RESOLUTION NO. 1924

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

WHEREAS, the Fair Political Practices Commission ("FPPC") amended its regulations regarding the distribution to public officials of certain types of tickets or passes to events, effective January 1, 2012. The new regulations still require 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), as amended by the FPPC; 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 Amended 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 provided by an agency to, or at the behest of, an official of that agency, other than a ticket identified in Regulation 18942(a)(13) (ticketholder performs a ceremonial function).

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 stated public purposes.

6. Prohibition Against Transfer. The transfer of any Ticket received by an agency official pursuant to this Policy, except to members of the Official's immediate family or no more than one guest solely for their attendance at the event with the official or the official's designee, 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. MWDOC will complete a record of a ticket or pass distributed pursuant to this Policy on a California Fair Political Practices Commission Form 802 and maintain it as a public record subject to inspection and copying. MWDOC shall forward the Form 802 to the FPPC for posting.

8. Agency Head. For purposes of completing the 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 distribution of tickets or passes pursuant to the Policy above shall be posted, using FPPC 802, by forwarding each completed Form 802 to the FPPC.

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

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

I hereby certify that the foregoing is a true and correct copy of Resolution No._____ adopted by the Board of Directors of Municipal Water District of Orange County at its meeting held on February 15, 2012

ATTEST:

Maribeth Goldsby
Municipal Water District of Orange County