

**Coachella Valley Public Cemetery District
Tickets and Passes Distribution Policy**

Effective Date: September 8, 2023

SECTION 1. Purpose

The purpose of this Tickets and Passes Distribution Policy (“Policy”) is to ensure that all tickets and/or passes provided to the Coachella Valley Public Cemetery District (“District”) are distributed in furtherance of a public purpose as required under Section 18944.1, Title 2, of the California Code of Regulations (“Section 18944.1”) and in such a manner that the ticket and/or pass will not constitute a “reportable gift” under the Political Reform Act, provided that the ticket/pass is distributed pursuant to the provisions of this Policy. The District’s Board of Trustees has determined that tickets and passes distributed for the purposes listed in Section 6 of this Policy are distributed for a public purpose.

In addition, the purpose of this Policy is to ensure that tickets and passes distributed by the District under this Policy are disclosed on Form 802 and posted to the District’s website within forty-five days of distribution, as required by Section 18944.1(d).

SECTION 2. Applicability

This Policy applies to tickets and passes that provide admission to a facility, event, show or performance for an entertainment, amusement, recreational or similar purpose, and are either:

- a. Gratuitously provided to the District by an outside source;
- b. Acquired by the District through purchase;
- c. Acquired by the District as consideration pursuant to the terms of a contract for the use of a District venue; or
- d. Acquired and distributed by the District in any other manner.

SECTION 3. Scope

This Policy applies to all Public Officials, as defined below.

SECTION 4. 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 Political Reform Act of 1974 (Government Code section 81000 et seq., as the same may from time to time be amended) and the Fair Political Practices Commission (“FPPC”) Regulations (Title 2, California Code of Regulations, section 18110 et seq., as the same may from time to time be amended).

| Term | Definition |
|------------------|--|
| Public Official | Every member, officer, employee or consultant of the District, as defined by Government Code section 82048 and Regulation 18700.3. Such term shall include, without limitation, any District Trustee, other appointed official, employee, or a consultant required to file an annual Statement of Economic Interests (Form 700). |
| Immediate family | The Public Official’s spouse and dependent children. |
| Ticket | A “ticket” shall have the meaning set forth in Regulation 18946 and referenced in Regulation 18944.1, as each may be amended. The regulations currently define “ticket” as anything that provides access, entry, or admission to a specific future event or function and for which similar tickets are sold to the public to view, listen to, or otherwise take advantage of the attraction or activity for which the ticket is sold and includes any benefits that the ticket provides. |
| Pass | A “pass” shall have the meaning set forth in Regulation 18946 and referenced in Regulation 18944.1, as each may be amended. The regulations currently define “pass” as a ticket that provides repeated access, entry, or admission to a facility or series of events and for which similar passes are sold to the public. |

SECTION 5. General Provisions

- a. Those in violation of this Policy could be subject to disciplinary action up to and including dismissal and/or termination of contract, as described in further detail under the “Violations” section of this Policy.
- b. All questions regarding the interpretation or applicability of this Policy should be directed to Human Resources for clarification.

- c. The use of complimentary tickets or passes is a privilege extended by the District and not the right of any person to which the privilege may from time to time be extended.
- d. Tickets or passes distributed to a Public Official pursuant to this Policy shall not be transferred to any other person, except to members of such Public Official's immediate family solely for their personal use or no more than one guest solely for their attendance at the event.
- e. No person who receives a ticket or pass pursuant to this Policy shall resell or receive compensation for the value of such ticket or pass.
- f. The General Manager shall have the authority, in their sole discretion, to establish further procedures for the distribution of tickets or passes in accordance with this Policy or in furtherance of any applicable rule or regulation of the FPPC. All requests for tickets or passes which fall within the scope of this Policy shall be made in accordance with the procedures established by the General Manager. The distribution of a ticket or pass by the General Manager or their designee shall accomplish one or more of the public purposes set forth in Section 6.
- g. The General Manager or their designee shall be the "agency head," as that term is used in Section 18944.1, for purposes of implementing the provisions of this Policy under Section 18944.1 and completing and posting the Form 802. In such case, where the General Manager desires to obtain a ticket or pass, the District's Board of Trustees authorizes the General Manager to exercise the District's sole discretion in determining whether the General Manager's use or behest of tickets or passes is in accordance with the terms of this Policy.
- h. No ticket or pass gratuitously provided to the District by an outside source and distributed to, or at the behest of, a Public Official pursuant to this Policy shall be earmarked by the original source for use by a particular Public Official.
- i. A ticket or pass provided to a Public Official and one guest of the Public Official at which the Public Official performs a ceremonial role, as defined in Regulation 18942.3, on behalf of the District must be disclosed on Form 802 as set forth below. Any additional effort by the District to either limit or expand permissible ceremonial roles will require that the revised Policy to be forwarded to the FPPC.
- j. The disproportionate use of tickets or passes distributed pursuant to this Policy by a member of the District's Board of Trustees, the General Manager, the heads of District departments or divisions, or any appointed officers, is prohibited.
- k. The value of any ticket or pass shall be the fair value of the ticket or pass. The "fair value" is the face value of the ticket or pass, or the price at which the ticket or pass would otherwise be offered for sale to the general public by the operator or host. Where the ticket or pass does not have a face value indicated, or has a face value that is not available to the general public, the fair value of the ticket or pass

shall be the price at which the ticket or pass would otherwise be offered for sale to the general public by the operator of the venue or host of the event who offers the ticket or pass for public sale. Where the price indicated on the ticket or pass does not reflect the actual cost for a ticket or pass in a luxury box or suite, the face value is determined by dividing the total cost of the box or suite by the number of tickets or passes available for that box or suite

- I. If any paragraph, sentence, clause or phrase of this Policy is held invalid for any reason, said invalidity shall not affect the remaining portions of this Policy.

