

RESOLUTION NO. 14-201

A RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, APPROVING A COMPLIMENTARY TICKET POLICY, IN SUBSTANTIALLY THE FORM PROVIDED; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City of Doral (the "City") regularly receives complimentary tickets for local events from local businesses and organizations that have received some degree of sponsorship from the City and/or that seek to include City officials and personnel in the events; and

WHEREAS, the City Council desires to adopt a formal policy in and for the City that establishes a procedure on how to properly distribute complimentary tickets for local events.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, AS FOLLOWS:

Section 1. Recitals. The above recitals are confirmed, adopted, and incorporated herein and made a part hereof by this reference.

Section 2. Approval. The Complimentary Tickets Policy, in substantially the form provided in Exhibit "A", which is incorporated herein and made a part hereof, is hereby approved.

Section 3. Authorization. The City Manager is hereby authorized to implement and enforce the Complimentary Tickets Policy and to make such non-material changes to same, subject to approval as to form and legal sufficiency by the City Attorney, as may be needed to appropriate implement and enforce the Complimentary Ticket Policy.

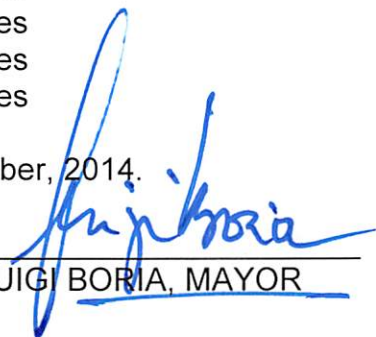
Section 4. Implementation. The City Manager and the City Attorney are hereby authorized to take such other action as may be necessary to implement the purpose and the provisions of this Resolution.

Section 5. Effective Date. This Resolution shall become effective immediately upon its adoption.

The foregoing Resolution was offered by Mayor Boria who moved its adoption. The motion was seconded by Councilmember Cabrera and upon being put to a vote, the vote was as follows:

Mayor Luigi Boria	Yes
Vice Mayor Sandra Ruiz	Yes
Councilman Pete Cabrera	Yes
Councilwoman Cristi Fraga	Yes
Councilwoman Ana Maria Rodriguez	Yes

PASSED AND ADOPTED this 10th day of December, 2014.



LUIGI BORIA, MAYOR

ATTEST:



BARBARA HERRERA, CITY CLERK

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY FOR THE SOLE USE OF
THE CITY OF DORAL.



WEISS, SEROTA, HELFMAN, COLE,
BIERMAN & POPOK, PL
CITY ATTORNEY

EXHIBIT “A”

CITY OF DORAL COMPLIMENTARY TICKET POLICY

SECTION I. APPLICATION OF POLICY

In order to establish a fair, equitable and transparent process for the distribution of its complimentary tickets, the City of Doral thus hereby establishes this Comprehensive Complimentary Ticket Policy. This policy shall apply to tickets or passes for admission to a facility, show, event or performance for an entertainment, recreational, amusement or similar purpose, which are provided to the City of Doral: (i) pursuant to the terms of a contract/agreement/lease for the use of public property within the City's boundaries; (ii) because the City of Doral controls the event; (iii) that is purchased by the City of Doral at fair market value; (iv) or otherwise received from an outside source and which are provided without charge by the City of Doral to personnel designated herein. Tickets or passes purchased at full face value or fair market value of the ticket, as appropriate, by the official using the tickets are not subject to this Policy.

SECTION II. PUBLIC PURPOSE

The distribution of any ticket by the City of Doral shall promote a public purpose, which purpose shall include those delineated in Exhibit "A".

SECTION III. DISTRIBUTION OF TICKETS

A. General Provisions

Distribution of tickets shall be in accordance with the public purposes stated in Section II above, and subject to the following:

1. Such tickets shall not be earmarked by the original donor for use by any particular recipient of tickets. Notwithstanding, any tickets provided to the City pursuant to a negotiated complimentary ticket program in a public benefits clause which delineates a specific deserving organization or group as the recipient of such tickets to the lease, contract or agreement with the City, may be provided by the City to that specifically identified deserving organization or group.
2. The City of Doral determines, in its sole discretion, which individual and/or entity shall receive the tickets, in accordance with the Distribution Process set forth below.
3. No person receiving tickets pursuant to this Policy shall sell or otherwise transfer any ticket, or receive any consideration for the value of any ticket. Nor may such ticket recipient use any ticket for political fundraising purposes. Notwithstanding the preceding, the City may sell any tickets received pursuant to the Policy (if resale is permitted by the donating entity) if the proceeds of such sale are intended for donation to programs and services

rendered by community and other nonprofit resources for the benefit of the community.

