ("FPPC") Section 18944.1 regulates the distribution of tickets for entertainment, amusement, recreational or similar purpose to public officials.
2. San José City Council Policy 9-11, [Distribution of Tickets or Passes to City/Agency Officials](#), sets forth a comprehensive policy relating to the distribution of complimentary tickets by the City or Redevelopment Agency to all City or Redevelopment Agency officials and designated employees consistent with the regulations established by the State of California's Fair Political Practices Commission and directs Councilmembers, Council Appointees and Department Head (subject to approval by the City Manager) to designate a ticket administrator responsible for implementing Council Policy 9-11, "Distribution of Tickets or Passes to City/Agency Officials." The Administrator is responsible for overseeing the distribution of tickets in compliance with the Policy.

BACKGROUND

In February 2009, the Fair Political Practices Commission ("FPPC") amended Section 18944.1 of the California Code of Regulations relating to tickets or passes to events distributed to, or at the behest of, public officials [FPPC Section 18944.1](#).

The San José City Council at its September 29, 2009 meeting approved Resolution No. 75115, adopting Policy 9-11, [Distribution of Tickets or Passes to City/Agency Officials](#), "Distribution of Tickets or Passes to City/Agency Officials" to conform with California Code of Regulations, Section 18944.1, as amended by the FPPC.

TICKET ADMINISTRATOR RESPONSIBILITIES

1. Manage the approval, receipt, distribution and accounting for all tickets or passes subject to this Policy.
2. Ensure tickets or passes distributed by the City under this policy serves one of the four public purposes as defined in Policy 9-11, [Distribution of Tickets or Passes to City/Agency Officials](#).
3. Ensure tickets distributed pursuant to this Policy are disclosed on the [FPPC Form 802](#).
4. Ensure submittal of [Form 802](#) to the Office of the City Clerk for all tickets distributed to City/Agency Officials.

Ticket Administrator Policy**1.2.7****ADMINISTRATIVE PROCEDURES**

At a minimum, the ticket administrator will:

1. Obtain executive level approval (Council Appointee, Department Head, and Elected Official) of invitees for events involving the distribution of passes to City/Agency officials.
2. To request use of the City's box and/or club seats at the HP Pavilion, Departments must submit a written request to the Office of the City Manager detailing the reason for the request, identifying the tickets recipients, and describing the public purpose furthered by the distribution of the tickets (see Policy 9-11 for the public purposes by which complimentary tickets may be granted).
 - Once approved, go to the San José Arena Authority's web site at www.sjaa.com and complete the Ticket Distribution application. The Arena Authority typically assigns applicant event requests approximately six weeks prior to the event.
 - Use of the Box also requires designation of a "Responsible Party" from the City or one of its subsidiary agencies who shall be required to supervise the use of the Box and ensure that the use does not result in charges to the City or the Arena Authority.
3. Notify all City/Agency Officials accepting tickets of the FPPC and [Form 802](#) requirements.
4. Complete a single form for each event listing all ticket recipients. The [Form 802](#) requires the following information:
 - The name(s) of the recipient of the tickets.
 - A description of the event for which tickets were distributed.
 - The face value of the Ticket. If the tickets or passes do not have a face value stated or state something to the effect of "complimentary" or "promotional," the Ticket Administrator will determine the value of the tickets or passes based on the reasonable cost for attendance at such an Event.
 - The number of tickets provided to each person.
 - A description of the public purpose furthered by the Ticket distribution.
 - Sign the disclosure form verifying that the distribution of tickets is in accordance with the provisions of FPPC Regulations Section 118944.
4. Upon receipt of tickets City/Agency officials, maintain a log of who signed for the tickets. See Policy 9-11, [Distribution of Tickets or Passes to City/Agency Officials](#), for additional detail on ticket transfer limitations.
5. No later than fifteen (15) calendar days from the distribution of a ticket or pass, submit Form 802 to the Office of the City Clerk.

The City Clerk shall post the completed [FPPC Form 802](#) on the City website no later than thirty (30) calendar days from the distribution of the ticket or pass.

Ticket Administrator Policy**1.2.7****DEFINITIONS**

"City Official" shall mean every officer, agent and employee of the City or its Redevelopment Agency who is obligated to file an [Annual Statement of Economic Interests](#) (Form 700) pursuant to State law and the City's Conflict of Interest Code.

"FPPC" shall mean the California Fair Political Practices Commission.

"Ticket or Pass" shall mean admission to a facility, event, show or performance for an entertainment, amusement, recreational, or similar purpose (defined in FPPC regulation 18944.1).

"Arena Tickets" shall mean the tickets owned by the City pursuant to the Management Agreement with the San José Arena Management LLC, including the use of the City's suite (16 seats), and the use of 16 seats in the "club seating" area of the Arena, with associated parking passes.

Approved:

/s/ Ed Shikada
Chief Deputy City Manager

May 11, 2010
Date