

**RESOLUTION NO. 22-1183**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLVANG, CALIFORNIA  
ESTABLISHING A TICKETS AND PASSES DISTRIBUTION POLICY PURSUANT TO  
CALIFORNIA CODE OF REGULATIONS TITLE 2 SECTION 18944.1**

**WHEREAS**, in an effort to reduce improper influences upon public officials, the Fair Political Practices Commission (FPPC) regulates tickets or passes distributed to government officials and employees by their agency; and

**WHEREAS**, Regulation 18944.1 stipulates that distribution of tickets or passes to a public official does not constitute a gift if the distribution is made in furtherance of a public purpose and the agency has adopted a policy establishing eligible public purposes; and

**WHEREAS**, the City of Solvang periodically receives, purchases, or generates tickets or passes to events of local significance for distribution to City officials, and

**WHEREAS**, the City desires to distribute these tickets or passes in a manner that furthers the City's governmental and public purposes, such as the promotion of City events affecting or involving the City, the development of inter-agency relations, and the enhancement of employee morale; and

**WHEREAS**, the FPPC has amended Regulation 18944.1 to require an agency's tickets and passes distribution policy to prohibit the disproportionate use of the policy by any one official, and to require the posting of inspection reports in cases where tickets or passes are distributed to an official for the purpose of conducting an inspection; and

**WHEREAS**, the City has established its Tickets and Passes Distribution Policy attached hereto and incorporated herein as Exhibit A to this resolution.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SOLVANG DOES HEREBY RESOLVE AS FOLLOWS:**

**SECTION 1.** That the City Adopts the Tickets and Passes Distribution policy (Exhibit A)

**SECTION 2.** The City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

**PASSED, APPROVED, AND ADOPTED** on this 27th day of June 2022.

DocuSigned by:  
*Charles D. Uhrig*  
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\_\_\_\_\_  
Charlie Uhrig, Mayor

APPROVED AS TO FORM:

ATTEST:

DocuSigned by:  
*Craig D. Steele*  
66290BEFFFE44C...  
\_\_\_\_\_  
Craig Steele, Assistant City Attorney

DocuSigned by:  
*Annamarie Porter*  
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\_\_\_\_\_  
Annamarie Porter, City Clerk

STATE OF CALIFORNIA            )  
COUNTY OF SANTA BARBARA    )ss  
CITY OF SOLVANG                )

I, Annamarie Porter, City Clerk of the City of Solvang, California do hereby certify that Resolution No. 22-1183 was passed and adopted by the City Council of the City of Solvang at a regular meeting of said City Council held on the 27<sup>th</sup> day of June 2022, and thereafter signed and approved by the Mayor and attested by the City Clerk, and that said resolution was adopted by the following vote:

AYES:           CLARKE, INFANTI, ORONA, THOMAS, UHRIG

NOES:           NONE

ABSTAIN:       NONE

ABSENT:        NONE

DocuSigned by:  
  
2FEC6CE62C12406  
\_\_\_\_\_  
Annamarie Porter, City Clerk

## EXHIBIT A

### CITY OF SOLVANG TICKETS AND PASSES DISTRIBUTION POLICY

#### Section I. Purpose of Policy

The purpose of this Policy is to ensure that any ticket or pass provided to the City of Solvang ("City") by any third party, purchased or obtained directly by the City, or generated by the City, shall, if distributed to a Designated Official, be distributed in furtherance of governmental and/or public purposes, in accordance with the California Fair Political Practices Commission ("FPPC") Regulation 18944.1.

#### Section II. Definitions

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

- A. "Designated Official" shall mean any officer or employee who is designated in the City's Conflict of Interest Code because their position entails the making or participation in the making of decisions which may have a foreseeable material effect on their financial interests within the City. Designated Officials are those that are required to file FPPC Form 700.
- B. "Gift" shall have the meaning set forth in Government Code §82028.
- C. "Immediate family" shall have the meaning set forth in Government Code §82029.
- D. "Third party" shall mean the source of any ticket or pass, other than the City.
- E. "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 III. Administration of Policy

The City Manager or designee shall be responsible for administering this Policy.

