

RESOLUTION NO. R. 08-2025

**A RESOLUTION OF THE GOVERNING BOARD OF THE
BIG BEAR AREA REGIONAL WASTEWATER AGENCY
ADOPTING AND AMENDING THE DISTRIBUTION
POLICY OF TICKETS AND/OR PASSES IN
ACCORDANCE WITH REGULATIONS OF THE FAIR
POLITICAL PRACTICES COMMISSION**

WHEREAS, the Fair Political Practices Commission ("FPPC") adopted Section 18944.1, Title 2, California Code of Regulations ("Regulation 18944.1") to regulate the distribution and disclosure by public agencies of certain tickets and passes to public officials and employees; and

WHEREAS, Regulation 18944.1 provides that a ticket and pass distributed pursuant to an adopted policy and properly disclosed by the agency is not a gift to the public official and does not trigger a disclosure requirement on the official's Statement of Economic Interests, Form 700; and

WHEREAS, the Big Bear Area Regional Wastewater Agency ("Agency") adopted a ticket distribution policy pursuant to Regulation 18944.1 to provide for the distribution of such tickets or passes; and

WHEREAS, Regulation 18944.1 clarifies the valuation of tickets and passes and include revisions affecting public agency distribution policy requirements; and

WHEREAS, from time to time, the Agency may receive complimentary or discounted "tickets or passes" from third party sources, both public and private, for distribution to Agency officials; and

WHEREAS, the distribution to and use of such tickets and passes by Agency officials frequently serve legitimate governmental and/or public purposes; and

WHEREAS, based on such practice and Regulation 18944.1, the Agency desires to update its policy regarding the distribution of tickets and/or passes for improved accuracy and implementation consistent with state law and to ensure a fair and equitable process for the distribution to Agency officials of such tickets and passes by the Agency, in compliance with the requirements of FPPC Regulations.

NOW, THEREFORE, BE IT RESOLVED, the Governing Board of the Big Bear Area Regional Wastewater Agency hereby adopts the following:

Section 1. The above recitals are incorporated into this section by reference, as though fully set forth herein.

Section 2. Resolution No. R. 10-2019, adopted August 28, 2019, and all other previous ticket distribution policies adopted by the Governing Board of Big Bear Area Regional Wastewater Agency, are hereby repealed in their entirety.

Section 3. The Governing Board hereby approves and adopts the amended Big Bear Area Regional Wastewater Agency's Tickets and/or Passes Distribution Policy as amended in accordance with FPPC Regulations, and attached hereto as Exhibit "A."

Section 4. The General Manager is directed to implement this Policy.

Section 5. The Resolution shall take effect immediately upon adoption.

Section 6. The Secretary to the Board shall certify the adoption of this Resolution.

PASSED, APPROVED AND ADOPTED this 28th day of May, 2025.



Kendi Segovia, Chair of the Governing Board
Big Bear Area Regional Wastewater Agency

ATTEST:

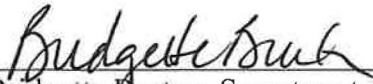
I, Bridgette Burton, Secretary to the Governing Board of the Big Bear Area Regional Wastewater Agency, DO HEREBY CERTIFY that the foregoing Resolution of the Governing Board of the Big Bear Area Regional Wastewater Agency Adopting and Amending the Distribution Policy of Tickets and/or Passes in Accordance with Regulations of the Fair Political Practices Commission, being Resolution No. R. 08-2025 was adopted at a regular meeting on May 28, 2025, of said Agency by the following vote:

AYES: Herrick, Miller, Russo, Walsh, Segovia

NOES: ∅

ABSENT: ∅

ABSTAIN: ∅



Bridgette Burton, Secretary to the Governing Board
Big Bear Area Regional Wastewater Agency

EXHIBIT 'A'



3.04 Board Policy: Tickets and/or Passes Distribution

Purpose

The purpose of this Policy is to ensure that all tickets and/or passes provided to the Big Bear area Regional Wastewater Agency ("Agency") are distributed in furtherance of public purposes in accordance with Section 18944.1, Title 2, California Code of Regulations ("Regulation 18944.1").

In addition, the purpose of this Policy is to ensure that tickets distributed by the Agency under this Policy are disclosed on Form 802 and posted to the Agency's website within forty-five days of distribution, as required by Regulation 18944.1.

Application

This Policy applies to tickets that provide admission to a facility, event, show or performance for an entertainment, amusement, recreational, or similar purpose when such tickets are provided by the Agency to a Public Official or at the behest of a Public Official, and are either:

1. Gratuitously provided to the Agency by an outside source;
2. Acquired by the Agency by purchase;
3. Acquired by the Agency as consideration pursuant to the terms of a contract for the use of an Agency venue; or
4. Otherwise acquired and distributed by the Agency in any other manner.

