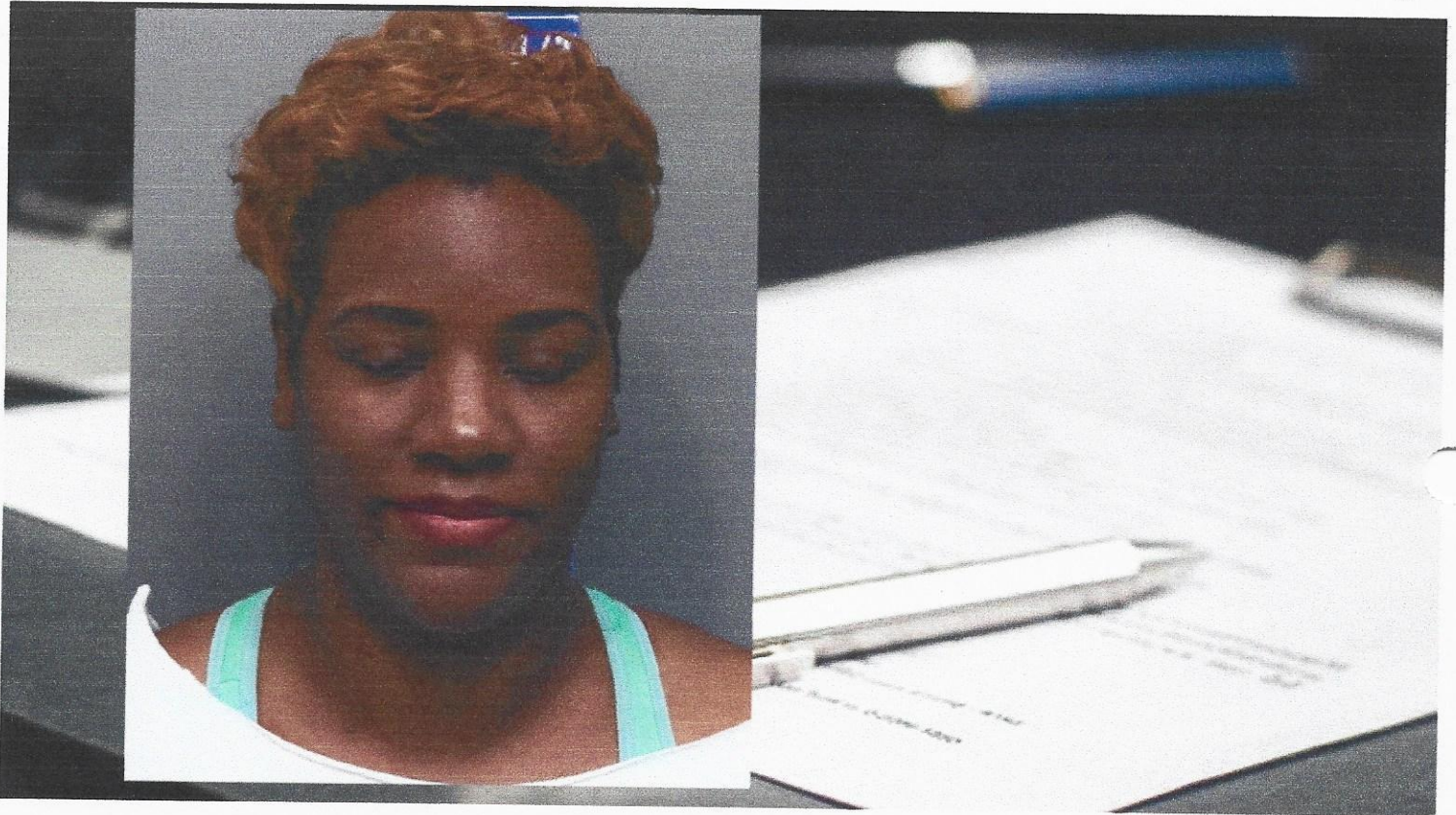


Search Site

Grand jury indicts former Chattanooga outreach coordinator on misconduct charges

by WTVC

Tue, May 10th 2022, 9:50 AM EDT



Images: Hamilton Co. Jail / Getty Images file photo.

CHATTANOOGA, Tenn. — A grand jury in Hamilton County has indicted the former outreach coordinator of the City of Chattanooga on charges she did not disclose that she gave her mother a city contract.

City of Chattanooga spokesman Ellis Smith confirmed for us on Monday that Yolanda Denise Johnson is no longer employed by the city.

The grand jury indictment says Johnson did not notify the city attorney that she had a conflict of interest with a contract that she awarded to her mother.

