



Orange County Government

Orange County
Administration Center
201 S Rosalind Ave.
Orlando, FL 32802-1393

Legislation Text

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Interoffice Memorandum

DATE: October 23, 2024

TO: Commissioner Nicole Wilson, District 1
Commissioner Christine Moore, District 2
Commissioner Mayra Uribe, District 3
Commissioner Maribel Gomez Cordero, District 4
Commissioner Emily Bonilla, District 5
Commissioner Michael "Mike" Scott, District 6

SUBJECT: Skybox Ticket Information and Distribution Process Internal Operating Procedures - Revised

ACTION REQUESTED:

Approval of the revised Skybox Ticket Information and Distribution Process Internal Operating Procedures.

PURPOSE: Following recent news stories about the Orange County Skybox ticket distribution process, I have conducted a thorough review of the County's internal operating procedures, along with the County Attorney's Office and the Comptroller's Office. The attached document incorporates the suggested revisions, all of which aim to ensure compliance and improve transparency in the ticket distribution process. The revisions include but are not limited to:

- Members of the Orange County Board of County Commissioners (BCC) shall not donate tickets to nonprofit entities or other entities in which a "Relative," as defined by F.S. 112.3135, is an officer, director, member, or principal of the nonprofit entity or other entities.
- If the BCC member is serving in their official capacity with specific duties or recognition during the event, they may receive a ticket for the event without cost to the member. It is expected that BCC members may act in their official capacity as ambassadors on behalf of the County for special events at Orlando venues, this does not include merely being a spectator.
- Board members and County employees are prohibited from obtaining free tickets from nonprofits that obtain County donated tickets for admittance to Orlando venues.
- On behalf of the County, the Mayor/Commissioners can only donate tickets to the same nonprofit organization twice per calendar year.
- Prior to the transfer of tickets, organizations will be verified through the IRS.gov website to ensure that the nonprofit's 501(c)(3) status has not been revoked. The updated procedures are intended to tighten the existing process and provide guidance to the Commission. Their purpose is to prevent any appearance of impropriety and ensure that the Skybox tickets, which are intended to uplift local nonprofit agencies are used for the overall benefit of the community.

Orange County Skybox Ticket Information and Distribution Internal Operating Procedures – Revised October 23, 2024

I. General Information

Through a provision in the Community Venues interlocal Agreement between Orange County Government and the City of Orlando, Orange County has a dedicated Skybox in the Kia Center and Camping World Stadium. The Mayor's Office coordinates the distribution of the tickets (some special events may be excluded).

Tickets for **non-professional sporting events/special events** become available at various times throughout the year and availability is typically communicated by the venues. Tickets are digital and usually become available for transfer within 30 days of the event. Generally, tickets are for concerts, amateur sports games, and other special events at the Kia Center. The Sixteen(16) tickets are traditionally divided as such:

- (4) tickets- Mayor's Office
- (2) tickets per district- Districts 1-6, (2 x 6 = 12)

Normally, the Mayor and Commissioners donate tickets to eligible nonprofit organizations 501(c)(3). Once the ticket distribution list has been given to the Mayor and Commissioners, it will be the responsibility of each respective office to track and report the use of the tickets. This process is initiated by sending an email request to the Skybox Liaison for ticket transfer with the following information:

- Name of the ticketed event
- Date of the ticketed event
- Name of the nonprofit organization 501(c)(3)
- Name of the officer who will be receiving the tickets on behalf of the 501(c)(3)
- Title of the officer
- Email address of the officer of the nonprofit organization 501(c)(3)
- 501(c)(3) Consumer's Certificate of Exemption
- Verify through IRS.gov website that the nonprofit's 501(c)(3) status has not been revoked.
- Office requesting the tickets (Mayor's Representative or Commissioner's Aide)

II. Related Parties and Other Restrictions

- Members of the Orange County Board of County Commissioners (BCC) shall not donate tickets to nonprofit entities or other entities in which a "Relative," as defined by F.S. 112.3135, is an officer, director, member, or principal of the nonprofit entity or other entities.
- Consistent with the anti-nepotism policies in Florida Statutes, "Relative" is defined as an individual who is related to the public official as father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother or half-sister.
- Board members and County employees are prohibited from obtaining free tickets from nonprofits that obtain County donated tickets for admittance to Orlando venues.

- If the BCC member is serving in their official capacity with specific duties or recognition during the event, they may receive a ticket for the event without cost to the member. It is expected that BCC members may act in their official capacity as ambassadors on behalf of the county for special events at Orlando venues. This does not include merely being a spectator. Entry to special events at Orlando venues should follow these established procedures to ensure transparency and accountability.
- On behalf of the County, the Mayor/Commissioner can only donate tickets to the same organization twice per calendar year. With thousands of IRS-tax-exempt nonprofit organizations in Orange County, Skybox tickets can help uplift an organization and provide an overall community benefit. The goal is to ensure that as many nonprofits as possible have access to the benefits of publicly owned venues.