#### Section IV. Tickets and Passes Distribution Policy

This Policy governs the distribution of complimentary tickets/passes received, purchased, or generated by the City to a facility, event, show, or performance for entertainment, amusement, recreational or similar purposes. This Policy is subject to all applicable FPPC Regulations and the Political Reform Act, as they now exist or hereafter may be added or amended, including definitions.

Only Designated Officials shall be eligible to receive tickets or passes in accordance with the provisions of this policy.

All tickets and passes distributed to a Designated Official by the City shall be subject to the following provisions:

- A. The City shall not accept from any third party any ticket or pass that is specifically earmarked for use by a particular Designated Official whether by name or position (2 CA CCR §18944.1(a)(3))

- B. The City Manager or designee shall document in writing the receipt of all tickets and passes

provided to the City by a third party.

- C. Tickets and passes shall only be provided to Designated Officials by the City Manager or designee for a legitimate public purpose of the City, as set forth in this Policy. (2 CA CCR §18944.1(b)(2))
- D. The City Manager or designee shall decide in their sole discretion, consistent with this Policy, which Designated Officials should be provided with a ticket or pass. (2 CA CCR §18944.1(a)(4))

## **Section V. Legitimate Public Purposes**

Any ticket or pass provided to a Designated Official by the City shall not constitute a gift if provided and used by the Designated Official for any of the following purposes listed below. (2 CA CCR §18944.1(b)(1))

The following list of governmental and/or public purposes the City may accomplish through the distribution of tickets/passes is illustrative rather than exhaustive:

- A. Promotion of business activity, development, and/or redevelopment within the City.
- B. 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.
- C. Promotion of City resources available to City residents.
- D. Promotion of City-operated, sponsored or supported community programs.
- E. Promotion of private facilities available for City residents' use including but not limited to those facilities involving charitable and non-profit organizations.
- F. Promotion of City facilities available for City residents' use.
- G. Promotion of City growth and development.
- H. Promotion of City tourism on a local, state, national, or worldwide scale.
- I. Promotion of City recognition, visibility and/or profile on a local, state, national, or worldwide scale.
- J. Promotion of open government by Designated Official appearances, participation and/or availability at business and/or community events.
- K. Promotion of the improvement of inter-governmental relations.
- L. Promotion of special events in accordance with any City contract, including those contracts where the City as a form of consideration has required that a certain number of tickets/passes be made available for City use.
- M. 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.
- N. Increasing public exposure to, and awareness of, the various recreational, cultural,

and educational venues and facilities available to the public within the City.

- O. Encouraging or rewarding significant academic, athletic, or public service achievements by City students, residents or businesses.
- P. Recognizing contributions made to the City by former or current City Council members or other City employees.
- Q. Attracting and retaining highly qualified employees in the City.
- R. Recognizing or rewarding meritorious serve by a City employee.
- S. Promoting enhanced City employee performance and/or morale.

## **Section VI. Exemptions**

The following tickets and passes shall be exempt from the provisions of this Policy:

- A. A ticket or pass received by a Designated Official directly from a third party that the Designated Official uses to perform a ceremonial role or function on behalf of the City.
- B. A ticket or pass received by a Designated Official from the City where both the Designated 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 VII. Prohibition against Transfer**

A Designated 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 Designated Official's immediate family solely for their personal use or to not more than one guest, provided such transfer to an immediate family member or guest satisfies a legitimate public purpose as outlined above and is approved by the City Manager or his/her designee. (2 CA CCR §18944.1(b)(3))

## **Section VIII. Prohibition against Disproportionate Use**

To ensure fair allocation of the benefit of tickets given to the City, no Designated Official shall disproportionately use tickets given to the City when compared to the ticket use of any other Designated Official. (2 CA CCR §18944.1(b)(4))

## **Section IX. Posting and Disclosure Requirements**

This Policy shall be maintained as a public record and prominently posted on the City's website.

- A. Within forty-five (45) days of distributing any ticket or pass pursuant to this Policy, the City Manager or designee shall complete and cause to be posted on an FPPC Form 802, or other form as may be designated by the FPPC for this purpose, on the City's website, with such posting to remain on the website for a period of at least seven (7) years. The posting shall conform to the requirements of 2 CA CCR §18944.1(d) et seq.
- B. The FPPC shall be kept apprised of the current location where this policy and the City's Form 802 postings are made available online. (2 CA CCR §18944.1(c))