



**DATE:** June 22, 2021

**CATEGORY:** Consent

**DEPT.:** Community Services

**TITLE:** **Updates to Council Policy A-15 – Ticket Distribution Policy**

### **RECOMMENDATION**

Adopt a Resolution of the City Council of the City of Mountain View Amending City Council Policy A-15, City of Mountain View Ticket Distribution Policy for Shoreline Amphitheatre and Other Tickets, to be read in title only, further reading waived (Attachment 1 to the Council report).

### **BACKGROUND AND ANALYSIS**

Council Policy A-15 governs the distribution of tickets for functions and events received by the City and related disclosure requirements on the City's website. This Council Policy is drafted to comply with the Fair Political Practices Commission (FPPC) regulations that allow tickets distributed in accordance with an adopted policy, meeting specified requirements, to not be considered gifts to the individual recipient under the Political Reform Act (PRA). Council Policy A-15 was last revised in 2009 due to adopted amendments to the regulations by the FPPC. The FPPC has more recently further amended the regulations, which require an update to the Council Policy.

During the course of any year, the City receives and distributes tickets to Councilmembers, staff, appointed officials, volunteers, and local nonprofits. These tickets are typically for Shoreline Amphitheatre events received under the City's lease agreement with Live Nation. This Policy can also be utilized for other types of tickets the City may receive and distribute to City officials.

The proposed changes to the Council Policy meet the revised FPPC regulations and further clarify the process and procedures while making the policy easier to understand and follow. The FPPC amended *Regulation 18944.1 – Gifts: Agency Provided Tickets or Passes* and provided clarification of the requirements for agency-provided tickets or passes to be exempt from qualifications as gifts under the PRA.

The Council Policy and Procedures Committee (CPPC) met on June 2, 2021 to consider this item (Attachment 2 to the Council report). Based on questions received during the meeting, City staff clarified the limitations on the transfer of tickets. The proposed policy included that an official may bring either an immediate family member or no more than one guest to an event and that the official must accompany either the immediate family member or guest. Staff clarified at the meeting that an official can transfer a ticket to no more than one family member per event, similar to the limitation on guests. Therefore, a maximum of two tickets can be used for a “public purpose” per event. Any additional requested tickets must be treated as income or the City shall be reimbursed in accordance with the proposed distribution requirements and priority.

Committee members also requested that the Policy be available to City staff through internal communication efforts. Staff stated the Policy will be attached to the email typically sent to all staff at the beginning of the concert season. The Policy will also continue to be available to employees when they receive tickets to an event. The CPPC unanimously recommended approval of the proposed revisions to the Policy.

Following the CPPC meeting, staff updated the proposed Policy to clarify the above points regarding limitations on transfer of tickets, as included in Attachment 1 to the Council report. Language was included to clarify that no more than one immediate family member or one guest may be transferred a ticket. This clarification is consistent with the existing policy as Councilmembers are currently limited to two tickets per event for “public purposes.” In addition, a typographical error identified in the heading under Section B, Application of Policy, Subsection 2b, Official Treats Ticket *as* Income, has been corrected.

**FISCAL IMPACT** – None.

**ALTERNATIVES**

1. Do not recommend amendments to Council Policy A-15.
2. Provide other direction.

**PUBLIC NOTICING** – Agenda posting.

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- Attachments:
1. Resolution
  2. CPPC Staff Report from June 2, 2021
  3. Proposed Revisions to Council Policy A-15 (redlined)