

CITY OF SAN DIEGO, CALIFORNIA
COUNCIL POLICY

CURRENT

SUBJECT: TICKET POLICY FOR QUALCOMM STADIUM, PETCO PARK AND
OTHER TICKETS PROVIDED TO THE CITY FOR
ENTERTAINMENT PURPOSES
POLICY NO.: 700-22
EFFECTIVE DATE: July 21, 2009

PURPOSE:

To establish a policy in conformance with title 2, section 18944.1 of the California Code of Regulations, as amended by the Fair Political Practices Commission to guide the City of San Diego in the distribution of tickets provided to the City for entertainment purposes.

POLICY:

This policy applies to tickets which provide admission to a facility or event for an entertainment, amusement, recreational or similar purpose, and are either:

1. gratuitously provided to the City by an outside source;
2. acquired by the City by purchase;
3. acquired by the City as consideration pursuant to the terms of a contract for the use of a City venue; or
4. acquired and distributed by the City in any other manner.

This policy does not apply to any other item of value provided to the City or any City Official, regardless of whether received gratuitously or for which consideration is provided.

This policy, together with the ticket procedures established herein, shall supersede and replace Council Policy 700-22 relating to tickets for Qualcomm Stadium and Council Policy 700-47 relating to Petco Park.

DEFINITIONS:

Unless otherwise expressly provided herein, words and terms used in this policy shall have the same meaning as that ascribed to such words and terms in the California Political Reform Act of 1974 (Government Code Sections 81000, *et seq.*, as the same may from time to time be amended) and the Fair Political Practices Commission [FPPC] Regulations (title 2, sections 18110 *et seq.*, of the California Code of Regulations, as the same may from time to time be amended).

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“City” or “City of San Diego” shall mean and include the City of San Diego, any other affiliated agency created or activated by the San Diego City Council, and any departments, boards and commissions thereof.

“City Official” means every member, officer, employee or consultant of the City of San Diego, as defined in Government Code Section 82048 and FPPC Regulation 18701. Such term shall include, without limitation, any City board or commission member or other appointed official or employee required to file an annual Statement of Economic Interests (FPPC Form 700).

“City Venue” means and includes Qualcomm Stadium, Petco Stadium, or any other facility owned, controlled or operated by the City of San Diego.

“Immediate family” means the spouse and dependent children.

“Ticket” means and includes any form of admission privilege to a facility, event, show or performance.

“Ticket Coordinator” means the individual(s) selected to coordinate requests for tickets.

GENERAL PROVISIONS:

The use of complimentary tickets is a privilege extended by the City and not the right of any person to which the privilege may from time to time be extended.

Tickets distributed to a City Official pursuant to this policy shall not be transferred to any other person, except to members of such City Official’s immediate family solely for their personal use.

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

DISTRIBUTION OF TICKETS:

The Mayor shall select a Ticket Coordinator to coordinate the requests made by the Mayor and the Mayor’s designees. The Council President shall select a Ticket Coordinator to coordinate the requests made by Councilmembers. The City Attorney shall select a Ticket Coordinator to coordinate the requests made by the City Attorney and City Attorney’s designees. The Ticket Coordinator shall not be a new funded position.

Each Ticket Coordinator shall determine the face value of tickets distributed by the City for purposes of Sections I.A., I.B. and III.A., subparagraph 4., of this policy.

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Each Ticket Coordinator shall establish procedures governing the timing and form of the request for tickets consistent with this Policy. The Ticket Coordinators shall consult with each other to determine a mutually agreeable procedure for the consolidation of all requests and distribution of tickets.

Each Ticket Coordinator shall be responsible for completing FPPC Form 802 and complying with the posting requirement set forth in Section III A.

I. Conditions Under Which Tickets may be Distributed.

Subject to the provisions of this policy, tickets may be distributed to City Officials under the following conditions:

- A. The City Official reimburses the City for the face value of the ticket(s). Reimbursement shall be made at the time the ticket(s) is/are distributed to the City Official.
- B. The City Official treats the ticket(s) as income consistent with applicable federal and state income tax laws and makes disclosures pursuant to Section III below.
- C. The City Official uses, or behests, such ticket(s) for one or more of the following public purposes, within the following three (3) categories:

Category 1 – First Priority:

- 1. Performance of a ceremonial role or function representing the City at the event, for which the City Official may receive enough tickets for the City Official and each member of his or her immediate family.
- 2. The job duties of the City Official require his or her attendance at the event, for which the City Official may receive enough tickets for the City Official and each member of his or her immediate family.
- 3. Promotion of education and understanding of facility operations, capacities, and interactions between citizens, tenants and contractors for individuals who provide recommendations to the Mayor and City Council on stadium actions and policies.
- 4. Promotion of local and regional businesses, economic development and tourism activities within the City, including conventions and conferences.
- 5. Promotion of City-controlled or sponsored events, activities, or programs.