III. Responsibilities

- Skybox Liaison:
 - Receives ticket requests and transfers tickets when available: to officer of nonprofit organization 501(c)(3).
 - Verify through IRS.gov website that the nonprofit's 501(c)(3) status has not been revoked.
 - Send notification to the Mayor's Representative or Commissioner's Office when tickets have been transferred.
 - Send monthly report to Comptroller's Office.
- Mayor and Commissioner representative:
 - Primary point of contact with nonprofit organizations 501(c)(3)
 - Responsible for all donations and communications with the nonprofit organization.
 - Request and provide tickets for transfer, provide the necessary information for the transfer, and contact the nonprofit organization once the transfer has been completed.
 - Prepare vouchers and certificates (to be sent to the 501(c)(3) organization) - see examples.
 - Mayor and Commissioner's representative will be responsible for tracking and reporting personal use of tickets by providing the Ticket Usage Report form to the Skybox Liaison (see attached example).

IV. Who is allowed to accept tickets - Officer of the Nonprofit Organization

A nonprofit's officers include its president, vice president, secretary, treasurer, executive director, and chief executive officer (CEO). These officers may accept donated tickets, etc.

For an employee of Orange County to receive Skybox Tickets on behalf of a nonprofit organization 501(c)(3), the following information must be received before the transfer of tickets:

- o The agent of the nonprofit must be listed in the Articles of Incorporation or another official document, such as the by-laws, stating the names and positions of the Officers.
- o A memo stating they can accept tickets on behalf of the organization on letterhead signed by an organization officer.

The documentation ensures that a County employee facilitating the transfer of tickets to a 501(c)(3) organization will not be personally charged with a fringe benefit tax on their paycheck.

V. Ticket Usage Report - (personal use of tickets by Orange County employees):

On a limited basis with approval of the Mayor, tickets may be used for personal use by county employees. A request must be made similar to a 501(c)(3), organization request. A completed Ticket Usage Report (TUR) form must be completed and returned to the Skybox Liaison within two weeks of the event for the Comptroller's report.

Personal Use - is handled as non-cash income to the listed employee because the County's Skybox tickets are not for sale to the general public. The user agrees to pay taxes on the value of the ticket(s). **The value of the tickets will be based on fair market value as currently determined by the venue.** Taxes are calculated using the IRS supplemental tax rate for fringe benefits (currently at 22%). For example - if the value of the ticket is \$100, \$22.00 in federal income tax and \$7.65 in Social Security/Medicare tax is withheld for a total of \$29.65 from a paycheck after the event. Not completing the TUR form in a timely manner will result in non-cash income being reported to the listed employee. Once tickets have been accepted for use by a county employee, used and unused tickets will be reported as non-cash income to the listed employee.

VI. Redemption Voucher and Certificates:

Redemption voucher - is a document that is given to the nonprofit organization for its event, auction, raffle, etc. The voucher provides instructions on how to redeem the tickets.

- The documentation should include the contact information of:
 - o nonprofit organization
 - o the officer accepting the tickets, or
 - o the Mayor/Commissioner's Office representative

Certificate - is a document that is used in place of the actual tickets. The certificate is provided to the nonprofit organization prior to the event and given to the awardee. The certificate will include the event name and date (food, beverage and parking are not included with the tickets). See attached examples.

VII. Seasonal "Professional" Sports Ticket Process

The seasonal sports tickets are provided to Orange County Government by the Kia Center for the Solar Bears and Orlando Magic games. The tickets cover the entire season for both. As historically customary, the entire box of 16 seats/tickets will be made available for distribution per game. These tickets may be made available to nonprofits selected by members of the Board of County Commissioners on a rotational basis. The donor of the tickets is Orange County Government.

The current process of distributing game tickets is as follows:

- Tickets will be distributed using a lottery type system
 - The games will be printed out on a piece of paper with dates, folded, and placed in a box.
 - A short meeting will be requested with a representative from the Mayor's Office and each District Office.
 - At the meeting, each representative will draw a piece of paper and write Mayor or District's office on the back and return to the box after all pieces have been drawn.
 - In the event of an odd number of games, the Mayor's Office will receive the extra games.
 - After the meeting, the Skybox Liaison will complete the Excel spreadsheet listing the Mayor and/or District Offices designated for selected games and provide the offices with an updated spreadsheet.
- Information needed for each ticket transfer:
 - Name of the ticketed event
 - Date of ticketed event
 - Name of nonprofit organization 501(c)(3)
 - Name of the officer who will be receiving the tickets on behalf of the 501(c)(3)
 - Title of officer
 - Email address of officer of the nonprofit organization 501(c)(3)
 - 501(c)(3) Consumer's Certificate of Exemption
 - Verify through IRS.gov website that the nonprofit's 501(c)(3) status has not been revoked.
 - Requested by (Mayor's Office or Commissioner Aide)
- Mayor/Commissioner's Office representative responsible for the transfer of tickets will notify the Skybox Liaison within 30 days of a ticketed event. If a request has not been made within five business days of a ticketed event, the tickets will be placed in a "Ticket Bank" to be designated for use by other offices.
- An email will be sent out to the Mayor's/Commissioner's Office regarding any unused tickets.
- A request must be submitted within two business days of a ticketed event, or the tickets will remain unused.
 - Requests for the same day of the event **will not** be processed.
- Tickets will then be transferred to the officer of the nonprofit organization, who will receive the tickets on behalf of the awardee or to an employee for personal use.
- Mayor/Commissioner's Office representative will be responsible for tracking and reporting personal use of tickets by providing the Ticket Usage Report form to the Skybox Liaison.

