

# North Santa Clara Resource Conservation District (NSCRCD)

## Ticket Policy

### I. GENERAL PROVISIONS

- A. Governance. The Board of Directors (“Board”) for the North Santa Clara Resource Conservation District (“District”) is the governing body of the District and reviews and approves District policies. The Board has delegated responsibility for policy administration to the District’s Executive Director, including but not limited to the development of procedures and internal controls to implement the policies.
- B. Purpose of Policy. The purpose of this Policy is to establish a fair and equitable distribution of complimentary tickets provided to the District in compliance with the requirements of Section 19844.1 of the Fair Political Practices Commission (“FPPC”) Regulations. This Policy is subject to all applicable FPPC Regulations and the Political Reform Act, as they now exist or may hereafter be added or amended.
- C. 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 FPPC Regulations (Title 2, Division 6 of the California Code of Regulations, Sections 18110 et seq., as the same may from time to time be amended.)
1. “Director” means an appointed or elected member of the District’s Board of Directors.
  2. “District” shall mean and include the North Santa Clara Resource Conservation District and any departments, boards and committees thereof.
  3. “District Official” shall mean every Director, officer, agent and employee of the District who is obligated to file an Annual Statement of Economic Interests (FPPC Form 700) under state law or the District’s current conflict of interest code.
  4. “Director” shall mean a member of the Board of Directors for the District.
  5. “District Venue” shall mean and refer to any facility owned, controlled, or operated by the District.
  6. “FPPC” shall mean and refer to the California Fair Political Practices Commission.
  7. “Immediate family” shall mean and refer to the spouse and dependent children of the District Official. The term spouse includes registered domestic partners recognized by state law and dependent children shall mean a child, including an adoptive child or stepchild, of a District Official who is under 18 years old and who the District Official is entitled to claim as a dependent on their federal tax return.
  8. “Policy” shall mean and refer to this Ticket Policy.
  9. “Ticket” shall mean anything that provides access, entry, or admission to an event or function, or a series of events or functions, 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.

- D. Policy Revisions. The Board reviews District policies annually. Recommendations for changes to a policy may be proposed at any time, but all policy changes require approval by the Board.
- E. Statement of Non-Discrimination. The District conducts its business on a non-discriminatory basis, without regard to race, creed, color, caste, national origin, ancestry, sexual orientation, political affiliation or beliefs, religion, gender, gender identity or gender expression, age, physical and invisible disability, medical condition, marital status or pregnancy (as those terms are defined by the California Fair Employment and Housing Act – Government Code Section 12900-12996). Additionally, the Board has adopted a District Environmental and Social Justice Policy to ensure diversity and environmental justice are key components of the District’s strategic planning and programmatic work.

## II. APPLICATION OF POLICY

- A. Applicability. This Policy shall be applicable to every officer, agent and employee of the District who is obligated to file an Annual Statement of Economic Interests (Form 700) under state law or the District’s current Conflict of Interest Code.
1. This Policy governs the distribution of tickets by the District that are either:
    - Gratuitously provided to the District by an outside source;
    - Acquired by the District by purchase for fair value;
    - Acquired by the District as consideration pursuant to the terms of a contract for the use of a District venue or because the District controls the event; or
    - Acquired and distributed by the District in any other manner.
  2. This Policy does not apply to:
    - Any other item of value that does not meet the definition of “Ticket” provided to the District or any District official.
    - Tickets provided to District Officials by sources other than the District.
    - A Ticket received by a District Official from the District where both the District Official and the District treat and report the value of the Ticket as taxable income consistent with applicable state and federal income tax laws.
- B. No Right to Tickets. The use of complimentary Tickets 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.
- C. Limitation on Transfer of Tickets. Tickets distributed to a District Official pursuant to this Policy shall not be transferred to any other person, except to members of such District Official’s immediate family that have been approved by the Ticket Administrator and will be used solely for their personal use. If a District Official transfers a Ticket they have received from the District to another person, as opposed to returning the Ticket to the District for redistribution, then the value of the Ticket or Tickets they transfer shall constitute a gift to them and shall be reportable as provided by FPPC Regulations.

