

**CITY OF XENIA  
FINANCIAL DISCLOSURE POLICY**

This policy shall apply to all elected officials, appointed officials, department heads, division heads, and other City employees who have the authority to make or approve purchases or contracts and where the official/employee's family members or the official/employee's business associates may have a direct or indirect financial interest in any purchase or contract made with public money. Such financial interests and the nature and extent thereof should be disclosed to the City. The purpose of such disclosure is to increase confidence in government and openness by: (1) Assisting Xenia's public servants in identifying potential conflicts of interest; and (2) Allowing citizens to become aware of the financial interests of the officials and employees who serve them.

There are two primary ways that conflicts of interest can occur. One is when a public servant accepts things like expensive gifts or money from an improper source. The second common conflict of interest occurs when a public official or employee takes official action or makes decisions in matters that definitely and directly affect themselves, their family members or their business associates. While having a conflict of interest is not illegal, the public official's or employee's response to the conflict of interest could result in an ethics violation or a violation of Ohio law. **The purpose of this Policy is to assist City officials and employees in identifying potential conflicts of interest so that they may respond properly to the conflicts.**

City officials and employees should remain vigilant for potential conflicts of interest, and should be aware of the Ohio Ethics Law conflict of interest restrictions, including (but not limited to):

- Use of Authority or Position to Secure Benefit – Public officials and employees are prohibited from using or authorizing the use of their public positions to get a benefit, or to avoid a detriment, for themselves or for anyone else with whom they are closely connected [ORC 102.03(D)].
- Soliciting or Accepting Things of Value – Public officials and employees are prohibited from soliciting or accepting things of value (i.e., gifts, meals, tickets, etc.) that could have a substantial and improper influence on the official or employee [ORC 102.3(E)].
- Public Contract Law – Public officials and employees are prohibited from: (a) authorizing a public contract in which he/she, a family member or a business associate has an interest; (b) authorizing the investment of public funds in which a family member or business associate has an interest or from which a family member or business associate receives a fee; (c) profiting from a public contract authorized by the official or a board on which he/she sits, unless the contract was competitively bid; and (d) have an interest in a public contract of any public agency with which he/she is connected [ORC 2921.42(A)(1) – (A)(4)].
- Nepotism – Public officials and employees are prohibited from hiring family members or using their positions in any way to secure employment with the City for a family member [ORC 2921.42(A)(1)].

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For the purposes of this Policy, the following definitions apply:

- “Anything of Value” includes: money, goods, checks, real estate interests, the promise of future employment, and “every other thing of value.”
  
- “Business Associate” includes any individuals, companies, or organizations with which the City official or employee is acting together to pursue a common business purpose. Examples of “business associate” include partners in a partnership, co-owners of a business, an outside employer, or co-members of an LLC.
  
- “Family Member” blood or marriage and who reside in the same household as the employee or official includes: spouse, parents, grandparents, children of any age, grandchildren, siblings, nephews, nieces, uncles, aunts, brother- or sister-in-law, sons- or daughters-in-law or parents-in-law.
  
- “Financial Interest” includes: anything of value, whether or not the value is readily ascertainable or any financial benefit. Examples of “Financial Interest” include income, gifts, investments, debts, and ownership and leasehold interests in real property.
  
- “Income” includes: compensation for services (such as salary), interest, rent, and pensions. Income also includes any income received by another person for your benefit. For example, if you are a beneficiary of a trust, the trust earns income for your benefit.
  
- “Public Contract” includes: the purchase of services (including employment), goods, supplies or equipment, and includes grants or loans of money. Any purchase made with public money is a public contract.

**CITY OF XENIA FINANCIAL DISCLOSURE STATEMENT**

NAME: \_\_\_\_\_

TITLE: \_\_\_\_\_

DEPARTMENT/DIVISION: \_\_\_\_\_

- 1. To the best of your knowledge, do you or any of your business associates have a financial interest in any business, corporation or entity that has a public contract with, that is doing business with or seeking to do business with the City of Xenia?  Yes  No

*If you answered yes, above, complete the following section. Name all relevant entities:*

Name of Entity: \_\_\_\_\_

Name of Entity: \_\_\_\_\_

Name of Entity: \_\_\_\_\_

- 2. To the best of your knowledge, do you or any of your business associates receive income or interest and dividends from any person or entity (including outside employers) whom you know or have reason to know that person or entity is doing business with or seeking to do business with the City of Xenia?  Yes  No

*If you answered yes, above, complete the following section. Name all relevant entities:*

Name of Entity: \_\_\_\_\_

Name of Entity: \_\_\_\_\_

Name of Entity: \_\_\_\_\_

- 3. To the best of your knowledge, do any of your family members work for, have a financial interest in, or receive income from any person, corporation or entity that has a public contract with, that is doing business with, or that is seeking to do business with the City of Xenia?  Yes  No

*If you answered yes, above, complete the following section. Name all relevant entities:*

Name of Entity: \_\_\_\_\_

Name of Entity: \_\_\_\_\_

Name of Entity: \_\_\_\_\_

4. To the best of your knowledge, do any of your family members work for the City of Xenia?

Yes  No

*If you answered yes, above, complete the following section:*

Name of Family Member: \_\_\_\_\_

Department/Division: \_\_\_\_\_

5. To the best of your knowledge, did you receive in 2020, or did any other person receive for your use and benefit, any single gift valued at over \$75 from any person who was not a family member or personal friend or from any entity, corporation or business?  Yes  No

*If you answered yes, above, complete the following section:*

Source of Gift: \_\_\_\_\_ Value of Gift: \_\_\_\_\_

Source of Gift: \_\_\_\_\_ Value of Gift: \_\_\_\_\_

Source of Gift: \_\_\_\_\_ Value of Gift: \_\_\_\_\_

6. To the best of your knowledge, did you receive in 2020, or did any other person receive for your use and benefit, multiple gifts with a total value of over \$75 from any person who was not a family member or personal friend or from any entity, corporation or business?  Yes  No

*If you answered yes, above, complete the following section:*

Source of Gift: \_\_\_\_\_ Value of Gift: \_\_\_\_\_

Source of Gift: \_\_\_\_\_ Value of Gift: \_\_\_\_\_

Source of Gift: \_\_\_\_\_ Value of Gift: \_\_\_\_\_

I, the undersigned, hereby affirm that the information provided above is true and correct to the best of my knowledge. I understand that I am responsible for filing a revised disclosure any time my interests or those of my relatives or business associates changes so that any question to which I have answered "No" above should be answered "Yes." I further understand that it is my responsibility to ascertain whether a conflict of interest exists for me and to assure that I respond to such conflict in a proper matter. When in doubt, I acknowledge that it is my responsibility to contact my Division Head, Department Head, City Manager, Law Director or the Ohio Ethics Commission, as appropriate, to seek guidance on any potential conflict of interest that may exist.

Date: \_\_\_\_\_

\_\_\_\_\_  
Signature