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Jan I. Goldsmith
CITY ATTORNEY

June 18, 2009

REPORT TO THE HONORABLE
MAYOR AND CITY COUNCILMEMBERS

ADOPTION OF REVISED COUNCIL POLICY 700-22, ENTITLED "TICKET POLICY FOR QUALCOMM STADIUM, PETCO PARK AND OTHER TICKETS PROVIDED TO THE CITY FOR ENTERTAINMENT PURPOSES"

INTRODUCTION

The City of San Diego receives fifty-two tickets for each event held in Qualcomm Stadium and twenty-six tickets for each event held in Petco Park. Guidelines for distribution of these tickets are set forth in Council Policy 700-22 (Qualcomm Stadium) and Council Policy 700-47 (Petco Park). The Council Policies set out the permissible use of the tickets, the City officials who are entitled to tickets, and the number of tickets a City official may use.

On December 11, 2008, the Fair Political Practices Commission [FPPC] amended title 2, section 18944.1 of the California Code of Regulations relating to tickets or passes to events distributed to public officials. This new regulation, which became effective on February 8, 2009, sets forth the conditions under which a ticket or pass to an entertainment event distributed by an agency to its officials will not be treated as a gift to the official under the Political Reform Act and the FPPC regulations. Accordingly, the Council Policy must be revised to comply with the new regulation.

DISCUSSION

I. The New Regulation

Section 18944.1 provides that tickets to an event for entertainment purposes distributed by an agency to its public officials will not be considered a gift if: (1) the public official uses or behests the tickets for a public purpose; or (2) the public official treats the tickets as income in accordance with applicable state and federal income tax laws. Tickets provided by an agency to its officials for which the agency is reimbursed are not subject to regulation.

In order to avoid a distribution of tickets from an agency to its officials from being treated as a gift, an agency must adopt a ticket policy which contains, at a minimum: (1) provisions setting forth the public purposes of the agency to be accomplished by the distribution of tickets or passes; (2) a provision requiring that distribution of any ticket or pass by the agency to, or at the behest of, an official accomplish a public purpose of the agency; and (3) a provision prohibiting the transfer by any official of any ticket or pass, distributed to such official pursuant to the agency policy, to any other person, except to members of the official's immediate family, solely for their personal use.

Finally, section 18944.1 requires that the agency disclose on its website all tickets distributed to its officials for a public purpose as well as those which the official will treat as income. Such disclosure is to be made within thirty days after the distribution on a form provided by the FPPC, which shall include: (1) the name of the person or organization receiving the tickets; (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/organization; (6) if the ticket was behested, the name of the official who behested the ticket; and (7) a description of the public purpose under which the distribution was made or, alternatively, that the ticket will be treated as income by the official.

II. Revisions to the Council Policy

On March 4, 2009, this item was considered by the Committee on Rules, Open Government, and Intergovernmental Relations. The Committee directed the City Attorney to prepare a policy that conforms to the provisions of California Code of Regulations, section 18944.1. Pursuant to that direction, the City Attorney has prepared an amended Council Policy 700-22 [Policy] which will also supersede current Council Policy 700-47. A "clean" copy and a strike-out version of these policies are attached hereto.

The attached Policy provides a procedure for the distribution of all tickets received by the City. City officials will no longer be entitled to receive tickets to events at Petco Park or Qualcomm Stadium. Under the Policy, specified City officials will be able to request tickets be distributed to individuals or groups based upon the specified public purposes. The requests will then be filled pursuant to the priorities established by the Policy.

Three ticket coordinators will be responsible for receiving requests and distributing event tickets based upon the Policy. A ticket coordinator will be chosen by the Mayor to coordinate requests made by the Mayor and Mayor's designees, the Council President to coordinate requests made by Councilmembers and the City Attorney to coordinate requests made by the City Attorney and City Attorney's designees. The Policy provides that the ticket coordinators shall, after determining the priority of requests, work together to distribute the tickets based upon the amended policies priorities. Finally, the Policy, consistent with the new FPPC regulations, requires the ticket coordinators to post on the City's website within thirty days of distribution, specific information regarding the distribution of any tickets.

Prior to adoption of the Policy, the City Council should carefully review the public purposes specified in Section I.C., Category 1, 2 and 3. The City Council may add to or subtract from this list. The City Council may also change the priority of individual items.