VIII. Special Event Ticket Process

Special events are defined as unique, one-time special concerts or events and are divided between the Mayor/Commissioner Offices per Section I. General Information. The following is the process for distribution of special event tickets:

- A calendar with all upcoming events will be prepared and provided to the Mayor/Commissioner's Office Representative.
- Information needed for each ticket transfer request:
 - Name of ticketed event
 - Date of ticketed event
 - Name of nonprofit organization 501(c)(3)
 - Name of officer who will be receiving the tickets on behalf of the 501(c)(3)
 - Title of officer
 - Email address of officer of the nonprofit organization 501(c)(3)
 - 501(c)(3) Consumer's Certificate of Exemption
 - Verify through IRS.gov website that the nonprofit's 501(c)(3) status has not been revoked.
- Mayor's Office/Commissioner representative responsible for the transfer of tickets will notify the Skybox Liaison within 30 days of a ticketed event. If a request has not been made within five business days of a ticketed event, the tickets will be placed in a "Ticket Bank" to be used by other offices.
- An email will be sent out to the Mayor's Office and Commissioner Aides regarding any unused tickets.
- A request must be submitted within two business day of a ticketed event, or the tickets will remain unused.
 - Request for same day of event **will not** be processed.
- Tickets will then be transferred to the officer of the nonprofit organization, who will receive the tickets on behalf of the awardee or to employee for personal use.
- Mayor's Office/Commissioner representative will be responsible for tracking and reporting personal use of tickets by providing the Ticket Usage Report form to the Skybox Liaison.

Certificate Example



Donated by

ORANGE COUNTY GOVERNMENT

Event: **GOLD OVER AMERICA
TOUR WITH SIMONE
BILES**

Date: **October 12, 2024**

Details: **4 Tickets**

Food, Beverage, and Parking are not included with tickets.

Voucher Example

REDEMPTION VOUCHER DONATED
BY Orange County Government

Event: Gold Over America Tour
Date and Time: October 12, 2024
Recipient Name: PAL
No. of Tickets: 4
Ticket Value: \$ 75.00 (each)

Instructions for Voucher Use:

1. Tickets are digital and are not available until approximately 30 days prior to the event.
2. Tickets are transferred from the Orange County Government account to the 501(c)(3) nonprofit organization's email.
3. Please contact the 501(c)(3) nonprofit organization to request the transfer of tickets for redemption.
4. Recipient must accept tickets using the ticketmaster.com email address provided.
5. There will be no refund for unused/used tickets in part or full.
6. This voucher has no monetary value and will expire after the event date.

Rules and Regulations:

THIS REDEMPTION VOUCHER IS NON-TRANSFERABLE, NON-REFUNDABLE AND VOID IF ALTERED. THIS VOUCHER MAY NOT BE COPIED, RESOLD OR DUPLICATED AND MAY ONLY BE USED ONCE.

1. Mobile device is required to show valid tickets. No hard copy ticket will be accepted.
2. As an Orange County Skybox guest, you are required to comply with safety rules and regulations of the event venue.
3. Food, beverage, and parking are not included.
4. Unauthorized or unlawful resale or attempted resale is prohibited.
5. This voucher cannot be replaced if lost, stolen or destroyed and is valid only for the event and date for which it is valid.
6. Event dates and times are subject to change without prior notice.

TICKET USAGE REPORT

TICKET RECIPIENT: _____ EMPLOYEE#: _____

EVENT NAME: _____ DATE: _____

NUMBER OF TICKETS: _____ AT \$ _____ PER TICKET

Ticket User Name(s) (also list any unused tickets) Relationship with the Ticket Recipient

1.	1.
2.	2.
3.	3.
4.	4.
5.	5.
6.	6.
7.	7.
8.	8.
9.	9.
10.	10.
11.	11.
12.	12.

SIGNATURE

DATE

Complete this form and return to Skybox Liaison, via email: skyboxtickets@ocfl.net within one week after the event. PERSONAL USE is handled as non-cash income to the listed recipient; user agrees to pay taxes on the value of the ticket(s). Non-filing in a timely manner will result in non-cash income being reported to listed recipient. Unused tickets will be reported as non-cash income to listed recipient.