This happened between May 28th and September 22nd, 2020, according to the indictment.

A

W

F

H

Co

5



Video from our partners

Brought to you by Taboola

The indictment also says Johnson processed invoices for less than \$25,000 without utilizing the competitive bid process.

As outreach coordinator, Johnson supervised 17 city employees.

We obtained an audit conducted by City Auditor Stan Sewell. (Read it below).

It contains a letter written by Johnson explaining her actions.

Johnson writes, "Although my decision may appear unethical as noted- my intentions were pure and I had no knowledge of the magnitude of what codes I were [sic] violating."

She then says, "I plan to grow from here."

Below, read the audit and the letter:

[Mm t Memo 20201113 Redacted by Dan Lehr on Scribd](#)



OFFICE OF INTERNAL AUDIT

Stan Sewell, City Auditor

MEMORANDUM

To: Lurone Jennings, YFD Administrator
From: Stan Sewell, City Auditor
Date: November 13, 2020
Re: Millennium Media Takes Update

Digitally signed by Stan Sewell
DN: cn=Stan Sewell, o=City of Chattanooga,
ou=Office of Internal Audit,
email=ssewell@chattanooga.gov, c=US
Date: 2020.11.13 15:46:29 -05'00'

On November 4, 2020, we issued a memorandum regarding Millennium Media Takes (copy attached). Subsequent to the issuance of our memorandum, we received the attached document verifying Ida Walker is Yolanda Johnson's mother. This document was received by us and provided to you (via email) a few hours after our original memorandum was distributed. At the request of the City's Chief Human Resources Officer, we are providing this update to supplement Human Resources' file.

Additionally, we have reviewed the (undated) letter from Ms. Johnson you provided me this afternoon (copy attached). We did not note much specificity in the letter that would result in a need to comment. However, we would point out Ms. Johnson's statements in the last paragraph of the first page are misleading considering she was conducting business with MMT prior to the Purchasing Division flagging requisitions for a competitive bid process (i.e. she was processing invoices for less than \$25,000 without utilizing the competitive bid process). Also, there was a bid significantly lower than the MMT bid that was withdrawn or removed due to the ambiguous air time requirement.

In the first full paragraph on the second page of her letter, Ms. Johnson states she did not have knowledge of the magnitude of her code violations. However, during our interviews with Ms. Johnson, she was adamant she was not related to Ida Walker in any way. She also denied she had met Ida Walker prior to doing business with MMT this year. Clearly, she was sufficiently aware of the magnitude of her violations to cause her to make multiple misstatements in an effort to cover-up what she had done and was doing.

The issues discussed in this memorandum are not the result of an audit performed in accordance with generally accepted government auditing standards. Had we performed such an audit, additional issues might have been reported.

Attachments



MISSISSIPPI STATE DEPARTMENT OF HEALTH

November 4, 2020

Det. Larry Lockmiller, #834
Chattanooga Police Dept
Chattanooga, TN 37406
Fax (423)643-5064

Dear Detective Lockmiller,

This is to verify that we do have a Birth Certificate on a Yolanda (Russell) Johnson
Showing her mother as Ida LaPearl Russell

Yolanda (Russell) Johnson

DOB [REDACTED]
SS# XXX-XX-0995
BC# 1979-18507

If we can be of further assistance, please give me a call.

Sincerely,

A handwritten signature in cursive script that reads "Kim Mahaney".

Kim Mahaney, Special Projects Officer, IV
MSDH-Vital Records & Health Statistics
601-206-8266

Judy Moulder, Director, Vital Records & Statistics
Post Office Box 1700 • Jackson, Mississippi 39215-1700
601-206-8200 • Fax 601-206-8272 • www.HealthyMS.com

Equal Opportunity In Employment/Services

Greetings,

I would like to start by saying I appreciate you all for taking the time to read my response to the allegations listed on the Notice of Loudermill Hearing. I hope you will see my heart through my response verse any mistakes I've made.

I have served the citizens of Chattanooga, at this capacity, for over 3 years as the Outreach Coordinator for the Office of Family Empowerment which this position is a little over a year and a half old. This position requires innovative skills, enthusiasm, creativity, and stepping outside of the norm to produce results. During my tenure I've exercised every ability to produce results which has helped aid the community and position us as a whole as the hub of the city. Through my capabilities outreach has been able to make record breaking impact throughout Hamilton county. Outreach has been able to reach since October 1, 2019- September 30, 2020 over 1800 households and since October 1, 2020-current outreach has reached almost 500 households. Due to strict COVID-19 regulations a lot of these results have been initiated through social media and radio promos.