The City Council should also consider which City officials should have the authority to request tickets to be distributed under the Policy. The Policy is written to include, City Councilmembers, the Mayor and Mayor's designees and the City Attorney and City Attorney's designees. Other cities have specifically provided for the Chief Financial Officer and department heads to behest tickets.

CONCLUSION

In order to conform to the new FPPC regulations contained in title 2, section 18944.1 of the California Code of Regulations, the City Council should review and modify Council Policies 700-22 and 700-47.

Respectfully submitted,



Paul F. Prather
Deputy City Attorney

PFP:amt:lkj
RC-2009-4

Attachments

**CITY OF SAN DIEGO, CALIFORNIA
COUNCIL POLICY**

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 ___, 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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COUNCIL POLICY**

“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.

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.

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.

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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.
- 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.

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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.
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.

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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.

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;

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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-_____ 07/___/09

RESOLUTION NUMBER R-_____

DATE OF FINAL PASSAGE _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO AMENDING COUNCIL POLICY 700-22 ENTITLED “QUALCOMM STADIUM CITY SUITE” AND RETITLING AS “TICKET POLICY FOR QUALCOMM STADIUM, PETCO PARK AND OTHER TICKETS PROVIDED TO THE CITY FOR ENTERTAINMENT PURPOSES”; AND REPEALING CITY COUNCIL POLICY 700-47 ENTITLED “PETCO PARK CITY SUITE.”

WHEREAS, Council Policy 700-22 sets forth the guidelines for distribution of tickets to City Officials for Qualcomm Stadium events; and

WHEREAS, Council Policy 700-47 sets forth the guidelines for distribution of tickets to City Officials for Petco Park events; and

WHEREAS, on December 11, 2008, the Fair Political Practices Commission [FPPC] amended section 18944.1 of the California Code of Regulations relating to tickets or passes to events distributed to public officials; and

WHEREAS, this new regulation, which became effective on February 8, 2009, sets forth the conditions under which a ticket or pass to an entertainment event distributed by an agency to its officials will not be treated as a gift to the official under the Political Reform Act and the FPPC regulations; and

WHEREAS, on March 4, 2009, the Committee on Rules, Open Government, and Intergovernmental Relations of the City of San Diego recommended that changes be made to Council Policies 700-22 and 700-47 to conform with California Code of Regulations, section 18944.1, as amended by the FPPC; NOW, THEREFORE,


BE IT RESOLVED, by the Council of the City of San Diego, that Council Policy 700-22, entitled "Qualcomm Stadium City Suite," is amended and superseded in its entirety by Council Policy 700-22, entitled "Ticket Policy for Qualcomm Stadium, Petco Park and Other Tickets Provided to the City for Entertainment Purposes," as set forth in Document No. RR-_____ filed in the Office of the City Clerk.

BE IT FURTHER RESOLVED, that Council Policy 700-47, entitled "Petco Park City Suite," is repealed and superseded by Council Policy 700-22, entitled "City of San Diego Ticket Policy for Qualcomm Stadium, Petco Park and Other Tickets Provided to the City for Entertainment Purposes," as set forth in Document No. RR-_____ filed in the Office of the City Clerk.

BE IT FURTHER RESOLVED, that the City Clerk is instructed to update the Council Policy Manual to include the amended Council Policy 700-22 and repealed Council Policy 700-47.

APPROVED: JAN I. GOLDSMITH, City Attorney

By



Paul F. Prather
Deputy City Attorney

PFp:amt
06/18/2009
Or.Dept:City Atty.
R-2009-994

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of _____.

ELIZABETH S. MALAND
City Clerk

By _____
Deputy City Clerk

Approved: _____
(date)

JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor

COUNCIL POLICY STRIKEOUT

OLD LANGUAGE: ~~Struck-Out~~
NEW LANGUAGE: Underlined

SUBJECT: ~~QUALCOMM STADIUM CITY SUITE~~ TICKET POLICY FOR QUALCOMM STADIUM, PETCO PARK AND OTHER TICKETS PROVIDED TO THE CITY FOR ENTERTAINMENT PURPOSES

POLICY NO.: 700-22

EFFECTIVE DATE: ~~August 1, 2007~~ July, 2009

PURPOSE:

~~To establish guidelines for the admission of certain city officials listed in this Council Policy (“Credential Holders”), and their guests to Qualcomm Stadium, Press 6A Suite (“City Suite”); also commonly referred to as “the City Box.”~~ 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:

~~The City Suite is devoted to the City for use by Credential Holders and their guests, and for the purpose of entertaining people who can aid the promotion and/or improvement of the City of San Diego. The following listed individuals constitute the Credential Holders entitled to use the City Suite:~~

Mayor

~~(6) six seats; and
(3) three parking spaces~~

City Council President

~~(4) four seats; and
(2) two parking passes~~

Council Members (2 seats per Council Office)	(14) fourteen seats; and (7) seven parking passes
Qualcomm Stadium Advisory Board (2 seats per member)	(18) eighteen seats; and (9) nine parking passes
City Attorney	(2) two seats; and (1) one parking pass
Stadium Manager	(8) eight seats; and (4) four parking passes

~~As noted in the Credential holder description above, each Credential Holder also shall have access to one parking pass for every two allotted seats. The Credential Holder may enter the stadium at any gate. Credential Holders may bring or offer their seats to guests in efforts to promote and/or market the City of San Diego, and to increase economic, governmental or social service benefits to the City. Any tickets not being utilized by a credential holder for a specific game date may be made available to other credential holders for special civic guests, such as Flag Officers, Members of Congress, State Senators, Members of the State Assembly or their guests as defined in this policy. Guests include volunteers and civic and community leaders who perform exceptional service to the City and City employees who are outstanding performers. All guests should sign and list their affiliation in the guest book which will be present at all times in the City Suite.~~

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).

“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.

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.

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.
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.
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 request at a mutually agreeable time prior to the event. The Ticket Coordinators shall work together to distribute the 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.

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-_____ 07/ /09

**CITY OF SAN DIEGO, CALIFORNIA
COUNCIL POLICY**

SUBJECT: PETCO PARK CITY SUITE
POLICY NO.: 700-47
EFFECTIVE DATE: July __, 2009

POLICY REPEALED

(Number available for reassignment – Please Contact the City Clerk’s Office at 533-4000.)

HISTORY:

Adopted by Resolution R-301324 03/28/2006
Amended by Resolution R-302876 08/01/2007
Repealed by Resolution R-_____ 07/___/2009
(Superseded by Council Policy 700-22)

OLD LANGUAGE – ~~Struck-Out~~
NEW LANGUAGE – Underlined

COUNCIL POLICY STRIKEOUT

~~SUBJECT: PETCO PARK CITY SUITE
POLICY NO.: 700-47
EFFECTIVE DATE: August 1, 2007~~

PURPOSE

~~To establish guidelines for the admission of certain city officials listed in this Council Policy (“Credential Holders”), and their guests to PETCO Park City Suite (“City Suite”); also commonly referred to as “the City Box.”~~

POLICY

~~The City Suite is devoted to the City for use by Credential Holders and their guests, and for the purpose of entertaining people who can aid the promotion and/or improvement of the City of San Diego. The following listed individuals constitute the Credential Holders entitled to use the City Suite:~~

Mayor	(6) six seats; and (3) three parking spaces
City Council President	(4) four seats; and (1) two parking passes
Council Members (2 seats per Council Office)	(14) fourteen seats; and (7) seven parking passes
City Attorney	(2) two seats; and (1) one parking pass

~~As noted in the Credential holder description above, each Credential Holder also shall have access to one parking pass for every two allotted seats. The Credential Holder may enter the~~

~~stadium at any gate. Credential Holders may bring or offer their seats to guests in efforts to promote and/or market the City of San Diego, and to increase economic, governmental or social service benefits to the City. Any tickets not being utilized by a credential holder for a specific game date may be made available to other credential holders for special civic guests, such as Flag Officers, Members of Congress, State Senators, Members of the State Assembly or their guests as defined in this policy. Guests include volunteers and civic and community leaders who perform exceptional service to the City and City employees who are outstanding performers. All guests should sign and list their affiliation in the guest book which will be present at all times in the City Suite.~~

HISTORY:

~~Adopted by Resolution R-301324-03/28/2006~~

~~Amended by Resolution R-302876-08/01/2007~~