

Valley Sanitary District  
1.5.3. Ticket and Gift Policy  
Adopted 12/18/2018

The acceptance and use of gifts by individuals required to file a statement of economic interests under the Valley Sanitary District conflict of interest code is regulated by the California Fair Political Practices Commission (FPPC). The FPPC has posted a [fact sheet](#) on the subject.

The District is committed to complying with relevant FPPC regulations (Title 2, Division 6, California Code of Regulations, Section 18944.1) and to ensuring that tickets received by the District, whether from public or private entities or individuals, are distributed to or at the behest of District officials in furtherance of governmental and/or public purposes.

### **Definitions**

- District - shall mean and refer to Valley Sanitary District and any department, Board, or committee thereof.
- District Official - shall mean and refer to the District's "public officials", as the term is defined by California Government Code Section 82048 and Title 2 of the California Code of Regulations, Section 18701 as these may from time to time be amended.
- Event - shall mean and refer to local, regional, national, and worldwide events and festivals, inclusive of any form of entertainment, cultural enrichment, or recreation.
- FPPC - shall mean and refer to the California Fair Political Practices Commission.
- Gift - shall mean and refer to "gifts" as that term is defined by California Government Code section 82028 and applicable FPPC regulations as these may from time to time be amended.
- Immediate Family - shall mean and refer to the spouse and/or dependent children of a District official.
- Policy - shall mean and refer to this Ticket Distribution Policy.
- Tickets - shall mean and refer to any ticket, pass, or form of admission privilege that entitles a holder to attend, enter, or participate in an event.

### **Covered Tickets and Gifts**

- Gratuitously provided to the District by an outside source.
- Acquired by the District by purchase.
- Acquired and distributed by the District in any other manner.

### **Limitation**

This policy shall only apply to the District's distribution of tickets and gifts to, or by, a District official. Only the Board Members and General Manager shall have distribution authority.

Notwithstanding this policy's coverage as specified above, this policy shall not:

- Limit or in any way change the legal definition of a "Gift" or modify the applicability of all FPPC regulations to District officials, including but not limited to Title 2 of the California Code of Regulations, Section 18946.4.
- Limit or in any way modify the accountability of District officials for the funding and support that the District contributes to any event.
- Apply to any item of value provided to a District official or a member of the District official's immediate family upon or incident to an admission or entry via a particular ticket, regardless of whether the District official or that member of his/her immediate family received said item of value gratuitously or in exchange for consideration.
- Apply to a ticket purchased by a District official from a third party or non-District entity presenting or hosting an event upon payment by the District official in question of that ticket's full value per FPPC regulations.
- Apply to a ticket that is obtained by a District official per this Policy when the District official reimburses the District for the ticket's full value per FPPC regulations.
- Apply to a ticket to an event received by a District official from a third party or non-District entity presenting or hosting an event at which the District official receiving the ticket performs a ceremonial role or function on behalf of the District.
- Limit or in any way change the District's authority to require that any member of District staff, assigned on a permanent or temporary basis to work on "special events," attend any event taking place within the boundaries of the District in their official capacity, i.e., as a requirement of their employment by the District.

### **Ticket Distribution Public Purpose**

The District may accomplish one or more of the following governmental and/or public purposes through the distribution of tickets to, or at the behest of, a District official. The following list is illustrative rather than exhaustive.

- Promotion of business activity, growth, development, and redevelopment within the District boundaries.
- Promotion of District controlled or sponsored events, activities, or programs.
- Promotion of District, or District-sponsored or supported community programs and/or resources that are available to District residents, said programs and resources to include volunteer services, and charitable/nonprofit organization programs.
- Promotion of private facilities available for District resident use, including facilities of charitable/nonprofit organizations.
- Promotion of District facilities available for District resident use.
- Promotion of District recognition, visibility, and/or profile on a local, state, national or worldwide scale.
- Promotion of open, visible, and accessible government by District official appearances, participation and/or availability at an event.
- Promotion of inter-governmental relations, i.e., cooperation and coordination

of resources between the District and other government agencies or entities in the Coachella Valley.