Section IX L & IX O of the EIG

Please allow me to bring clarity to my intentions of this project. COVID-19 has impacted the way we do business, not only as a city but as a country. In most cases business as usual just isn't a thing anymore. During this time businesses across the world are revisiting policies to accommodate our new norm. It is essential for today's new norm. With this being said, I would like for it to be noted that my intentions were to secure a well planned project for the division I represent as well as the department. Since I took the position it was my goal and my full intention to help produce results that we weren't getting previously. With my experience in social services, I knew that it would require stepping outside of the normal box due to current circumstances. Through the tryanny, hurting families impacted by COVID-19, and intense pressure from every angle we wanted to ensure quality work which would produce great results. Through much research and under normal circumstances despite COVID-19 commercials are expensive. An average corporation spends over 100k per month on marketing and advertising. I knew that a budget for our division wasn't enough to suffice the quality of work that we needed to help spend millions of dollars that's alloted for Hamilton county families. It has been proven that we need to do more in hopes of spending the money that's awarded to our division and my intentions were to only help produce results not a self-fulfilled profit. In this case with the allowed budget it's inevitable.

City Code Sec. 2-753 & 2-754 & 2-757

The project that our division saught was a commercial, radio and social media promos which were properly administered through purchasing competitve sealed bidding process. The highest bid was around \$135,000 and the lowest approximately \$38,000. This process is solely administered through purchasing. There wasn't any influence that I used outside of purchasing normal practices. Once a decision is made it is recommended through purchasing that the

department proceeds with the lowest bid. Being the circumstances, again, my goal was to ensure quality at the most competitive price. Please see email correspondence from purchasing buyer Jamie Shelton to yfdpurchasing email pertaining to the bid.

TCA 39-16-402

Although I do acknowledge there may have been some conflict of interest, my intentions were not to exude mistrust nor misconduct but help provide quality service at a competitive affordable price for the community. I would like to apologize for the scrutiny that my decision-making has caused. I am a hard-working citizen who loves our community and despite what it looks like, it is my nature to go above and beyond to make things happen. I do take responsibility for my actions and judgement. Although my decision may appear unethical as noted- my intentions were pure and I had no knowledge of the magnitude of what codes I were violating. During this last month I've gained a better understanding of some areas I went wrong and what I could've done differently. I plan to grow from here.

Nevertheless, my hardwork and dedication serving the City of Chattanooga and the families in the community outways any bad judgement call. This is my calling and where I've exuded all of my passion and time outside of my family. I'm asking, as you make a decision regarding my future please keep in mind the love and dedication I've shared with the City of Chattanooga and families in the community. Serving the families in Hamilton county will always be where my heart and passion lies.

I'm grateful and will always cherish the opportunity that I've been given to serve the citizens of Hamilton county.

Yolanda Johnson



OFFICE OF INTERNAL AUDIT

Stan Sewell, City Auditor

1001 Lindsay Street • Chattanooga, Tennessee 37402

(423) 643-6202 • FAX: (423) 643-6204 • EMAIL: ssewell@chattanooga.gov

MEMORANDUM

To: Lurone Jennings, YFD Administrator From: Stan Sewell, City Auditor Date: November 4, 2020
Re: Millennium Media Takes

BACKGROUND

On October 1, 2020, a Regions Bank fraud investigator contacted the Office of Internal Audit (OIA) to inquire about several checks deposited into a bank account owned by Millennium Media Takes (MMT) purportedly issued by the City. After being contacted by Regions, we conducted a public records search and reviewed documentation related to payments made by the City to MMT. We reviewed an invoice from MMT and identified an individual named Ida Walker as the primary contact and owner of MMT. A public records search identified Yolanda Johnson as a potential relative of Ida Walker. Yolanda Johnson is employed by the City and was directly involved in the procurement process and the processing of invoice payments for MMT.

SUMMARY OF FINDINGS

Public Record Search

We conducted a public records search for Millennium Media Takes and there were no hits, raising suspicion that MMT is not a legitimate company. We also conducted Google searches and found no company with the name matching "Millennium Media Takes".

1

The company was set up as a vendor with the City using a PO Box as the address. The address is PO Box 28494, Chattanooga, TN 37424. A public records search for Yolanda Johnson revealed that she is also associated with the same PO Box. During an interview on October 5, 2020, we asked Ms. Johnson if she had ever accessed this PO Box. Curiously, Ms. Johnson stated she checked MMT's PO Box when the last check from the City was issued because MMT's owner (Ida Walker) asked her to do so while she was out of town. Later during this same interview, we disclosed there were records linking Ms. Johnson to this PO Box. After that, Ms. Johnson acknowledged this had been her PO Box and she gave it to Ms. Walker "so that she could use it to receive her money there."

