TICKETS AND PASSES DISTRIBUTION POLICY

Section A. Purpose of Policy

The purpose of this Policy is to ensure that any ticket or pass provided to the City by any third party or purchased or obtained directly by the City shall be distributed to City Officials (or any non-City individual or non-City organization) by the City Manager in a manner that serves or promotes a public purpose of the City of Rancho Mirage (the "City").

Section B. Definitions

For purposes of this Policy, the following words, terms and phrases shall have the following meanings:

1. "City Official" shall mean any member, officer, employee or consultant of the City.

2. "Gift" shall mean anything that is received by a City Official that the City Official did not provide consideration of equal or greater value for or that represents a rebate or discount that is not provided in the regular course of business to members of the public without regard to official status.

3. "Third party" shall mean the source of any ticket or pass, other than the City.

4. "Ticket" or "pass" shall mean any ticket, pass, etc. that provides admission to a facility, event, show, or performance for entertainment, amusement, recreation or other similar purpose.

Section C. Administration of Policy

The City Manager shall be responsible for administering this Policy.

Section D. Tickets and Passes Distribution Policy

All tickets and passes offered or provided to the City by a third party or purchased or otherwise obtained directly by the City shall be subject to the following provisions:

1. The City shall not accept from any third party any ticket or pass that is specifically earmarked for use by a particular City Official whether by name or position, unless:

a. The ticket or pass is offered or provided to the City pursuant to the terms of a contract for use of City owned property.

b. The ticket or pass is offered or provided to the City as a result of an official City event that the City controls.

c. The ticket or pass is purchased by the City from the third party for full market value.

2. The City Manager or his or her designee shall document in writing the receipt of all tickets and passes provided to the City by a third party.

3. Tickets and passes shall only be provided to City officials (or non-City individuals or non-City organizations at the behest of a City official) by the City Manager or his or her designee for a legitimate public purpose of the City, as set forth in this Policy.

4. The City Manager or his or her designee shall decide, consistent with this Policy, which City Officials should be provided with a ticket or pass.

5. Within 30 days of distributing any ticket or pass pursuant to this Policy, the City Manager or his or her designee, shall complete and cause to be posted a Fair Political Practices Commission ("FPPC") Form 802 on the City's website, with such posting to remaining on the website for a period of at least 4 years and a hard-copy of said form shall be retained for a minimum of seven (7) years.

Section E. Legitimate Public Purposes

Any ticket or pass provided to a City Official by the City shall not constitute a gift if provided and used by the City Official for any of the following purposes:

1. Promotion of business activity, development, and/or redevelopment within the City.

2. Promotion of community resources and programs available to City residents including but not limited to those resources and programs involving charitable and non-profit organizations.

3. Promotion of City resources available to City residents.

4. Promotion of City-operated, sponsored or supported community programs.

5. Promotion of private facilities available for City residents' use including but not limited to those facilities involving charitable and non-profit organizations.

6. Promotion of City facilities available for City residents' use.

7. Promotion of City growth and development.

8. Promotion of City tourism on a local, state, national or worldwide scale.

9. Promotion of City recognition, visibility and/or profile on a local, state, national or worldwide scale.

10. Promotion of open government by City Official appearances, participation and/or availability at business and/or community events.

11. Promotion of the improvement of inter-governmental relations.

12. Attendance at events sponsored by other governmental agencies, industry groups and non-profit organizations for the purpose of meeting and conferring with other governmental officials or business representatives regarding issues of interest to, or affecting, the City.

13. Increasing public exposure to, and awareness of, the various recreational, cultural, and educational venues and facilities available to the public within the City.

14. Encouraging or rewarding significant academic, athletic, or public service achievements by City students, residents or businesses.

15. Recognizing contributions made to the City by former or current City Council members or other City employees.

Section F. Exemptions

The following tickets and passes shall be exempt from the provisions of this Policy, with the exception of any reporting requirements set forth by the FPPC:

1. A ticket or pass received by a City Official directly from a third party that does not constitute a gift under the California Fair Political Practices Act, that the City Official uses to perform a ceremonial role or function on behalf of the City, or that the City Official reports as a gift on his/her Form 700 (Statement of Economic Interest).

2. A ticket or pass received by a City Official from the City where both the City Official and the City treat and report the value of the ticket or pass as income consistent with applicable state and federal income tax laws and the ticket is reported as income pursuant to the provisions of this Policy.

Section F. Prohibition Against Transfer

A City Official who receives a ticket or pass pursuant to this Policy is prohibited from transferring or selling the ticket or pass to any other person, except to a member of the City Official's immediate family solely for their personal use.

Section G. Posting and Disclosure Requirements

This Policy shall be prominently posted on the City's website.