

**Orange County Power Authority**  
**Policy No. 26 - Ticket/Pass Distribution Policy**  
**Approved: 01/22/2025**

**Purpose**

The purpose of the Orange County Power Authority (“**OCPA**”) Ticket and Pass Distribution Policy (“**Policy**”) is to ensure that all tickets and/or passes provided to OCPA are distributed by OCPA for public purposes and that tickets and/or passes distributed by OCPA pursuant to the Policy are disclosed on Fair Political Practices Commission (“**FPPC**”) Form 802, as required under Title 2 California Code of Regulations (“**CCR**”) section 18944.1 (“**Regulation 18944.1**”). Tickets or passes distributed and used in strict compliance with the provisions of this Policy will not constitute a reportable gift to a public official under the Political Reform Act.

**Policy**

1. Scope

This Policy applies to Tickets (as defined in Section 2) that are distributed to Public Officials (as defined in Section 2) and provide admission to a facility, event, show or performance for an entertainment, amusement, recreational, or similar purpose, and are either:

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

2. 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 § 81000 *et seq.*, as may from time to time be amended) and FPPC Regulations (Title 2 CCR § 18110 *et seq.*, as may from time to time be amended).

- a. “OCPA ” means the Orange County Power Authority.
- b. “Public Official” means every member, officer, employee or consultant of OCPA, as defined by Government Code section 82048 and Title 2 CCR section 18700.3. Such term shall include, without limitation, any Board member or other appointed official or employee or consultant required to file an annual Statement of Economic Interests (Form 700).

- c. “Immediate Family” means the Public Official’s spouse and dependent children.
- d. “Policy” means this Ticket and Pass Distribution Policy.
- e. “Ticket” shall mean and refer to a “ticket or pass” as those terms are defined in Title 2 CCR section 18946 and referenced in Regulation 18944.1, both as amended from time to time, but which 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, and “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.

### 3. General Provisions

- a. The use of complimentary Tickets is a privilege extended by OCPA and not the right of any person to which the privilege may from time to time be extended.
- b. Tickets 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 to no more than one guest solely for their attendance at the event.
- c. No person who receives a Ticket pursuant to this Policy shall resell or receive compensation for the value of such Ticket.
- d. The Chief Executive Officer shall have 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 that fall within the scope of this Policy shall be made in accordance with the procedures established by the Chief Executive Officer, if any.
- e. The Chief Executive Officer or his/her designee shall be the “agency head” for purposes of implementing the provisions of this Policy and completing and posting Form 802. In such case where the Chief Executive Officer desires to obtain a Ticket, the OCPA Board of Directors (“**Board**”) authorizes the Chief Executive Officer to exercise OCPA’s sole discretion in determining whether the Chief Executive Officer’s use of Tickets is in accordance with the terms of this Policy.
- f. No Ticket gratuitously provided to OCPA 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 provision to a particular Public Official.

- g. A Ticket provided to a Public Official and one guest of the Public Official at which the Public Official performs a “ceremonial role,” as that term is defined in Title 2 CCR section 18942.3, on behalf of OCPA must be disclosed on Form 802 as set forth below.
- h. The disproportionate use of Tickets distributed pursuant to this Policy by a member of the Board, Board appointee, department head, or Chief Executive Officer is prohibited.
- i. The value of any Ticket shall be the “**Fair Value**,” as that term is defined in Title 2 CCR section 18946(d)(1). For a Ticket offered for sale to the general public, the Fair Value means the face value of the Ticket. The Fair Value of a Ticket that does not have a face value, or has a face value that is not available to the general public, is the price at which the Ticket 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 for public sale. Where the price indicated on the Ticket does not reflect the actual cost for a Ticket to a luxury box or suite, the face value shall be determined by dividing the total cost of the box or suite by the number of Tickets available for that box or suite.
- j. Violations of this Policy may be subject to disciplinary action up to and including dismissal, and shall be subject to the same policies and procedures as violations of OCPA’s Personnel Policies.