4. If a ticket recipient cannot use any ticket, that person must notify the City Manager's Office promptly and return the ticket to the City Manager's Office. Failure to do so may result in that recipient being ineligible to receive future tickets. Such returned tickets shall be distributed by the City Manager's Office to any of the persons/groups with the distribution categories.
5. All recipients of tickets must sign a form acknowledging the terms and conditions of the City of Doral's Comprehensive Complimentary Ticket Policy, as reflected in this Resolution.

B. Distribution Process

Tickets received by the City through a complimentary ticket program, or otherwise provided to the City for distribution, shall be distributed in accordance with established Administrative Guidelines set forth herein with the attached Exhibit B, as may be amended by the City Administration from time to time (amendments to be publicly noticed via "Letter to Council" which shall be posted on the City's website. Such guidelines shall ensure that the tickets distributed promote an established public purpose.

SECTION IV. DISCLOSURE REQUIREMENTS

A. City Disclosure

The City Manager's Office shall maintain a log detailing the distribution of City tickets pursuant to this Policy. The log detailing the distribution of tickets shall be posted by the City Manager's Office not less than once every quarter, on the City website. Such posting shall include the following information:

1. The name of the person receiving the tickets or passes, except that if the tickets or passes are distributed to a deserving organization and/or group, only the name, address and description of the deserving organization and/or group, and the number of tickets or passes provided to the deserving organization and/or group, may be posted in lieu of the names of the individuals from the deserving organization and/or group that received the tickets;
2. A description of the event;
3. The date of the event;
4. The face value of the tickets provided; and
5. The number of tickets provided.

B. Recipient Disclosure

1. City personnel (Elected Officials and Employees) receiving complimentary tickets shall disclose their receipt of tickets via the timely filing of the

applicable reports form to the appropriate agencies depending on the value of the tickets.

2. City personnel who distribute tickets to deserving organizations/groups are required to report such distributions on a form prepared by the City Manager's Office. Once completed, the form must be filed with the City Manager's Office to enable the City Manager's Office to prepare the Distribution Log referenced in the preceding section.
3. City personnel should note that tickets which are provided free of charge may have tax consequences for the recipient and may be reportable and taxable as regular income or as taxable fringe benefits to a recipient.

EXHIBIT A

ACCEPTABLE PUBLIC PURPOSE USES OF TICKETS

1. Economic development of the City, including the promotion/exposure to, marketing and awareness of tourism, nightlife, recreational, educational, and cultural facilities or attractions on City property or awareness of the City as a destination, economic asset or business opportunity.
2. Promoting or showing City appreciation for programs and services rendered by community and other nonprofit resources for the benefit of the community, including artistic and cultural organizations and institutions;
3. Advertisement and promotion of City-controlled or City-sponsored events, activities, or programs, public facilities and resources;
4. Monitoring and evaluation of City venues and the quality of performances therein (in particular, attendance at opening day events of the facility at City-owned venues), and/or monitoring and evaluation of the value of City-sponsored events and their compliance with City policies; agreements and other requirements in response to a documented complaint specifically addressed to the attendee;
5. Information gathering and education regarding matters of local, regional and statewide concern that affect the City including enhancing intergovernmental relations through attendance at events with or by officials from other jurisdictions;
6. Promoting, encouraging and rewarding educational and athletic achievements by students and officials of local and regional educational institutions;
7. Promotion of City recognitions, visibility and or profile on a local, state, national or worldwide scale, including exchange programs with national and foreign dignitaries, and as part of any marketing promotions with municipal marketing partners, or as may be required by contractual obligations with municipal marketing partners;
8. Attracting and retaining highly qualified employees in City service, including special recognition or reward of meritorious service by a City employee;
9. Performance of a ceremonial or official function on behalf of the City, not otherwise set forth above, including but not limited to the following:
 - a. Hosting leaders of community service organization, dignitaries from municipal, county, state and federal governmental entities; dignitaries and business leaders from other countries; youth groups, student leaders and recipient of awards; and/or elderly, disabled or low-income City residents
 - b. Hosting constituents as (a) a designated official appointed by the City Council, or (b) upon invitation of the event organizers or some other person or entity authorized to extend such invitation;
 - c. Hosting groups of employees being specifically recognized for job-related achievements;
 - d. Being officially recognized by sponsors of event in a printed program or other public announcement;
 - e. Performance of one of the following functions in one's official capacity as (a) a designated official appointed by the City Council or (b) an individual invited by the venue:
 1. Introducing organizers, participants or dignitaries;
 2. Recognizing the contributions of organizers or staff;
 3. Receiving or giving an award or other special recognition;
 4. Giving a speech;
 5. Greeting and welcoming attendees;
 6. Ribbon cutting;