1

We searched the proper spelling of "Millennium Media Takes" as presented on invoices. We also searched "Millenium Media Takes" per the spelling in the City's system. We further searched "Mellennium Media Takes" per the spelling on the Regions Bank account. There were no records found by Lexis Nexis per any spelling. Likewise, we found no references per any spelling when conducting a Google search.

Further, we discovered Ida Walker is also associated with addresses in Chattanooga Tennessee, which are associated with Yolanda Johnson. Additionally, Yolanda Johnson is linked to addresses in Mississippi that are also linked to Ida Walker.

Shared Residential Addresses

We discovered Yolanda Johnson (f/k/a Yolanda Denise Russell) has had a Mississippi Driver License with an address of residence as being RT 1 Box 354 APT 5 in Newton MS. We also discovered a Mississippi Driver License issued to Ida Walker (f/k/a Ida L. Russell) with the exact same address. During an interview on October 5, 2020, we asked Ms. Johnson if she has ever lived in Newton County MS. Ms. Johnson stated she had lived in Meridian, Lauderdale County, which is close to Newton. During an interview on October 8, 2020, we asked Ms. Johnson if she has ever lived at RT 1 Box 354 in Newton, MS. Ms. Johnson responded she has not. During an interview on October 7, 2020, we asked Ms. Walker if she has ever lived at RT 1 Box 354 in Newton, MS. Ms. Walker stated she has not. During an interview on October 5, 2020, Ms. Johnson was adamant she is not related to Ida Walker in any way. She was equally adamant she has never lived at the same address as Ida Walker. Ms. Johnson stated she had never met Ms. Walker until she started doing business with MMT this year. However, during a telephone discussion with Ida Walker on October 7, 2020, she stated she has known Yolanda Johnson for a couple of years. During our interview with Ms. Johnson on October 8, 2020, she acknowledged her maiden name was Russell. During our telephone conversation with Ms. Walker on October 7, 2020, she stated her last name used to be Russell. During this discussion, we asked Ms. Walker if she was aware Yolanda's maiden name was Russell. Ms. Walker responded "I don't know if we can discuss that or not."

2

Payments to MMT from the City

The payments to Millennium Media Takes are allegedly for services related to promotion/advertising of the City's Low Income Home Energy Assistance Program (LIHEAP) and/or CSBG programming. Yolanda Johnson is the City's LIHEAP Outreach Coordinator. The job description seems to cover activities related to outreach and providing information about the City's LIHEAP program.

2

On information from and belief of an employee at Regions Bank, Ida Walker is Yolanda Johnson's mother.

██
██

Following are the payments made to Millennium Media Takes by the City of Chattanooga: Check Number Check Date Check Amount 2207406 05/28/2020 \$3,945

3

2207816 06/10/2020 \$7,800 2210689 09/15/2020 \$10,445 2210781 09/17/2020 \$28,445 During an interview on October 5, 2020, Ms. Johnson stated she has never exercised control over any of the business functions of MMT nor has she exercised any control over any accounts of MMT. Ms. Johnson stated she picked up the last check issued to MMT from the City's Finance Department and deposited it into the bank for them because they were out of town. During our discussion with Ms. Johnson on October 8, 2020, we inquired again about anything she has done for MMT other than deposit one check. Ms. Johnson responded she has never done anything else for MMT. During our conversation with Ms. Walker on October 7, 2020, Ms. Walker stated Ms. Johnson has never transacted any business for MMT other than depositing one check. Although we have not seen the photos, the CPD has advised us they have received photodocumentation from the bank showing Ms. Johnson depositing each of the four checks issued by the City of Chattanooga. We obtained documentation of videos/ads from Ms. Johnson representing the work done by MMT. The value of such work is subjective in nature. However, we did note the most significant payments made subsequent to a bid process included advertising run time. During our interview with Ms. Johnson, she stated such advertising runs have not yet occurred, although full payment has been made. City procurement procedures require receipt of products and services prior to processing payment.