Scope

This Policy applies to all Public Officials, as defined, below.

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 section 81000 *et seq.*, as the same may from time to time be amended) and the Fair Political Practices Commission ("FPPC") Regulations (Title 2, California Code of Regulations, section 18110 *et seq.*, as the same may from time to time be amended).

1. "Agency" means the Big Bear Area Regional Wastewater Agency.
2. "Immediate family" means the Public Official's spouse, registered domestic partner, and dependent children.
3. "Policy" means this Policy for the Distribution of Tickets and/or Passes.
4. "Public Official" means every member, officer, employee, or consultant of the Agency, as defined by Government Code section 82048 and Regulation 18700.3. Such term shall include, without limitation, any Governing Board member, or other appointed official, or employee or consultant required to file an annual Statement of Economic Interests (Form 700).
5. "Regulation" means any provision of Title 2 of the California Code of Regulations, including applicable amendments or successor provisions, as referenced in this Policy.



6. "Ticket" shall mean and refer to a "ticket" or "pass" as those terms are defined in Regulation 18946 and referenced in Regulation 18944.1, both Regulations as amended from time to time, but which currently define "ticket" or "pass" 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 or 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.

General Provisions

1. The use of complimentary tickets is a privilege extended by the Agency and not the right of any person to which the privilege may from time to time be extended.
2. 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 or to no more than one guest solely for their attendance at the event.
3. No person who receives a ticket pursuant to this Policy shall resell or receive compensation for the value of such ticket.
4. The General Manager 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 which fall within the scope of this Policy shall be made in accordance with the procedures established by the General Manager and applicable laws and regulations.
5. The General Manager or his/her designee shall be the "agency head" for purposes of implementing the provisions of this Policy and completing and posting the Form 802. In such case, where the General Manager desires to obtain a ticket, the Governing Board authorizes the General Manager to exercise the Agency's sole discretion in determining whether the General Manager's use or behest of tickets is in accordance with the terms of this Policy.
6. No ticket gratuitously provided to the Agency 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.
7. A ticket provided to a Public Official and one guest of the Official at which the Official performs a ceremonial role, as defined in Regulation 18942.3, on behalf of the Agency is excluded from the requirements of this Policy in accordance with Regulation 18944.1.
8. The disproportionate use of tickets and passes, distributed pursuant to this Policy by a member of the governing body, political appointee, department head, and General Manager is prohibited.
9. The value of any ticket shall be the fair value of the ticket. The "fair value" is defined under Regulation 18946(d)(1) and generally means the face value of the ticket or, for a ticket that does not have a face value indicated or available to the general public, the price at which the ticket would otherwise be offered for sale to the general public by the operator or host. Where the ticket does not reflect the actual cost for a ticket in a luxury box or suite, the face value is determined by dividing the total cost of the box or suite by the number of tickets available for that box or suite.



Public Purpose For Which Tickets May Be Distributed

Subject to the provisions of this Policy, the Agency shall only provide a ticket to a Public Official, or at the behest of a Public Official, under one of the following public purposes or legal exceptions recognized under applicable laws.

1. If the distribution is to a Public Official and the Official reimburses the Agency for the fair value of the ticket(s) within 30 days of receipt.
2. If the distribution is to a Public Official, the Official treats the ticket(s) as taxable income consistent with applicable federal and state income tax laws and the Agency complies with the reporting requirements of the Website Posting and Disclosure Requirements, below.
3. If the distribution is to a Public Official or is at the behest of a Public Official and such distribution accomplishes a public purpose in accordance with Regulation 18944.1. The following is a list of public purposes the Agency may accomplish through the distribution of tickets. The list is illustrative rather than exhaustive:
 - a. Facilitating the performance of a ceremonial role or function by a Public Official on behalf of the Agency at an event.
 - b. Facilitating the attendance of a Public Official at an event where the job duties of the Official require his or her attendance.
 - c. Promotion of Agency issues and interests at events sponsored by or in 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, government related industry groups, and nonprofit organizations and their staff members and their guests.
 - d. Promotion of local and regional businesses, economic development and tourism activities within the Agency that serve or may potentially serve the Agency's residents, including conventions and conferences.
 - e. Promotion of Agency-run sponsored or supported events, activities, or programs.
 - f. Promotion of community programs and resources available to Agency residents, including nonprofit organizations and youth programs.
 - g. Marketing promotions highlighting the achievements of public local residents, nonprofits, community groups, and businesses.
 - h. Promotion and marketing of Agency facilities and resources available for public use.
 - i. Promotion and marketing of private facilities available for Agency resident use, including charitable and nonprofit facilities.
 - j. Promotion of Agency growth and development, including outreach efforts, economic development, and job creation opportunities.
 - k. Promotion of specific Agency community events provided by or sponsored by the Agency.