4. Public Purpose for Which Tickets May be Distributed

Subject to the provisions of this Policy, OCPA shall provide a Ticket to a Public Official, or at the behest of a Public Official, only for one or more of the following public purposes:

- a. If the distribution is to a Public Official and the Public Official reimburses OCPA for the Fair Value of the Ticket(s).
- b. If the distribution is to a Public Official, the Public Official treats the Ticket(s) as income consistent with applicable federal and state income tax laws and OCPA complies with the reporting requirements of Section 5, below.
- c. If the distribution is to a Public Official, or is at the behest of a Public Official, such distribution must accomplish a public purpose. The following is a list of public purposes that OCPA may accomplish through the distribution of Tickets. The list is illustrative rather than exhaustive:
  - 1) Facilitating the performance of a ceremonial role or function by a Public Official on behalf of OCPA at an event.
  - 2) Facilitating the attendance of a Public Official at an event where the job duties of the Public Official require his or her 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 service territory of OCPA that serve or may potentially serve OCPA's customers, including conventions and conferences.
- 5) Promotion of OCPA-run, sponsored or supported events, activities, or programs.
- 6) Promotion of community programs and resources available to OCPA customers, including nonprofit organizations.
- 7) Marketing promotions highlighting the achievements of local residents and businesses.
- 8) Promotion and marketing of private facilities available for OCPA customer use, including charitable and nonprofit facilities.
- 9) Promotion of public facilities available for OCPA customer use.
- 10) Promotion of specific OCPA community events provided by or sponsored by OCPA.
- 11) Promotion of any OCPA owned or leased sites or facilities.
- 12) Exchange programs with foreign officials and dignitaries.
- 13) Promotion of OCPA recognition, visibility, and/or profile on a local, state, national or worldwide scale.
- 14) Promotion of OCPA services on a local, state, national or worldwide scale.
- 15) Promotion of open government and/or community relations by Public Official appearances, participation and/or availability at business or community events.
- 16) Sponsorship agreements involving private events where OCPA specifically seeks to enhance OCPA's reputation both locally and regionally by serving as hosts or sponsors providing the

necessary opportunities to meet and greet visitors, dignitaries, and residents.

- 17) All written contracts where OCPA , as a form of consideration, has required that a certain number of tickets be made available for OCPA's use.
- 18) Employment retention programs.
- 19) Special outreach programs for veterans, teachers, emergency services, medical personnel and other civil service occupations.
- 20) Encouraging or rewarding significant academic, athletic, or public service achievements by residents or businesses of OCPA's service area.
- 21) Charitable 501(c)(3) fundraisers for the purpose of networking with other community and civic leaders.
- 22) Promotion of and participation in intergovernmental relations and activities.
- 23) Promoting, supporting and/or showing appreciation for programs or services rendered by charitable and non-profit organizations benefiting OCPA customers.
- 24) Increasing public exposure to, and awareness of, the various recreational, cultural, and educational venues and facilities available to the public within OCPA's service area.
- 25) Attracting or rewarding volunteer public service.
- 26) Attracting and retaining highly qualified employees in OCPA's service.
- 27) Recognizing or rewarding meritorious service by an OCPA employee.
- 28) Promoting enhanced OCPA's employee performance or morale.
- 29) Recognizing contributions made to OCPA's by former Board members or employees.
- 30) Spouses of Public Officials to accompany the Public Official to any of the events listed above.
- 31) Any purpose similar to above included in any OCPA contract.

- d. 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.
- e. Subject to the provisions of this Policy, Tickets obtained by OCPA pursuant to terms of a contract for use of public property because OCPA controls the event, or, by purchase at fair market value, may be distributed to Public Officials. Any distribution must accomplish a public purpose in accordance with Section 5c, above.
- f. Any Ticket obtained pursuant to Section 5e that is distributed to a Public Official, other than a member of the governing body of OCPA, 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 distribution shall be disclosed pursuant to Section 6, below. For purposes of this subsection, "personal use" is defined as use by the Public Official, his or her family, or no more than one guest.
- g. Any Public Official, any member of the Public Official's Immediate Family, or guest of the Public Official may return any unused ticket to OCPA for redistribution pursuant to this Policy.
- h. 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.

## 5. Disclosure Requirements

- a. This Policy shall be posted on OCPA's website in a prominent manner. OCPA shall, within 30 days of adoption or amendment, send to the FPPC by email a website link that displays the Policy.
- b. Tickets distributed by OCPA to any Public Official which the Public Official treats as income pursuant to Section 4b, above, or, which are distributed for one or more public purposes described in Section 4c, above, 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. Within 45 days of adoption or amendment of this Policy, OCPA shall post these forms on its website and email a website link to the FPPC that displays the form.
- c. Tickets distributed by OCPA for which OCPA receives reimbursement from the Public Official as provided under Section 4a, above, shall not be subject to the disclosure provisions of Section 5b.
- d. For Tickets distributed to a department or other unit of OCPA, and not used by a member of the Board, a department head or the Chief Executive Officer,

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