- D. Prohibition Against Sale of or Receiving Reimbursement for Tickets. No person who receives a Ticket pursuant to this policy shall sell or receive reimbursement for the value of such Ticket.
- E. Ticket Administration. The Executive Director shall have the authority, in their sole discretion, to establish procedures for the distribution of Tickets in accordance with this Policy. Such authority includes the power to distribute such a Ticket to the Executive Director provided that doing so is otherwise authorized by this Policy.
1. All requests for Tickets that fall within the scope of this Policy shall be made in accordance with the procedures established by the Executive Director.
  2. The Executive Director shall determine the face value of Tickets distributed by the District for purposes of Sections II-F-1 and II-F-2 of this Policy.
  3. The Executive Director, in their sole discretion, may revoke or suspend the Ticket privileges of any person who violates any provision of this Policy or the procedures established by the Executive Director for the distribution of Tickets.
  4. The Executive Director shall be responsible for implementing this Policy, and completing and posting the FPPC California Form 802.
- F. Conditions Under Which Tickets May be Distributed. Subject to the provisions of this Policy, the Ticket Administrator may distribute Tickets to District Officials under any one of the following conditions:
1. The District Official reimburses the District for the face value of the Ticket at the time of distribution.
  2. The District Official treats the Ticket as income consistent with applicable federal and state income tax laws and the Ticket is reported as income pursuant to the provisions of this Policy.
  3. The distribution of the Ticket(s) to, or at the behest of, the District Official that accomplishes or furthers one or more of the following governmental and/or public purposes:
    - Facilitating the performance of a ceremonial role or function by a District Official on behalf of the District at an event.
    - Facilitating the attendance of a District Official at an event where the job duties of the District Official require their attendance at the event.
    - 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.
    - Promotion of District resources and/or facilities available to District residents.
    - Promotion of District sponsored or supported community events, activities, or programs.
    - To monitor and evaluate the value of District-run, sponsored or supported community events, activities, or programs to the District including but not limited to evaluation of the venue, quality of performances and compliance with District policies, agreements, and other requirements.

- Promotion and evaluation of events, activities, or programs at District venues, including but not limited to evaluation of the venue, quality of performances and compliance with District policies, agreements, and other requirements.
- Promoting, supporting, and/or showing appreciation for programs or services rendered by charitable and non-profit organizations benefiting District residents.
- Promotion of District recognition, visibility, and/or profile on a local, state, national, or worldwide scale.
- Encouraging District resident and stakeholder support for and attendance at local events.
- Encouraging participants in District sponsored programs to attend local events.
- Attracting or rewarding volunteer public service.
- Encouraging or rewarding significant academic, athletic, or public service achievements by District students, residents, or businesses.
- Attracting and retaining highly qualified employees in the District service.
- Recognizing or rewarding meritorious service by a District employee.
- Promoting enhanced District employee performance or morale.
- As an incident to the above public purposes, allowing for the Immediate Family of the District Official to accompany the District Official to events to accomplish any of the purposes listed in this Policy.

G. Tickets Distributed at the Behest of a District Official.

1. Only the following District Officials shall have the authority to direct distribution of Tickets: Director and Executive Director.
2. Tickets shall be distributed at the behest of a District Official only for one or more of the public purposes set forth in Section II-F-3.
3. If tickets are distributed at the behest of a District Official, such District Official shall not use one of the Tickets so distributed to attend the event.

H. Other Benefits.

1. The distribution of Tickets pursuant to this Policy shall not constitute a “gift” to the District Official receiving the Ticket, however, other benefits, such as food or beverage or other gifts provided to the District Official that are not part of the admission provided by the complimentary Ticket, will need to be accounted for as gifts.
2. If the District receives complimentary Tickets that are earmarked for particular District Officials, then the Tickets are considered gifts to that particular District Official. If these Tickets are not returned unused to the provider within thirty (30) days of receipt, then the District Official must comply with the applicable FPPC gift limit regulations and reporting regulations.

I. Posting and Disclosure Requirements.

1. This Policy and Form 802 reports required by Section 18944.1 of the FPPC Regulations shall be posted on the District’s website as required by that Section.

2. The distribution of Tickets pursuant to this Policy shall be documented by the preparation and certification of FPPC Form 802. Within thirty (30) calendar days of the distribution of the Ticket, the Executive Director shall prepare and certify a Form 802 and shall post it on the District’s Website. The disclosure shall include:
  - The name of the recipient, except that if the recipient is an organization, the District 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.
  - A description of the event.
  - The date of the event.
  - The face value of the Ticket.
  - The number of Tickets provided to each person.
  - If the Ticket is distributed at the behest of a District Official, the name of the District Official who directed the distribution.
  - A description of the public purpose(s) under which the distribution was made, or alternatively, the District Official is treating the Ticket as income.
3. Tickets distributed by the District for which the District receives reimbursement from the District Official shall not be subject to the disclosure provisions set forth herein.

Policy Change Log:

Date	Action
10/06/2022	Board adopted policy.
07/20/2023	The Executive Director updated the policy to reflect the District’s name change from Guadalupe-Coyote RCD to North Santa Clara RCD.