

SAN FRANCISCO ARTS COMMISSION

Resolution No. 1107-22-185

[November 7, 2022]

Ticket Distribution Policy

WHEREAS, The San Francisco Arts Commission is a municipal arts and culture department under Article V of the San Francisco Charter governed by the Arts Commission ("Arts Commission");

WHEREAS, The Arts Commission, as a City agency, may distribute tickets or passes for exhibitions, programs, or events organized, funded, or otherwise supported by the Arts Commission to further its public purposes and in fulfillment of other legitimate governmental and public purposes;

WHEREAS, Public officials and employees involved in the governance, funding, advising, management or administration of the Arts Commission are more effectively able to understand and appreciate the offerings and operations of the Arts Commission and execute their responsibilities by attending Arts Commission exhibitions, programs, and events;

WHEREAS, Because the Arts Commission's exhibitions, programs, and events form an essential and core part of the operations and public purposes of the Arts Commission, the Arts Commission also expects and encourages its members to attend several exhibitions, programs, and events in furtherance of their public duties as commissioners;

WHEREAS, the updated California Fair Political Practices Commission ("FPPC") Regulation 18944.1, addresses the distribution of tickets and passes by City agencies to public officials and employees, and provides that the distribution of a ticket or pass by an agency to a public official constitutes a gift to the public official unless such distribution meets specific criteria and is made in accordance with a written policy adopted by the governing body of the agency setting forth specific requirements;

WHEREAS, Under Regulation 18944.1, the Arts Commission, as a City agency, **must** adopt a written policy that contains, at a minimum, (1) a provision setting forth the public purposes of the agency to be accomplished by the distribution of tickets or passes; (2) a provision requiring that the distribution of any ticket or pass by the agency to, or at the behest of, an official accomplish a public purpose of the agency; and (3) a provision prohibiting the transfer by any official of any ticket or pass, distributed to such official pursuant to the agency policy, to any other person, except to members of the official's immediate family or no more than one guest, solely for their personal use.

WHEREAS, FPPC Regulation 18944.1, as amended, is on file with the Secretary of the Arts Commission and is hereby declared to be a part of this policy; now, therefore, be it

RESOLVED, That the Arts Commissioners hereby adopt the following ticket distribution policy:

Arts Commission Ticket Distribution Policy

November 7, 2022

1. Public Purposes of Distribution of Tickets or Passes.

The distribution of any ticket or pass by the City agency known as the Arts Commission ("Arts Commission") to, or at the behest of, a public official shall accomplish one or more of the following types of public purposes ("Arts Commission Public Purposes"):

- a. Furthering the purposes of the Arts Commission under Section 5.103 of the Charter.
- b. Facilitating public officials' familiarity with, or ability to carry out their services or fiduciary duties with respect to, the management, administration, and/or care of the City's facilities.
- c. Increasing the understanding and appreciation of the offerings and operations of the Arts Commission by City officers and employees involved in the governance, funding, advising, management or administration of the Arts Commission.
- d. Promotion of cultural, artistic, educational, recreational, and community activities in the City.
- e. Promotion of exhibitions, events, activities, programs, and resources available at City facilities and elsewhere within San Francisco.
- f. Information gathering and education regarding matters of local, regional and state-wide concern that affect the City including enhancing intergovernmental relations including attendance at events with or by elected and appointed officials, and their immediate family members or no more than one guest, from other jurisdictions.
- g. Promoting or showing City appreciation for programs and services rendered by community and other non-profit resources for the benefit of the community including artistic and cultural organizations and institutions.
- h. Monitoring and evaluation of operation and maintenance of public facilities available for City resident and visitor use.
- i. Increasing public exposure to, and appreciation of, the artistic, recreational, cultural, and educational facilities and programs available to the public within the City.
- j. Increasing public familiarity with public exhibitions, resources, programs, and performances, available to City residents and visitors.
- k. Promotion of economic development and employment in the City and surrounding areas.
- l. Supporting local businesses, including charitable organizations.
- m. Increasing City tourism, including conferences, conventions, and special events.
- n. Awareness of resources available to City residents, including charitable and nonprofit organization resources.
- o. Increasing use or appreciation of City-run, sponsored or supported exhibitions, community programs or public programs or performances held in City facilities.
- p. Highlighting community programs within the City, including programs organized or supported by charitable and nonprofit organizations.
- q. Promoting public and private facilities, services, events and programs available for City resident and visitor use or enjoyment, including charitable and nonprofit organization facilities, services and programs.
- r. Participation in exchange programs with foreign officials and representatives.
- s. Providing increased exposure to, or gathering public input on, City services, facilities and spaces.
- t. Assessing supporting organization, licensee, and customer service needs and satisfaction.
- u. Identifying or evaluating procedural and physical deficiencies in programs and facilities.

- v. Facilitating increased direct contact, input from, and communication with, supporting organizations, licensees, and event representatives.
- w. Furthering any other public purpose that a department or commission is required or authorized by law to pursue.

Any public purpose similar to those listed herein or any public purpose identified in any City contract or as may be determined by resolution of the Arts Commission. If the public purpose justifying the ticket distribution is for oversight or inspection of City facilities, then there must also be a written inspection report of findings and recommendations by the official receiving the ticket or pass.

2. Prohibition on Transfer.

A public official who has received a ticket or pass distributed under this policy shall not transfer such ticket or pass to any other person, except to the public official's immediate family (spouse/partner and dependent children) or to no more than one guest, solely for their personal use. But the public official must accompany any immediate family member or guest who received a ticket or pass through a transfer to the exhibition, event or performance.

3. Disclosure.

As required by the FPPC Regulation 18944.1, the Arts Commission shall prominently post this policy and the following information regarding the distribution of any tickets or passes under this policy on the Arts Commission's website, on a form provided by the FPPC within 45 days after the ticket/pass distribution and will send the FPPC an email with the Arts Commission's website link that displays the form so that the FPPC may post the link:

- The name of the person receiving the ticket or pass, or if the ticket or pass is distributed to a department or other unit of the agency, and not used by a member of the governing body, political appointee, department head, or chief administrative officer of the agency, the name of the department or other unit of the agency receiving the ticket or pass and the number of tickets or passes provided to the department. If the ticket or pass is distributed to a non-City organization, the name, address, description of the organization, and the number of tickets or passes provided to the organization;
- A description of the event;
- The date of the event;
- The fair value of the ticket or pass as that term is defined in Regulation 18946, subdivision (d)(1);
- The number of tickets or passes provided to each person;
- If the ticket or pass is distributed at the behest of a public official, the name of the official who requested the distribution of the ticket or pass;
- A description of the public purpose under which the distribution was made or, alternatively, that the ticket or pass was distributed as income to the official; and
- A written inspection report of findings and recommendations by the official receiving the ticket or pass if received for the oversight or inspection of City facilities.

4. Distribution of Tickets.

The Director of Cultural Affairs is the department official authorized to exercise discretion in the distribution of tickets and passes. The Director, or the Director's designee, shall have the authority to determine whether the distribution of tickets and/or passes to a particular recipient furthers one or more of the public purposes specified under this policy.

Notwithstanding the above, the disproportionate use of tickets or passes by a member of the Board of Supervisors or other City elected official, City commissioners, City department heads, or the City Administrator is prohibited.