- l. Promotion of environmentally friendly, wastewater conveyance, treatment, and disposal within the Agency, regionally and statewide.
- m. Exchange programs with foreign officials and dignitaries.
- n. Promotion of Agency recognition, visibility, and/or profile on a local, state, national or international scale.
- o. Promotion of Agency services on a local, state, national or worldwide scale.
- p. Promotion of open government and/or community relations by Public Official appearances, participation and/or availability at business or community events.
- q. Sponsorship agreements involving private events where the Agency specifically seeks to enhance the Agency's reputation both locally and regionally by serving as hosts providing the necessary opportunities to meet and greet visitors, dignitaries, and residents.
- r. All written contracts where the Agency as a form of consideration has required that a certain number of tickets or suites be made available for its use.
- s. Employment retention programs.
- t. Special outreach programs for veterans, teachers, emergency services, medical personnel, and other civil service occupations.
- u. Encouraging or rewarding significant academic, athletic, or public service achievements by residents or businesses of the Agency service area.
- v. Charitable 501 (c)(3) fundraisers for the purpose of networking with other community and civic leaders.
- w. Promotion of and participation in intergovernmental relations and activities.
- x. Promoting, supporting, and/or showing appreciation for programs or services rendered by charitable and non-profit organizations benefiting Agency residents.
- y. Increasing public exposure to, and awareness of, the various recreational, cultural, and educational venues and facilities available to the public within the Agency's service area.
- z. Attracting or rewarding volunteer public service.
- aa. Attracting and retaining highly qualified employees in the Agency's service.
- bb. Recognizing or rewarding meritorious service by an Agency employee.
- cc. Promoting enhanced Agency employee performance or morale.
- dd. Recognizing contributions made to the Agency by former Governing Board members or Agency employees.
- ee. Spouses of Agency officials in order to accompany him or her to any of the events listed above.
- ff. Any purpose similar to above included in any Agency contract.



4. 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.
5. If the distribution is to an organization outside of the Agency, such distribution shall be done pursuant to a public purpose outlined in Item 3, above.
6. Subject to the provisions of this Policy, tickets obtained by the Agency pursuant to terms of a contract for use of public property because the Agency 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 Item 3, above.
7. Any ticket obtained pursuant to Item 6 above which is distributed to a Public Official, other than an elected official or member of the governing body of the Agency, political appointee, the General Manager, or department head, for the 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 Website Posting and Disclosure Requirements, below. For purposes of this subsection, "personal use" is defined as use limited to the Public Official, his or her family, or no more than one guest.

Website Posting and Disclosure Requirements

1. This Policy shall be posted on the Agency website in a prominent manner. The Agency shall, within 30 days of adoption or amendment, send to the FPPC by email a website link that displays the Policy.
2. Tickets distributed by the Agency to any Public Official which pursuant to this Policy the Public Official treats as income pursuant to Item 2, under the heading "Public Purpose For Which Tickets May Be Distributed" above, or, which are distributed for one or more public purposes described in Item 3, 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 the Agency must post these forms on its website and email a website link to the FPPC that displays the form.
3. Tickets distributed by the Agency for which the Agency receives reimbursement from the Public Official within 30 days of receipt as provided under this Policy, shall not be subject to the disclosure provisions of this section.
4. For tickets distributed to a department or other unit of the Agency, and not used by a member of the Governing Board, political appointee, a department head, or the General Manager, the Agency may report the name of the department or other unit of the Agency 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.
5. Tickets distributed pursuant to this Policy to an organization outside of the Agency, shall be disclosed in accordance with this section, but, may be done by reporting the name, address, description of the organization, and the number of tickets or passes provided to the organization in lieu of posting the names of each individual from the organization as otherwise required.



THIS PAGE LEFT INTENTIONALLY BLANK.

Reference: Resolution No. R. 05-2009, Resolution No. R. 10-2019	Last Board Adoption Date: 5/28/2025 Is Board Approval/Adoption Required? Yes
Policy Creation: 9/23/2009	New policy.
Policy Revision: 8/28/2019	Reason for Revision: Includes adopted regulations by the FPPC in 2008.
Policy Revision: 5/28/2025	Reason for Revision: Update per Cal. Code Regs., tit. 2, § 18944.1 and 18946.