



POLICY: CONFLICT OF INTEREST DISCLOSURE POLICY

ORIGINAL ADOPTION: 02/12/2019

REFERENCE NO. FIN-013

REVIEWED/UPDATED: TBD

PURPOSE

To prescribe the policies and procedures for ensuring compliance with Minnesota Statutes with regards to conflicts of interest.

AUTHORITY

Conflicts of interest exist, if at all, because of either a statutory or common law prohibition.

Statutory

Minnesota Statutes, Section 471.87 makes it a conflict of interest for any “public officer” who is authorized to take part in any “sale, lease, or contract” to have any interest in or benefit financially from the “sale, lease, or contract”.

Common Law

Common law conflicts relate to situations that do not involve a sale, lease, or contract. The common law rule, subject to qualifications, is that an official should not participate or vote on a matter if the vote will directly advance a financial interest of the official.

Note: A vote which would have the opposite effect is not subject to conflict analysis.

POLICY AND PROCEDURES

No employee, officer, Board member, or agent of the City of Mound or Mound Housing and Redevelopment Authority (HRA) shall participate directly or indirectly in the *selection, award, or administration* of any contract if a conflict of interest, ***either real or apparent***, would be involved. This type of conflict would be when one of the person listed below has a financial or any other type of interest in a firm competing for the award:

- A. An employee, officer, Board member, or agent involved in making the award,
- B. Their relative (including 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),
- C. Their partner, or
- D. An organization that employs or is negotiating to employ, or has an arrangement concerning prospective employment of any of the above.

Officers, employees, Board members, and agents are required to disclose any potential conflicts of interest and abide by the requirements as set forth in Minnesota Statutes 469.009, 471.87, 471.88, and 471.89.

Note: Non-decision making employees may not do business with the City that is not part of their regular duties/payroll compensation. Election judges are excluded because they are governed by State Statute.

In order to ensure compliance with these laws, the following actions will be taken by the Finance Director of the city and provided to the external auditor of the city:

1. Prior to the end of each fiscal year on December 31st, all supervisors and councilmembers shall complete and submit an updated Conflict of Interest Disclosure form.
2. Upon hire of non-supervisory employees, appointment of new commissioners or upon entering into or renewing professional services contracts with the City of Mound or the Mound HRA, employees, appointed commissioners and professional consultants shall complete and submit a Conflict of Interest Disclosure form.

CONFLICT OF INTEREST DISCLOSURE FORM

Per Minnesota Statute 471-87, a public officer who is authorized to take part in any manner in making any sale, lease, or contract in official capacity, shall not voluntarily have a personal financial interest, directly or through their spouse, in that sale, lease, contract or personally benefit financially therefrom.

To document compliance with this statute, the following information is being requested:

Name: _____

Principal Place of Business(es): _____

Spouse's Name: _____

Spouse's Principal Place of Business(es): _____

I hereby certify that for the 20__ year, I have / have not (circle one) had a financial interest in the sale, lease, or contract of the City of Mound not have I personally benefited from any such transaction.

By: _____

Title: _____

Date: _____

If you have had a financial interest in the sale, lease, or contract with the City of Mound, please describe below.