MMT Bank Statements and Records

We received copies of Ida Walker's statements from her Regions Bank account with a DBA of "Millennium Media Takes" from June 1, 2020 to September 22, 2020 from CPD. We also received copies of Yolanda Johnson's Regions Bank account statements from April 22, 2020 to September 21, 2020 from CPD. We have attached a schedule of transactions documenting transfers of funds from the vendor's account to the account of Ms. Johnson. It is important to note the bank placed a "no post" on Ida Walker's account on or before September 21, 2020. Also, it is our understanding a court ordered freeze was placed on Ms. Walker's Regions Bank account that remains in force

4

. The two most substantial checks from the City were deposited on September 17, 2020 and September 21, 2020.

3

This check was deposited to Ida Walker's bank account on June 4, 2020. A bank debit transferred \$3,445 from Ida Walker's bank account to Yolanda Johnson's bank account on June 5, 2020. An additional \$500 was transferred from Ida Walker's bank account to Yolanda Johnson's bank account on June 8, 2020 via a Zelle transaction. We previously provided you with documentation of these transactions (October 15, 2020).

4

It is our understanding this order was made subsequent to an affidavit provided to the Court by a CPD detective.

Outside Employment

During our interview with Ms. Johnson on October 5, 2020, she advised Ida Walker had made purchases from Ms. Johnson's online clothing store, shynese.com. This appeared to be an attempt by Ms. Johnson to explain why she would have received money from Ida Walker. Ms. Johnson stated she estimated Ms. Walker had spent approximately \$1,200 making purchases from her online store. During a discussion with Ms. Walker on October 7, 2020, she stated she had made purchases from Ms. Johnson's online store. Ms. Walker was clear all such purchases were made online using the website and that she has never given Ms. Johnson any money by any form of financial transaction other than purchases from shynese.com made via the website. Our review of Ms. Johnson's personnel file found no Outside Employment Form

CONCLUSION

Based on the foregoing, we believe there is substantial evidence to conclude that Ms. Johnson's actions violated the City Code and rules governing employee misconduct. We have included an attachment of relevant Codes and policies. If you have not already done so based on the information we provided you on October 15, 2020, we recommend you take appropriate disciplinary action. We further recommend you consult with the City Attorney regarding the necessary legal actions to seize funds remaining in the Regions Bank account of Ida Walker. We remain available to assist you and/or the City Attorney, as necessary. This memorandum is summary in nature. Should you require further details or our presence during any meeting, please let me know. The issues discussed in this memorandum are not the result of an audit performed in accordance with generally accepted government auditing standards. Had we performed such an audit, additional issues might have been reported. Attachments cc: Anne Wilkins, Audit Committee Chair Andy Berke, Mayor Daisy Madison, Chief Financial Officer Kerry Hayes, Chief of Staff Maura Sullivan, Chief Operating Officer Beverly Moultrie, Chief Human Resources Officer Vickie Haley, Purchasing Agent Phil Noblett, City Attorney

*M e l l e n n i u m M e d i a T a k e s
L i s t o f t r a n s a c t i o n s f r o m M M T R e g i o n s B a n k A c c
o u n t t o Y o l a n d J o h n s o n R e g i o n s B a n k A c c o u n t P e r
i o d c o v e r e d J u n e 1, 2 0 2 0 t o S e p t. 2 2, 2 0 2 0 N o t e: A
u d i t o r r e v i e w e d M M T R e g i o n s b a n k s t a t e m e n t s (N
e w t o n, M s) f r o m J u n e 1, 2 0 2 0 t o S e p t. 2 2, 2 0 2 0 t o i
d e n t i f y p o t e n t i a l f u n d t r a n s f e r s f r o m M M T t o Y o
l a n d J o h n s o n ' s R e g i o n s B a n k a c c o u n t (C h a t t, T N)*

*D a t e D e s c r i p t i o n A m o u n t D a t e D e s c r i p t i o n A m o u
n t
6 / 5 / 2 0 2 0
B a n k d e b i t
- \$ 3, 4 4 5. 0 0 6 / 5 / 2 0 2 0 D e p o s i t \$ 3, 4 4 5. 0 0 6 / 8 /
2 0 2 0*

Millennium Media Takes

List of transactions from MMT Regions Bank Account to Yolanda Johnson Regions Bank Account
 Period covered June 1, 2020 to Sept. 22, 2020

Note: Auditor reviewed MMT Regions bank statements (Newton, Ms) from June 1, 2020 to Sept. 22, 2020
 identify potential fund transfers from MMT to Yolanda Johnson's Regions Bank account (Chat, TN).

