

Sec. 9.05.009 Financial disclosure

(a) Disclosure deadlines for city officials and candidates.

(1) Existing city officials. "City official" means the mayor, every member of the city council, the city manager, the city attorney, the city secretary, the director of planning and community development (if any), the director of public works (if any), the director of finance (if any), the city engineer, and persons acting in the capacity of the aforementioned officers or employees. No later than April 30th of each year, or thirty (30) calendar days after notice of such requirement is mailed by the city secretary, whichever date is later, each city official shall file a sworn financial disclosure statement with the city secretary in a form prepared by the city secretary reflecting the financial situation of the city official as of December 31 of the previous year.

(2) New city officials. A newly employed, elected, or appointed city official shall file a sworn financial disclosure statement with the city secretary in a form prepared by the city secretary within thirty (30) days from the date the position with the city is assumed. Said statement shall reflect the financial situation as of the date of employment, election, or appointment and for the previous twelve months, provided, however, such city official shall not be required to include in such statement the requirements of subsection (b)(7) of this section.

(3) Candidates. Each candidate shall file a sworn financial disclosure statement with the city secretary within fifteen (15) days of filing for office, reflecting the financial situation of the candidate as of December 31 of the year previous to the election date.

(b) Use of financial disclosure reporting form. Each person required to file a financial disclosure statement shall do so on a form supplied by the city which shall include the following information:

(1) The person's name, residence address, business address (if any), telephone number, name of all immediate family members, i.e., husband or wife, children, father, mother, brothers or sisters, and all names or titles under which the person or family member does business.

(2) Identification by street address and legal description of all real property located within the city or its extraterritorial jurisdiction in which the person has a substantial interest.

(3) Identification of each business entity owning property or doing business within the city or its extraterritorial jurisdiction in which the person has a substantial interest.

(4) Identification of each person or business entity to whom the person or family member owed a debt of ten thousand dollars (\$10,000.00) or more during the reporting period, but not including debts owed to persons related within the second degree of consanguinity or affinity and excluding loans to a political campaign which were reported as required by law; if repaid during the reporting period, the date of repayment shall be stated.

(5) Identification of each source of income amounting to ten (10) percent or more of the person's or family member's gross annual income as defined by the United States Internal Revenue Code.

(6) Identification of the donor of each gift of more than two hundred dollars (\$200.00) in value received by the person or family member, including the value of the gift, where such donor has appeared before and requested action of the city council during the reporting period.

(7) Identification of all individuals or business entities that:

(A) He or she, or a business entity in which he or she has substantial interest has had business dealings involving one or more transactions of five hundred dollars (\$500.00) or more each quarter, or for a total of twenty-five hundred dollars (\$2,500.00) or more within the immediately preceding 12-month period; and

(B) Have appeared before and requested action of the city council during the reporting period.

(8) Identification shall also be required of all individuals who have an ownership interest of twenty-five percent (25%) or more in a business entity as described in subsection (7)(A) above and who appears before and requests some action on the part of the city council, even though the action does not concern such business entity.

(c) Retention of financial disclosure statements. The city secretary shall log and maintain all financial disclosure statements required to be filed herein as public records and retain them for a period of three (3) years after which statements shall either be returned to the person filing them or be destroyed.

(d) Immediate public identification by public servants.

(1) All public servants of the city shall immediately publicly identify, either verbally at an open meeting or in writing, all individuals or business entities that:

(A) He or she, or a business entity in which he or she has a substantial interest which has had business dealings involving one or more transactions of five hundred dollars (\$500.00) or more each quarter, or for a total of twenty-five hundred dollars (\$2,500.00) or more within the immediately preceding twelve (12) month period; and

(B) Have appeared before and requested action of the city council during the reporting period.

(2) Such immediate identification shall also be required of all individuals who have an ownership interest of twenty-five percent (25%) or more in a business entity as described in subsection (1)(A) above and who appear and request action by the city council, even though the action does not concern such business entity. Such identification shall be made prior to any decision or determination of the matter or immediately upon discovery of such business dealings.

(e) Planning and zoning commission members. Within thirty (30) days of being appointed to the planning and zoning commission and on each anniversary of that date, each member of such commission shall file with the city secretary a sworn statement identifying by street address and legal description all real property located within the city or its extraterritorial jurisdiction in which the member has a substantial interest.

(f) Disclosure by persons appearing before a city body. Any person who appears before any city body who

has had business dealings within the preceding twelve (12) month period involving one or more transactions of five hundred dollars (\$500.00) or more each quarter, or for a total of twenty-five hundred dollars (\$2,500.00) or more, within the preceding 12-month period with a council member, commissioner, or business entity in which a council member or commissioner has a substantial interest, shall disclose such business dealings at the time of the appearance. Any person who shall intentionally or knowingly fail to make the aforesaid disclosure shall be guilty of a misdemeanor and shall be fined in accordance with this article.

(Ordinance 16-006-00, art. 8, adopted 1/7/16)