7. Leading the pledge of allegiance or national anthem;
8. Acting as a Goodwill Ambassador, as designated by the City Council
9. Assess facility needs, proposed changes and constituent concerns in response to a documented complaint specifically addressed to the attendee.

NOTE: The mere passive, spectator attendance at an event will not be regarded as attendance in one's official capacity for a public purpose.

Exhibit "B"

ADMINISTRATIVE GUIDELINES FOR THE DISTRIBUTION OF COMPLIMENTARY TICKETS RECEIVED BY THE CITY OF DORAL

1. The following City Officials shall each be entitled to receive two tickets to a single performance/event for which tickets are provided to the City pursuant to a complimentary ticket program, or at any other time that the City may receive complimentary tickets for distribution.
 - Mayor and City Council
 - City Manager
 - City Attorney
2. The remaining tickets shall be distributed as follows:
 - a. Deserving Members of the Community
 - i. Staff shall endeavor to allocate at least 70% of the remaining tickets to this category.
 - ii. The City Manager shall create and advisory committee to establish a list of deserving organizations and/or groups eligible to receive tickets. Such advisory group shall meet no less than once each year to review the list of deserving organizations and/or groups eligible to receive tickets. Deserving organizations and/or groups on the list shall be eligible to receive, on a rotating basis, a maximum of four tickets to a single event. The list of deserving organizations and/or groups eligible to receive tickets shall include the following categories:
 - Nonprofit agencies serving residents of the City of Doral , for distribution to individuals served by the agency;
 - Local educational institutions for use by deserving students;
 - Senior citizens, disabled persons, and disadvantaged youth who: are residents of the City; do not have the financial ability to purchase tickets; and, participate in any City-sponsored program.
 - On an annual basis, the advisory committee's recommended list of deserving organizations and/or groups eligible to receive tickets shall be reported to the City Council.
 - iii. While it shall always be the priority of staff to allocate at Least 70 percent of all remaining tickets to deserving organizations and/or groups eligible to receive tickets, in the event that at least 70 percent of the remaining tickets cannot be allocated to deserving organizations and/or groups eligible to receive tickets, then they may be allocated to Others or to City Employees, as delineated below. In such case, staff shall

documents the reason why they could not be allocated to deserving organizations and/or groups.

b. Others

- i. Staff may allocated 15% of remaining tickets for this category
- ii. The City may create a “Special Incentive Award Program” for the purpose of distributing tickets to persons and/or entities that have made special contributions to the community, or to civic leaders, including visiting dignitaries. This Program shall have defined criteria, and such criteria such be provided to the City Council; or,
- iii. The City may provide the tickets to organizations that assist in promoting and marketing the City through a municipal marketing agreement with the City, to the extent that such use is permitted by the entity providing the tickets.
- iv. In the event that no tickets are distributed for either (ii) or (iii) above, these tickets may be distributed to deserving organizations and/or groups eligible to receive tickets pursuant to the criterial in Section 2.

c. City Employees

- i. City may allocate 15% of remaining tickets for this category.
- ii. The City Manager is authorized to create an “Employee Recognition Program” setting forth defines criteria for the award of tickets to exemplary City employees. This Program shall entitle each selected City employee with two tickets to an event for which the City has received complimentary tickets.
- iii. In the event that no City employees are provided or request tickets, these tickets may be distributed to deserving organizations and/or groups eligible to receive tickets pursuant to the criteria in Section 2.