- Promotion of District attraction and retention of highly qualified employees, for which any such employee or prospective employee may receive no more than four (4) tickets per event.
- Promotion of public exposure to, and awareness of, the various the recreational, cultural, and educational venues and facilities available to the public within the District.

### **Agency Head**

For the purpose of implementing this policy, completing, and posting the FPPC California Form 802, the District's General Manager or their designee shall be the "Agency Head." The Agency Head shall have the authority, in their sole discretion, to establish procedures for the distribution of tickets, whether directly or per behest of a District official, in strict accord with this policy. The Agency Head shall determine the value of any ticket distributed per this policy in accord with applicable FPPC regulations. Finally, in an exercise of his/her sole discretion, the Agency Head shall determine the identity of any District official(s) who will have the opportunity to reimburse the District for the full value of a ticket as is referenced above.

### **Additional Ticket Distribution Public Purpose Related to Events Within District Boundaries**

Participation by District officials in events and event-related activities within the District boundaries is important to provide an opportunity for District leaders to be involved in the community. By attending an event within District boundaries and various event-related activities that require tickets, District officials have the ability to meet and greet residents and visitors to the District, and to make observations that will assist them in providing suggested modifications for future occurrences of the event in question that will enhance and improve the overall event and its economic and public impact on the District.

### **Events Taking Place Outside of The Coachella Valley**

From time to time, a District Official's attendance at or participation in an event taking place outside the Coachella Valley may accomplish a governmental and/or public purpose. In any instance when a public official will be attending or participating in an event outside the Coachella Valley, the public official in question shall only do so upon a written finding by the Agency Head or their designee that the attendance/participation advances a governmental and/or public purpose. A record of any such finding as to events outside the Coachella Valley shall be maintained as a public record, be available for public inspection and copying, and be forwarded to the FPPC for posting on its website.

### **Tickets to Immediate Family Members of District Official**

The District acknowledges that from time to time, the extent to which governmental and/or public purposes may be advanced by distribution of a ticket to a District official depends upon that District official's capacity to interact with others at an event

in an informal and/or casual manner, best pursued by the District official in question in the company of his/her immediate family. In such an instance, within the discretion of the Agency Head, the attendance at an event by an immediate family member of a District official serves a governmental and/or public purpose to the same extent as the attendance of the District official in question.

#### **Prohibition of Transfer, Exception for Immediate Family**

Although this policy covers distribution of tickets to persons and/or organizations at the behest of a District official, no ticket shall be distributed to any person and/or organization through a District official at whose behest the ticket is being distributed. The sole exception to this rule shall be for a ticket disbursed to a District official and transferred to a member of that District Official's immediate family as stipulated above. With this sole exception, all tickets distributed hereunder shall be distributed by the Agency Head.

#### **Prohibition Against Sale of Or Receiving Reimbursement for Tickets**

No District official who receives a Ticket pursuant to this policy shall sell or receive reimbursement for the value of such ticket.

#### **Public Purpose Requirement**

The distribution of any ticket by the District to, or at the behest of a District official shall accomplish a governmental and/or public purpose.

#### **Website Posting and Disclosure**

This policy and any future modifications to this policy shall be posted on the District website and District intranet, in a prominent fashion.

Distribution of a ticket or tickets to a District official or a member of the District official's immediate family pursuant to this policy shall be memorialized on the District website in a prominent fashion, within thirty (30) days after said ticket's or tickets' distribution.

#### **No Earmarking of Ticket to District, Role of Agency Head**

FPPC regulations provide that no ticket received by District may be earmarked for distribution to a particular District official or any particular person. The Agency Head shall be the sole person who determines the identity of each recipient of a ticket provided to the District who will use that ticket in accordance with this policy for a governmental and/or public purpose.