



Board Policy No. 312

Distribution of Tickets and Passes to Officers and Employees

SUBJECT CATEGORY: SECTION 300,
PERSONNEL, GIFTS

312: Distribution of Tickets and Passes to Officers and Employees

312.1 Purpose: The purpose of this Policy is to ensure that any ticket or pass provided by the East Contra Costa Fire Protection District (ECCFPD) to, or at the behest of, an ECCFPD official or ECCFPD employee (employee) for admission to a facility, event, show, or performance for an entertainment, amusement, recreational, or similar purpose (Ticket), shall be distributed in furtherance of a governmental and/or public purpose and in accordance with section 18944.1 of the Fair Political Practices Commission (FPPC) Regulations (Title 2, Division 6 of the California Code of Regulations, hereinafter FPPC Regulations), and reported. Tickets are not considered to be gifts to an ECCFPD official or employee, and do not need to be reported on an official or employee's Statement of Economic Interests (Form 700), when the tickets are distributed and reported by the ECCFPD in accordance with this Policy.

312.2 Definitions: Unless otherwise expressly provided herein, words and terms used in this Policy have the same meaning as that ascribed to such words and terms in the Political Reform Act of 1974 (Government Code Sections 81000 et seq.) and the FPPC Regulations, as they may be amended from time to time.

312.3 Application Of Policy:

- a) This Policy governs the distribution of Tickets acquired or received, and distributed by, the ECCFPD that are:
 - 1. Provided to the ECCFPD, at no cost to the ECCFPD, by an outside source;
 - 2. Acquired by the ECCFPD by purchase at fair market value;
 - 3. Acquired by the ECCFPD as consideration pursuant to the terms of a contract for the use of a ECCFPD venue, as consideration for ECCFPD sponsorship of an event, or because the ECCFPD controls or hosts an event.

- b) This Policy does not apply to:
 - 1. Any other item of value provided to the ECCFPD or official or employee.
 - 2. A Ticket received by an official or employee from a source other than the ECCFPD.
 - 3. A Ticket received by an official or employee from the ECCFPD where both the official or employee and the ECCFPD treat and report the

value of the Ticket as income consistent with applicable state and federal income tax laws.

4. A Ticket for which the ECCFPD receives reimbursement from the official or employee.

312.4 Public Purpose:

The public purpose of providing the Ticket to an official or employee for admission to an event is to enable him or her to promote the ECCFPD and ECCFPD events, activities, or programs. This includes, but is not limited to the following:

- a) Promotion of special events in accordance with any ECCFPD agreement.
- b) Promotion of ECCFPD visibility, recognition, or profile on a local, state, or national scale.
- c) Promotion of ECCFPD-controlled or sponsored events, activities, or programs.
- d) Promotion of fire service-related activities within the ECCFPD, including conferences and conventions.
- e) Marketing promotions highlighting the achievements of the ECCFPD.
- f) Employment recruitment programs.
- g) Promoting enhanced ECCFPD employee retention or morale, or to reward employees' public service.

312.5 General Provisions:

The use of Tickets is a privilege extended by the ECCFPD and not the right of any person to which the privilege may from time to time be extended.

A person who receives a Ticket pursuant to this Policy not may sell or receive reimbursement for the value of such Ticket, nor transfer the Ticket any other person except to members of the official's or employee's immediate family for their personal use.

312.6 Authority Of Fire Chief:

The Board of Directors delegates the authority to distribute any Tickets in accordance with this Policy to the Fire Chief or designee.

The Fire Chief has the authority, in his or her sole discretion, to establish procedures for the distribution of Tickets in accordance with this Policy. All requests for Tickets which fall within the scope of this Policy must be made in accordance with procedures established by the Fire Chief.

In instances where the Fire Chief desires to obtain a Ticket, the Board President may make the determination whether the Fire Chief's use of the Ticket is in accordance with this Policy.

312.7 Tickets Provided From An Outside Source:

A Ticket from an outside source provided to the ECCFPD official or employee by the ECCFPD is not considered a "gift" to the ECCFPD official or employee, and is not required to be reported by the officer and employee on his or her Statement of Economic Interests (FPPC Form 700), provided all of the following requirements are met:

1. The Ticket is not earmarked by the outside source for use by the particular ECCFPD official or employee who uses the Ticket;
2. The ECCFPD determines, in its sole discretion, which ECCFPD official or employee may use the Ticket; and
3. The distribution of the Ticket by the ECCFPD is made in accordance with this Policy.

312.8 Other Benefits:

To the extent that the benefits an official or employee receives with a Ticket are not provided to all members of the public with the same class of Ticket, the additional benefits will need to be accounted for as gifts by the ECCFPD officer or employee on his or her Form 700, if provided by a source that would otherwise need to be disclosed by the official or employee (e.g., under the ECCFPD Conflict of Interest Code). Such other benefits may include food, beverages or other gifts provided to the ECCFPD official or employee, but not provided to all members of the public with the same class of Ticket.

312.9 Reporting Requirement:

The ECCFPD must provide to the FPPC the ECCFPD's website link where this Policy and completed Form 802s are or will be posted.

Each completed FPPC Form 802, as it may be amended, or such other form(s) as the FPPC may designate, must be filed with the ECCFPD Secretary within 45 days of the Ticket distribution, and maintained as a public record for a period of seven years, subject to inspection under California Government Code sections 6250 et seq. and 81008. The ECCFPD must post this Policy and each completed Form 802 or a summary of the information on the form.

Adopted as: Policy 1-12 on March 5, 2018

Renumbered: December 12, 2018


Clerk of the Board


Board President