MMT Regions Account			Yolanda Johnson Regions Account		
Date	Description	Amount	Date	Description	Amount
5/2020	Bank debit	-\$3,445.00	6/5/2020	Deposit	
8/2020	Zelle debit to Yolanda Johnson ref#015800303g0y	-\$500.00	6/8/2020	Zelle credit from Ida Walker ref#0158001C	
24/2020	Zelle debit to Yolanda Johnson ref#017500808v9m	-\$93.00	6/24/2020	Zelle credit from Ida Walker ref#0175004C	
24/2020	Zelle debit to Yolanda Johnson ref#01750050atsj	-\$73.00	6/24/2020	Zelle credit from Ida Walker ref#0175005C	
9/2020	Zelle debit to Yolanda Johnson ref#0190003012uj	-\$500.00	7/9/2020	Zelle credit from Ida Walker ref#0190004C	
10/2020	Zelle debit to Yolanda Johnson ref#01920010172p	-\$500.00	7/10/2020	Zelle credit from Ida Walker ref#0192001C	
18/2020	Zelle debit to Yolanda Johnson ref#0262000e0jdp0	-\$150.00	9/18/2020	Zelle credit from Ida Walker ref#0262000hC	
22/2020	Zelle debit to Yolanda Johnson ref#0264000d0lqim	-\$300.00	9/21/2020	Zelle credit from Ida Walker ref#0264000cC	
22/2020	Zelle debit to Yolanda Johnson ref#0265000h0jppw	-\$500.00	9/21/2020	Zelle credit from Ida Walker ref#0265000eC	
22/2020	Zelle debit to Yolanda Johnson ref#0263000h0im4k	-\$500.00	9/21/2020	Zelle credit from Ida Walker ref#0263000f0	
1/22/2020	Cash App calvin 4829 8774174551	-\$1,000.00	9/21/2020	Card Credit Cash app cash 4829 Visa direc	

Note 1: 11/2/20: Per Amos Frazier at Regions Bank, there was a "no post" placed on the MMT account after a red flag. This would require a manual post of trans
 Note 2: Ms. Johnson's statement activity from April 22, 2020 to Sept. 21, 2020 was reviewed. This deposit likely posted to Ms. Johnson's account on 9/22/20.
 The app charges a 1.5% fee if you request an instant transfer of funds. A \$15 fee would have been charged on the \$1000 transfer from MMT to Ms. Johns

Zelle debito Yolanda Johnson ref # 015800303
g 0 y
- \$ 5 0 0. 0 0 6 / 8 / 2 0 2 0
Zelle credit from Ida Walker ref # 015800102 n
a k
\$ 5 0 0. 0 0 6 / 2 4 / 2 0 2 0
Zelle debito Yolanda Johnson ref # 017500808
v 9 m
- \$ 9 3. 0 0 6 / 2 4 / 2 0 2 0
Zelle credit from Ida Walker ref # 01750040 b h
o l
\$ 9 3. 0 0 6 / 2 4 / 2 0 2 0
Zelle debito Yolanda Johnson ref # 01750050 a
t s j
- \$ 7 3. 0 0 6 / 2 4 / 2 0 2 0
Zelle credit from Ida Walker ref # 01750050 a t s
k
\$ 7 3. 0 0 7 / 9 / 2 0 2 0
Zelle debito Yolanda Johnson ref # 01900030 l
2 u j
- \$ 5 0 0. 0 0 7 / 9 / 2 0 2 0
Zelle credit from Ida Walker ref # 01900040 k d
3 z
\$ 5 0 0. 0 0 7 / 1 0 / 2 0 2 0
Zelle debito Yolanda Johnson ref # 01920010 l
7 2 p
- \$ 5 0 0. 0 0 7 / 1 0 / 2 0 2 0
Zelle credit from Ida Walker ref # 01920010 l 7
2 q
\$ 5 0 0. 0 0 9 / 1 8 / 2 0 2 0
Zelle debito Yolanda Johnson ref # 026200e0 j
d p 0
- \$ 1 5 0. 0 0 9 / 1 8 / 2 0 2 0
Zelle credit from Ida Walker ref # 026200 h 0 h u
e s
\$ 1 5 0. 0 0 9 / 2 2 / 2 0 2 0
Zelle debito Yolanda Johnson ref # 026400 d 0 l
q i m
- \$ 3 0 0. 0 0
Note 1
9 / 2 1 / 2 0 2 0
Zelle credit from Ida Walker ref # 026400 c 0 m f v
l
\$ 3 0 0. 0 0 9 / 2 2 / 2 0 2 0
Zelle debito Yolanda Johnson ref # 026500 h 0 j
p q w
- \$ 5 0 0. 0 0
Note 1
9 / 2 1 / 2 0 2 0
Zelle credit from Ida Walker ref # 026500 e 0 l 9
3 f

