



BPC Policy No. 070

SUBJECT: RECEIPT AND DISTRIBUTION OF PASSES AND TICKETS AGENCY PROVIDED TICKETS OR PASSES

PURPOSE: The purpose of this policy is to comply with Fair Political Practices Commission (FPPC) regulation 18944.1, which requires that any distribution of tickets or passes by the San Diego Unified Port District (District) to its officials, individuals or organizations, be made pursuant to a written policy duly adopted by the Board of Port Commissioners (Board) ~~which states the public purposes to be accomplished by the District.)~~

This policy, does not cover tickets, passes or other gifts received by officials which are reportable under FPPC Form 700.

POLICY STATEMENT DEFINITIONS:

~~1. This Policy shall be posted on the District's website in a prominent fashion.~~

2. For the purpose of this Policy, the following definitions will apply:

~~a. **Ticket** means anything that provides access, entry, or admission to a specific future event or function and for which similar tickets are sold to the public to view, listen to, or otherwise take advantage of the attraction or activity for which the ticket is sold and includes any benefits that the ticket provides.~~ ~~or **Pass** means admission to a facility, event, show, or performance for an entertainment, amusement, recreational, or similar purpose ("Event").~~

~~a.~~

b. **Pass** is a ticket that provides repeated access, entry, or admission to a facility or series of events and for which similar passes are sold to the public.

c. **Official** means any member of the Board, or District employee.

POLICY STATEMENT:

~~The District receives tickets and passes to a variety of events through various sources including the Tidelands Activation Program and table sponsorship at events. These Tickets or Passes are distributed pursuant to Fair Political Practices regulation 18944.1 as follows:~~¹

¹ ~~Note: Any ticket or pass distributed out of compliance with this Policy will should be claimed, if applicable, as a gift on the recipient's Form 700 Conflict of Interest District's Conflict of Interest Code~~ ~~Note: Any ticket or pass distributed out of compliance with this Policy will should be claimed, if applicable, as a gift on the ticket or pass recipient's Form~~

1. The ticket or pass shall not be earmarked by the original source for use by the Official who uses the ticket or pass.
2. The District shall determine in its sole discretion which Official may use the ticket or pass.
3. Distribution of any ticket or pass by the District, to an Official, individual or organization, shall accomplish one of the following public purposes of the District.
 - ~~6. Tickets or passes may be provided to an Official, individual or organization to support any of the following public purposes:~~
 - ~~b. A ceremonial role or function on behalf of the District.~~
 - a. As part of the District's community outreach efforts.
 - b. Representing the District at an event to sustain or build relationships with tenants, businesses, or local, regional, state or federal agencies.
 - c. Representing the District at an Event of a non-governmental organization, which will sustain or build relationships with that non-governmental organization in support of the District's Mission, Vision or Strategic Plan.
 - d. The Event will provide educational information that will benefit the District or Official attending the Event.
 - e. The Official's written job duties require the Official to appear at the Event.
 - f. Attendance of an Official of the District at the Event will in some other way support the Mission, Vision or Strategic Plan of the District.
 - g. The Event is being attended in an effort to generate business or trade or similar activity in furtherance of the purposes of the District as described in the San Diego Unified Port District Act.
 - h. Any purpose consistent with the provisions of the San Diego Unified Port District Act.
 - i. To support general employee morale, retention or to reward public service. [This public purpose may only be used for tickets or passes distributed to District employees and does not apply to tickets provided to Commissioners in compliance with FPPC Regulation §18944.1 (a)(2).]

5. Any ticket or pass distributed pursuant to this Policy shall not be transferred to any other person, except to members of the Official's immediate family or no more than one guest solely for their attendance at the event~~personal use~~.
6. Disproportionate use of tickets or passes by a member of the Board of Port Commissioners, a department head or chief administrative officer of the agency is prohibited.²
7. The record of the distribution of a ticket or pass pursuant to this Policy shall be maintained as a public record and be subject to inspection and copying under California Government Code Section 81008. In addition, ~~the record of the distribution of a pass or ticket pursuant to this Policy shall be posted on a form provided by the FPPC, in a prominent fashion on the District's website, within 45 days after the distribution.~~ the policy will be posted on the District's website no later than 30 days after the adoption of this Policy and a link provided to the Fair Political Practices Commission so that the Commission may also post the link.
8. Within 45 days of distribution of a ticket or pass, the distribution must be reported on a form provided by the Commission. The form will be posted on the District's website and a link provided to the Fair Political Practices Commission so that the Commission may also post the link.
9. Specific guidelines for the dissemination of passes or tickets to Events ~~may be~~ have been established by the ~~Executive Director or designee pursuant to~~ District Clerk as Administrative Procedure No. 106-XXX.

RESOLUTION NUMBER AND DATE: 2019-XXX, dated _____, 2019; (Supersedes BPC Policy No. 070, Resolution 2016-67, dated May 10, 2016; Resolution 2009-40, dated March 3, 2009)

² Government Code §18944.1(b)(4)
BPC Policy No. 070