

**Sacramento Housing and Redevelopment Agency**

**POLICY/PROCEDURE INSTRUCTION**

TO: All Agency Employees

FROM: La Shelle Dozier, Executive Director

POLICY SUBJECT: Distribution, use and reporting of tickets and passes (Form 802)

EFFECTIVE: November 1, 2010

**A. Purpose**

This policy is to establish a procedure for the distribution, use and reporting of tickets or passes to a facility, event, show or performance for an entertainment, amusement, recreational, or similar purposes- (hereinafter the "Event") in compliance with section 18944.1 of the Fair Political Practices Commission Regulation (hereinafter "FPPC Regulation"). FPPC Regulation 18944.1 sets out the circumstances under which a public agency's distribution of tickets or passes for which no consideration of equal or greater value is provided by the public official or employee does not result in a gift to the public official or employee.

Tickets or passes to an Event distributed and accounted for in compliance with this policy and FPPC Regulation 18944.1 will not be considered as gifts to the SHRA officials and employees who make use of such tickets and passes. The public and governmental purpose in distributing tickets and passes to enable SHRA officials and employees to promote SHRA resources, programs, and facilities, to monitor and evaluate SHRA venues and SHRA-sponsored events, to promote cultural, recreational and educational facilities, services and programs available to the public within the jurisdiction, and to enhance employee morale.

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 SHRA officials and employees under the Political Reform Act and implementing regulations or under SHRA's Conflict of Interest Code.

**B. Policy**

**1. Definitions**

- a. "SHRA Executive Director" means SHRA Executive Director or his/her designee.
- b. "SHRA official" means every member, officer, employee or consultant of SHRA, as defined in Government Code Section 82048 and FPPC Regulation 18701. Such term shall include,

without limitation, any SHRA Commission member or other appointed official or employee required to file an annual Statement of Economic Interests (FPPC Form 700).

- c. "Immediate Family" means spouse, registered domestic partner and dependent children.
  - d. "Ticket" means "ticket or pass" as that term is defined in FPPC Regulation 18944.1, as amended from time to time, but which currently defines "ticket or pass" as admission to a facility, event, show, or performance for an entertainment, amusement, recreational, or similar purpose.
2. **Applicability.** This policy applies to tickets and passes that are: (i) gratuitously provided to SHRA by an outside source; or (ii) acquired by SHRA by purchase; or (iii) received by SHRA as consideration pursuant to the terms of a contract or because SHRA owns or controls the facility or venue at which the Event occurs or sponsors the Event.
3. **Public Purpose.** Any distribution of tickets or passes in accordance with this policy to an SHRA official, or to an individual or organization outside SHRA at the request of an SHRA official, must be in furtherance of a governmental and/or public purpose and be reported as provided in this policy.

#### C. Exemptions to Policy

- 1. **Ceremonial Role or Function.** Tickets or passes provided to an SHRA official to carry out his or her job duties or where the SHRA official will perform a ceremonial role or function on behalf of SHRA at the Event are not considered gifts to the SHRA official and are exempt from the disclosure and reporting requirements of this policy.
- 2. **Income.** The SHRA official treats the tickets or passes as income consistent with federal and state income tax laws and SHRA reports distribution of the tickets or passes as income to the SHRA official on the FPPC Form 802.
- 3. **Reimbursement.** The SHRA official purchases or reimburses SHRA for the face value of the tickets or passes.

#### D. Procedure

- 1. **Distribution.** The SHRA Executive Director, or their designee, has sole discretion to determine who shall receive the tickets or passes received or acquired by SHRA.
  - a. Tickets or passes that are donated or provided by an outside source and are earmarked for use by a specific SHRA official are considered gifts to the SHRA official and are subject to the

disclosure and reporting requirements applicable to gifts, unless one of the exemptions listed above apply.

- b. Tickets or passes received by SHRA from an outside source without designation as to the specific SHRA official who may use the tickets or passes shall be forwarded to the SHRA Executive Director. The Executive Director (or designee) shall determine the face value of the tickets or passes, the SHRA official who may use them, and report their distribution as provided in Section D.2 below.
  - c. For tickets or passes received by SHRA pursuant to the terms of a contract or because the SHRA owns or controls the facility or venue at which the Event occurs or SHRA sponsors the Event, an SHRA official may request use of these tickets or passes, or for distribution to an individual or organization outside SHRA, by completing Parts 3 and 4 of FPPC Form 802 and submitting the request to the SHRA Executive Director.
  - d. If the tickets or passes do not have a face value stated or state something to the effect of "complimentary" or "promotional," the SHRA Executive Director will determine the value of the tickets or passes based on the reasonable cost for attendance at such an Event.
  - e. The SHRA Executive Director may establish an internal procedure for distribution of tickets or passes in accordance with this policy.
  - f. Any tickets or passes not distributed pursuant to this policy may be sold by SHRA to the public.
2. **Reporting Requirement.** Tickets or passes distributed by SHRA to an SHRA official, or to an individual or organization outside SHRA at the behest of a SHRA official, pursuant to this policy shall be documented in a completed FPPC Form 802 or such other form(s) as the FPPC may designate. The completed Form 802 shall be filed with the Agency Clerk and posted on the SHRA's website in a prominent fashion within 30 days after distribution of the tickets or passes. The document shall remain on the web site for four years.
3. **Transfer Prohibition.** A SHRA official who receives tickets or passes distributed by SHRA according to this policy is prohibited from transferring or giving the tickets or passes to any other person except to members of the official's immediate family for their personal use. No person receiving a ticket or pass pursuant to this policy shall sell or receive reimbursement for the value of the ticket or pass.

4. **Policy Limited to Just Tickets or Passes.** If other benefits, such as food, beverages or other items, are provided to the SHRA 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 SHRA official.

**E. Process**

1. Human Resources shall:  
Disseminate this policy to all staff upon hire and on an annual basis thereafter.
2. Executive Director (or designee) shall:  
Review each gift and determine the official or employee who shall use the gift.
3. Agency Clerk (or designee) shall:  
Complete Form 802, keep on file and post to the web site with 30 days of distribution of tickets.

**F. Non-compliance**

Failure to comply with this Policy may result in disciplinary action up to and including termination.