\$ 500.009 / 22 / 2020
Zelle debito Yolanda Johnson ref # 026300 h o i
m 4 k
- \$ 500.00

Note 1

9 / 21 / 2020
Zelle credit from Ida Walker ref # 026300 f o j p i
u

\$ 500.009 / 22 / 2020
Zelle debito Yolanda Johnson ref # 026300 a o l
4 i a
- \$ 500.00

Note 2

9 / 22 / 2020 Cash App calvin 48298774174551
- \$ 1,000.00

Note 3

9 / 21 / 2020
Card Credit Cash app cash 4829 Visa direct
\$ 985.00

Note 1: 11 / 2 / 20: Per Amos Frazier at Regions Bank, there was a "no post" place on the M M T account after a red flag. This would require a manual post to get transfers out. **Note 2:** Ms. Johnson's statement activity from April 22, 2020 to Sept. 21, 2020 was reviewed. This deposit likely posted to Ms. Johnson's account on 9 / 22 / 20. **Note 3:** Cash app charges a 1.5% fee if you request instant transfer of funds. A \$ 15 fee would have been charged on the \$ 1000 transfer from M M T to Ms. Johnson.
M M T Regions Account Yolanda Johnson Regions Account

Attachment to Memorandum Dated November 4, 2020 Millennium Media Takes Relevant Codes and Policies

Section IX L of the EIG states:

"No City employee, without the consent of the City Council, shall receive any gifts or gratuities in addition to his/her salary for any service he/she may render as an employee except as may be provided elsewhere in the Employee Information Guide. This policy applies to gifts received under circumstances in which it could be inferred that the gift was intended to influence him/her in the performance of his/her official duties or was intended as a reward for an official act on his part. A gift is defined as any benefit, favor, service, privilege or thing of value that could be interpreted as influencing an employee's impartiality. A gift includes, but is not limited to, meals, trips, money, loans, rewards, merchandise, foodstuffs, tickets to sporting or cultural events, entertainment, and personal services or work provided by City suppliers or contractors."

Section IX O of the EIG states:

"The Code of Ethics applies to all City employees, including elected and appointed officials and employees. It is essential that the highest ethical standards be maintained by the City to ensure the proper performance of government business and to instill confidence in the citizenry

regarding the operation of government. It is also important to provide clear guidance to employees at every level of government about the standards to which they should adhere regarding the acceptance of gifts and conflicts of interest. Each employee shall avoid any action which might result in or create the appearance of: 1. Using a public office for private gain; 2. Preferential treatment to any person in contradiction with the best interests of the City; 3. Impeding government efficiency or economy; 4. Failing to maintain appropriate independence or impartiality; and 5. Affecting adversely the confidence of the public in the integrity of the City of Chattanooga."

City Code Sec. 2-753. - Disclosure of personal interest in nonvoting matters.

An official or employee who must exercise discretion relative to any matter, other than casting a vote, and who has a personal interest in the matter that affects or that would lead a reasonable person to infer that it affects the exercise of discretion shall disclose, before the exercise of the discretion when possible, the interest on a form provided by and filed with the Office of the City Attorney. In addition, the official or employee shall not participate in any way on matters in which they have a personal interest.

City Code Sec. 2-754. - Acceptance of gratuities, etc.

A. An official or employee may not accept, directly or indirectly, any money, gift, gratuity, or other consideration or favor of any kind from anyone other than the City: 1.

For the performance of an act, or refraining from performance of an act, that he or she would be expected to perform, or refrain from performing, in the regular course of his or her duties; or 2.

That might reasonably be interpreted as an attempt to influence his or her action, or reward him or her for past action, in executing business of the City. B. No official or employee shall solicit or accept, directly or indirectly, on behalf of himself or any member of the employee's household, any gift, including but not limited to any gratuity, service, favor, food, entertainment, lodging, transportation, loan, loan guarantee or any other thing of monetary value from any person or entity that:

1.

Has or is seeking to obtain contractual or other business or financial relations with the City; 2.

Conducts operations or activities that are regulated by the City; or 3.

Has interests that may be substantially affected by the performance or nonperformance of the official's or employee's duties....

City Code Sec. 2-757. - Use of position or authority.

A. An official or employee shall not make or attempt to make private purchases, for cash or otherwise, in the name of the municipality. B. An official or employee shall not use or attempt to use his or her position for personal financial gain or to secure any privilege or exemption for himself, herself, or others that is not authorized by the charter, general law, or ordinance or policy of the municipality.

