

RESOLUTION NO.1851

A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE MUNICIPAL WATER DISTRICT OF ORANGE COUNTY
ADOPTING A TICKET DISTRIBUTION POLICY

WHEREAS, the Fair Political Practices Commission (“FPPC”) recently amended its regulations regarding the distribution to public officials of certain types of tickets or passes to events, and one new provision requires the adoption of a written policy by the MWDOC Board before such distribution can be made (see 2 Cal. Code Regs. Section 18944.1(c)); and

WHEREAS, MWDOC’s written policy must contain at least those requirements set forth in § 18944.1(c); and

WHEREAS, MWDOC may occasionally receive, purchase, generate or otherwise gain ownership of tickets and passes to events for entertainment, amusement, recreational or similar purposes, and it wishes to avail the district and its officials, as defined for purposes of Government Code § 82048 and FPPC regulation 18701, of the ability to distribute ticket and passes pursuant to § 18944.1(c); and

WHEREAS, MWDOC desires to use such tickets or passes to further its governmental and public purposes, which include enhancing water reliability; promoting MWDOC programs and services, organizing and managing emergency preparedness; supplying wholesale water to six southern California counties; representing Orange County water districts on federal, state and regional levels; and encouraging and facilitating water conservation; and

WHEREAS, as provided in § 18944.1, such tickets and/or passes distributed in accordance with a duly adopted written policy are, when so distributed, not considered gifts to public officials; and

WHEREAS, the FPPC recognizes and has stated that MWDOC’s Board of Directors has discretion in determining whether the distribution of tickets and/or passes serves a legitimate public purpose of MWDOC, provided that the determination is consistent with State law.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Municipal Water District of Orange County, as follows:

Section 1. The Board of Directors hereby adopts the Ticket Distribution Policy, as follows:

Municipal Water District of Orange County Ticket Distribution Policy

1. Definitions.

- a. MWDOC “Official” shall mean a Director, officer, employee, or consultant of MWDOC as defined in Government Code section 82048 and 2 Cal. Code Regs. Section 18701.
- b. “Ticket” shall mean a ticket or pass for admission to a facility, event, show, or other performance for an entertainment, amusement, recreational, or similar purpose that is received by MWDOC from a public or private source, that is purchased by MWDOC, or that is obtained by MWDOC because of its control of the event or facility.

2. Purpose of Ticket Distribution Policy. The purpose of this Ticket Distribution Policy (“Policy”) is to ensure that Tickets, which are resources of MWDOC, are distributed to further the public purposes of MWDOC.

3. Limitation. This Policy shall only apply to MWDOC’s distribution of tickets to, or at the behest of, a MWDOC Official.

4. Public Purposes for Ticket Distribution. The following list is illustrative of the public purposes that MWDOC may accomplish by the distribution of tickets to, or at the behest of, a MWDOC Official:

- a. Representation of Orange County water districts on federal, state and regional levels;
- b. Encouragement of, and education about, water conservation programs;
- c. Promotion of MWDOC sponsored or supported community events and programs.
- d. Promotion of specific programs sponsored or supported by MWDOC.
- e. Promotion of MWDOC and the Orange County water community recognition, visibility, and/or profile on a local, state, national, or international scale.
- f. Promotion of open government by MWDOC Official appearances, participation, and/or availability at business, local government and/or community events.

- g. Increasing public exposure to, and awareness of, the various educational programs available to the public through MWDOC and MWDOC sponsored programs;
 - h. Promotion of intergovernmental relations through activities and events involving other public entities.
 - i. Promotion of special events sponsored in whole or part by MWDOC;
 - j. Attraction and retention of highly qualified employees in MWDOC service.
 - k. Recognizing or rewarding meritorious service by a MWDOC employee, promoting enhanced MWDOC employee performance or morale, and recognizing contributions made to MWDOC by former Officials and employees.
5. Requirement of Public Purpose. The distribution of any Ticket pursuant to this Policy shall accomplish some or all of MWDOC's public purposes.
6. Prohibition Against Transfer. The transfer by any MWDOC Official of any Ticket, distributed to such Official pursuant to this Policy, to any other person, except to members of the Official's immediate family for their personal use, is prohibited. No person receiving a Ticket pursuant to this Policy shall be permitted to sell, receive reimbursement for the value of, or further transfer any Ticket.
7. Posting Form 802 on MWDOC website. Within 30 days of distributing a Ticket hereunder, MWDOC will post a completed California Fair Political Practices Commission Form 802 in a prominent place on the MWDOC website.
8. Agency Head. For purposes of posting California Fair Political Practices Commission Form 802, MWDOC's General Manager or the General Manager's designee shall be the "Agency Head."

Section 2: The Policy above shall be posted on MWDOC's website in a prominent fashion.

Section 3: The distribution of tickets or passes pursuant to the Policy above shall be posted, using FPPC 802, in a prominent fashion on the MWDOC website within 30 days of the distribution.

Said Resolution was adopted, on roll call, by the following vote:

AYES:	Directors Bakall, Barbre, Clark, Dick, Finnegan, Hinman & Royce
NOES:	None
ABSENT:	None
ABSTAIN:	None

I hereby certify that the foregoing is a true and correct copy of Resolution No.1851 adopted by the Board of Directors of Municipal Water District of Orange County at its meeting held on April 15, 2009

ATTEST:

Maribeth Goldsby, Secretary
Municipal Water District of Orange County