SECTION 6. Public Purposes

- a. Subject to the provisions of this Policy, the District shall only provide a ticket and/or pass to a Public Official, or at the behest of a Public Official, to accomplish a public purpose. The following is a list of public purposes the District may accomplish through the distribution of tickets or passes. The list is illustrative rather than exhaustive:
 - 1) Facilitating the performance of a ceremonial role or function by a Public Official on behalf of the District at an event.
 - 2) Facilitating the attendance of a Public Official at an event where the job duties of the Public Official require their attendance.
 - 3) Promotion of intergovernmental relations and/or cooperation and coordination of resources with other governmental agencies, 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.
 - 4) Promotion of local and regional businesses, economic development and tourism activities within the District's service area that serve or may potentially serve District's residents, including conventions, conferences.
 - 5) Promotion of District-run, sponsored or supported events, activities, or programs.
 - 6) Promotion of District growth and development, including outreach efforts, and job creation opportunities.
 - 7) Promotion of specific District community events provided by or sponsored by District.
 - 8) Promotion of any District owned sites or facilities.
 - 9) Promotion of District recognition, visibility, and/or profile on a local, state, national or worldwide scale.
 - 10) Promotion of District services on a local, state, national or worldwide scale.

- 11) Promotion of open government and/or community relations by Public Official appearances, participation and/or availability at business or community events.
 - 12) Sponsorship agreements involving private events where District specifically seeks to enhance District's reputation both locally and regionally by serving as hosts or sponsors providing the necessary opportunities to meet and greet visitors, dignitaries, and residents.
 - 13) All written contracts where District, as a form of consideration, has required that a certain number of tickets or passes be made available for District use.
 - 14) Employment retention or recognition programs.
 - 15) Special outreach programs for veterans, teachers, emergency services, medical personnel and other civil service occupations.
 - 16) Encouraging or rewarding significant academic, athletic, or public service achievements by residents or businesses of District's service area.
 - 17) Charitable 501(c)(3) fundraisers for the purpose of networking with other community and civic leaders.
 - 18) Promotion of and participation in intergovernmental relations and activities.
 - 19) Promoting, supporting and/or showing appreciation for programs or services rendered by charitable and non-profit organizations benefiting residents within District's service area.
 - 20) Attracting or rewarding volunteer public service.
 - 21) Attracting and retaining highly qualified employees in District's service.
 - 22) Recognizing or rewarding meritorious service by a District employee.
 - 23) Promoting enhanced District employee performance or morale.
 - 24) Recognizing contributions made to District by former District Board of Trustees member or District employees.
 - 25) Any purpose similar to the above included in any District contract.
- b. When a public purpose involves the oversight or inspection of facilities by a Public Official, the Public Official is required to provide a written inspection report and/or recommendation.
 - c. Subject to the provisions of this Policy, tickets or passes obtained by the District pursuant to the terms of a contract or purchased at fair market value may be

distributed to Public Officials. Any distribution must accomplish a public purpose in accordance with Section 6(a), above.

- d. Any ticket or pass obtained pursuant to Section 6(c) which is distributed to a Public Official, other than an elected official or member of the District's Board of Trustees, for the Public Official's personal use, to support general employee morale, retention, or to reward public service is also deemed to serve a public purpose. Such ticket or pass distribution shall be disclosed pursuant to Section 7, below. For purposes of this subsection, "personal use" is defined as use by the Public Official, their family, or no more than one guest.
- e. Any Public Official, any member of the Public Official's immediate family, or guest of the Public Official may return any unused ticket to the District for redistribution pursuant to this Policy.
- f. The provisions of this Policy apply only to benefits the Public Official receives that are provided to all members of the public with the same class of ticket.

SECTION 7. Reporting and Disclosure

- a. This Policy shall be posted on the District's website in a prominent manner. The District shall, within thirty (30) days of adoption or amendment, send to the FPPC by email a website link that displays the Policy. It shall be the duty of the General Manager or their designee to ensure the District's compliance with Section 18944.1(d) pertaining to the reporting of the distribution of tickets by the District.
- b. Except as provided in subsections (c) and (d) below, tickets or passes distributed by the District to any Public Official pursuant to this Policy must be recorded on Form 802 or, on such alternative form(s) as may from time to time be designated by the FPPC. This form must be maintained as a public record, and be subject to inspection and copying as required under Government Code section 81008(a). Within forty-five (45) days of distributing a ticket or pass, the District must post these forms on its website and email a website link to the FPPC that displays the form, and the form must contain the information required by Section 18944.1 (d).
- c. Tickets or passes distributed by the District for which the District receives reimbursement from the Public Official within 30 days shall not be subject to this Policy or the disclosure provisions of Section 7(b), and shall not be treated as a gift to the Public Official.
- d. Tickets or passes that a Public Official treats as income consistent with applicable federal and state income tax laws shall not be subject to this Policy or the disclosure provisions of Section 7(b), and shall not be treated as a gift to the Public Official.
- e. For tickets or passes distributed to a department or other unit of the District, and not used by a member of the District's Board of Trustees, the General Manager, the head of a District department or division, or an appointed officer, the District

may report the name of the department or other unit of the District and the number of tickets or passes provided to the department or other unit in lieu of posting the name of the individual employee(s) as otherwise required.