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6. Promotion of growth and development, including economic development and job creation opportunities.
7. Promotion of the City of San Diego on a local, state, national or worldwide scale.
8. Intergovernmental relations purposes, including but not limited to attendance at an event with or by elected or appointed public officials from other jurisdictions, their staff members and their guests.

Category 2 – Second Priority:

1. Promotion of community programs and resources available to City residents, including nonprofit organizations and youth programs.
2. Marketing promotions highlighting the achievements of local residents and businesses.
3. Promotion and marketing of private facilities available for City resident use, including charitable and nonprofit facilities.
4. Promotion of public facilities available for City resident use.
5. Attracting or rewarding volunteer public service.
6. Supporting and/or showing appreciation for programs or services rendered by non-profit organizations benefiting San Diego residents.
7. Encouraging or rewarding significant academic, athletic, or public service achievements by San Diego students, residents or businesses.

Category 3 – Third Priority:

1. As special recognition or reward for special civic guests, such as Flag Officers, Members of Congress, State Senators, and Members of the State who perform exceptional service to the City.
2. Attracting and retaining highly qualified employees in City service, for which such employee may receive no more than four tickets per event.
3. As special recognition or reward for meritorious service by a City employee, for which such employee may receive no more than four tickets per event.

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4. For use in connection with a City employee competition or drawing, for which there shall be made available no more than four tickets per event.
5. Recognition of contributions made to the City by former City Council Members, Mayors, City Attorneys or City Managers, for which such former City Council Member, Mayor, City Attorney or City Manager may receive no more than four tickets per event.

II. Tickets Distributed at the Behest of a City Official.

The following City Officials shall have authority to behest tickets: City Council members, the Mayor and the Mayor's designees, the City Attorney and the City Attorney's designees.

Tickets shall be distributed at the behest of a City Official only for one or more public purposes set forth in Section I.C. above.

If tickets are distributed at the behest of a City Official, such City Official shall not use any of the tickets so distributed to attend the event.

The Ticket Coordinators shall consolidate their lists of ticket requests at a mutually agreeable time prior to the event. The Ticket Coordinators shall work together to distribute tickets based upon the following priorities:

1. Priority shall be given with the public purposes in Category 1 being first priority, Category 2 being second priority and Category 3 being third priority.
2. Requests shall next be considered based upon time the initial request was delivered to the Ticket Coordinator; and,
3. Requests shall also be considered based upon whether the City Official has made prior requests with priority given to those City Officials with the least amount of requests.

Where there are limited or no requests for tickets to an event, each Ticket Coordinator may request the extra tickets be distributed to a qualifying 501 (c)(3) charitable organization. Where more than one Ticket Coordinator requests the extra tickets be distributed to a qualifying organization, the extra tickets shall be divided as equally as possible between the requesting Ticket Coordinators for distribution to the qualifying organization.

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III. Disclosure Requirements.

- A. Tickets distributed by the City to any City Official either: (i) which the City Official treats as income pursuant to Section I.B. above; or (ii) for one or more public purposes described in Section I.C. above, shall be posted on a form provided by the FPPC in a prominent fashion on the City's website within thirty (30) days after distribution. Such posting shall include the following information:
1. The name of the recipient, except that if the recipient is an organization, the City may post the name, address, description of the organization and number of tickets provided to the organization in lieu of posting the names of each recipient;
 2. a description of the event;
 3. the date of the event;
 4. the face value of the ticket;
 5. the number of tickets provided to each person;
 6. if the ticket was distributed at the behest of a City Official, the name of the City Official who made such behest; and
 7. a description of the public purpose(s) under which the distribution was made, or, alternatively, that City Official is treating the ticket as income.
- B. Tickets distributed by the City for which the City receives reimbursement from the City Official as provided under Section I.A. above shall not be subject to the disclosure provisions of Section III.A.

HISTORY:

“Qualcomm Stadium City Suite”

Adopted by Resolution R-191907 10/24/1967

Amended by Resolution R-209693 01/17/1974

Amended by Resolution R-211379 08/22/1974

Amended by Resolution R-289609 12/16/1997

Amended by Resolution R-289889 03/24/1998

Amended by Resolution R-302876 08/01/2007

“Ticket Policy for Qualcomm Stadium, Petco Park and Other Tickets Provided to the City for Entertainment Purposes”

Amended and Retitled by Resolution R-305031 07/21/2009