Section IV L of the EIG states:

"The City expects an employee's work for the City to take precedence over any outside employment engaged in by an employee. Employees must get priorwritten approval from the Department Head before engaging in other employment. The supervisor shall forward a copy of the outside employment form to the Human Resources Department for inclusion in the employees' official personnel file. Activities and conduct away from the job must not compete with, conflict with, or compromise the City's interests or adversely affect job performance and the ability to fulfill all job responsibilities. Employees are prohibited from performing any services for customers on non-working time that are normally performed by the City. This prohibition also extends to the unauthorized use of any City tools or equipment and the unauthorized use or application of any confidential information. In addition, employees are not to solicit or conduct any outside business during paid working time."

City Code Sec. 2-431. - Outside employment.

The work of the city shall have precedence over the other occupational intersections of regular, full-time employees. All outside employment and all self-employment must be reported to an employee's department head. The department head may restrict or prohibit outside work that is in conflict with proper performance of duties for the city or would be detrimental to the best interests of the city and the public it represents.

City Code Sec. 2-432. - Regulation of outside employment so as to prevent conflicts of interest.

(a) An official or employee who has the duty of approving or giving permission to members of the public to do or not to do something lawfully regulated by the city, or is otherwise an employee of the office, division or agency responsible for an official city approval process, or is a fireman or a policeman, shall not do any work or service outside his/her city employment without the written approval of his/her departmental supervisor. (b) The criteria in giving such approval shall be whether or not the proposed work or service poses a conflict of interest with the employee's city employment or diminishes the employee's capacity to fulfill the responsibility of his/her city employment or compromises the integrity of the city department in carrying out its official duties. (c) No city employee shall purchase or receive personal property belonging to or taken by the city which has been repaired or worked on by said employee and is thereafter offered for sale or disposition at a public auction or otherwise.

City Code Sec. 2-758. - Outside employment.

An official or employee shall not accept or continue any outside employment if the work unreasonably inhibits the performance of any affirmative duty of the municipal position or conflicts with any provision of the municipality's charter or any ordinance or policy and outside employment must comply with Sections 2-431 and 2-432 of this chapter.

TCA 12-4-101. Personal interest of officers prohibited.

(a) (1) It is unlawful for any officer, committee member, director, or other person whose duty it is to vote for, let out, overlook, or in any manner to superintend any work or any contract in which any municipal corporation, county, state, development district, utility district, human resource agency, or other political subdivision created by statute shall or may be interested, to be directly interested in any such contract. "Directly interested" means any contract with the official personally or with any business in which the official is the sole proprietor, a partner, or the person having the controlling interest. "Controlling interest" includes the individual with the ownership or control of the largest number of outstanding shares owned by any single individual or corporation. This subdivision (a)(1) shall not be construed to prohibit any officer,

committee person, director, or any person, other than a member of a local governing body of a county or municipality, from voting on the budget, appropriation resolution, or tax rate resolution, or amendments thereto, unless the vote is on a specific amendment to the budget or a specific appropriation or resolution in which such person is directly interested... (b) It is unlawful for any officer, committee member, director, or other person whose duty it is to vote for, let out, overlook, or in any manner to superintend any work or any contract in which any municipal corporation, county, state, development district, utility district, human resource agency, or other political subdivision created by statute shall or may be interested, to be indirectly interested in any such contract unless the officer publicly acknowledges such officer's interest. "Indirectly interested" means any contract in which the officer is interested but not directly so, but includes contracts where the officer is directly interested but is the sole supplier of goods or services in a municipality or county....

TCA 12-4-102. Penalty for unlawful interest.

Should any person, acting as such officer, committee member, director, or other person referred to in § 12-4-101, be or become directly or unlawfully indirectly interested in any such contract, such person shall forfeit all pay and compensation therefor. Such officer shall be dismissed from such office the officer then occupies, and be ineligible for the same or a similar position for ten (10) years.

TCA 39-16-402. Official misconduct.

(a) A public servant commits an offense who, with intent to obtain a benefit or to harm another, intentionally or knowingly: (1) Commits an act relating to the public servant's office or employment that constitutes an unauthorized exercise of official power; (2) Commits an act under color of office or employment that exceeds the public servant's official power; (3) Refrains from performing a duty that is imposed by law or that is clearly inherent in the nature of the public servant's office or employment; (4) Violates a law relating to the public servant's office or employment; or (5) Receives any benefit not otherwise authorized by law.

Reward Your Curiosity

Everything you want to read.

Anytime. Anywhere. Any device.

No Commitment. Cancel anytime.