

**BEFORE THE CITY OF ATLANTA
ETHICS DIVISION**

In the matter of:

Jared McGrady
Respondent

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Case No. CO-23-001

Final Decision

Summary

City of Atlanta employee, Jared McGrady violated Sections 2-811, 2-814, and 2-820 of the Code of Ethics. Documentary and testimonial evidence, including Fulton County employee records and information provided by Counsel for Valet Living LLC, show that McGrady worked at least two additional *full-time* paid jobs while being employed full-time by the City’s Department of Parks and Recreation. Further, city records show that McGrady repeatedly failed to disclose his outside employment/business interests on his annual City Financial Disclosure Statements.

Findings of Fact

- 1) Jared McGrady (McGrady) currently serves as a Community Facility Manager for the City of Atlanta Department of Parks and Recreation. In this *full-time role*, McGrady’s job duties and responsibilities include managing “the daily operation of a community facility for city citizens by directing activities/programming, developing and supervising assigned staff, assisting with interdepartmental projects and initiatives, and processing associated documents and reports...” McGrady has been employed by the City of Atlanta since March 29, 2012.
- 2) On April 11, 2012, McGrady attended the Department of Human Resources’ New Employee Orientation and signed the Employee Ethics Pledge agreeing to adhere to the City’s Standards of Conduct (Code of Ethics). Ethics training provided by the Ethics Division staff during the orientation session included the ethics rules on conflicts of interest, outside employment and the use of city property.
- 3) City records show that McGrady completed the mandatory city-wide ethics training course (due by April 2, 2022) and signed the mandatory attestation on September 21, 2022. The ethics training course provides guidance to employees on the Code of Ethics, which includes ethics rules on conflicts of interest, outside employment, use of city property, and the city financial disclosure statement.

- 4) According to Kronos city payroll records, McGrady's official city work schedule is Monday to Friday from 10 am to 7:00 pm. Between December 29, 2017, and September 27, 2022, McGrady took a total of 939 hours (117.375 days) of approved paid leave.
- 5) According to McGrady's work resume and public LinkedIn profile, McGrady has been employed by or associated with the following non-city companies/entities since 2016:
 - **Empowerment Resource Center** (July 2022 – Present)
 - **The Gresham Project** (October 2018 – Present)
 - **Valet Living** (July 2019 – May 2021)
 - **Fulton County Government** (November 2017 – October 2018)
- 6) On August 14, 2022, the Division contacted **Valet Living** to confirm McGrady's alleged employment as District Manager from July 2019 to May 2021. The Division left several messages with the company but did not receive a response. The Division eventually discovered a small claims lawsuit filed on July 15, 2021 by McGrady against Valet Living in the Fulton County Magistrate Court. In his Statement of Claim, McGrady argued that "as an employee of Valet Living, LLC" he was owed a performance bonus and was informed by Valet Living after resigning that he "would not be paid for his labor." A review of the Memo of Understanding entered to resolve the case shows that, following mediation, Valet Living agreed to pay McGrady \$1,750 to resolve the dispute, with a settlement check to be provided by April 6, 2022. On February 1, 2023, following the Division's review of the Court documents in the above case, the Division contacted Valet Living's Senior Counsel of Regulatory Compliance to verify the details of McGrady's alleged prior employment with Valet Living. Valet Living's Counsel confirmed McGrady was employed full-time as a District Manager with the company from July 8, 2019, to May 2, 2021. He was paid an annual salary of \$54,000. Job duties for the District Manager position included: responsibility "*for managing the total service delivery for up to 20 or more apartment communities and providing direction and oversight for 15-30+ Service Valets within an assigned district...*," "*ongoing client engagement and oversight of a part-time workforce responsible for trash and recycling collection on assigned properties...*," a "*willingness to work a split shift schedule...*," including "hours in the morning/early afternoon and evening, depending on needs...," while "*working from home and the field / community properties, as necessary up to 50% of the time.*"
- 7) On August 24, 2022, the Division contacted the **Empowerment Resource Center** to confirm McGrady's employment with the company. Empowerment's receptionist indicated that McGrady "was not in at the moment." On August 31, 2022, the Division called again, and the receptionist stated that McGrady was no longer employed with Empowerment. On September 1, 2022, the Division emailed Empowerment to attain records related to McGrady's dates of employment. On September 15, 2022, Empowerment Resource Center Human Resources Consultant, Phyllis Finley, responded to the Division stating that "Empowerment Resource Center is unable to respond to your request. We wish you the best in your investigation."
- 8) The Ethics Division reviewed the State of Georgia, Secretary of State, Corporations Division, Certificate of Organization, Articles of Organization, and Annual Registration documentation for **The Gresham Project LLC**. The Certificate and Articles show that the LLC was registered with the State on February 24, 2019, and list McGrady, along with one other individual, as an Organizer of the LLC. The Division also reviewed city

- 9) email records which show that on the morning of October 26, 2021, McGrady sent a picture of the annual vehicle registration and pictures of a vehicle owned by the LLC from his city email address to his personal email account. The Annual Registration for the LLC was last renewed on June 17, 2022.
- 10) On September 22, 2022, the Division filed a Georgia Open Records with **Fulton County** requesting employment records for McGrady. Documentation provided by Fulton County revealed that McGrady was employed by Fulton County in a full-time position from November 29, 2017, until his resignation on October 19, 2018. McGrady's county position was as a Wellness Coordinator with an annual salary of \$50,000. McGrady's official county work schedule was Monday to Friday from 8:00 am to 4:30 pm.
- 11) The Division reviewed McGrady's **City Financial Disclosure Statements** filed from 2016 to 2022. This review found that with the exception of his 2017 City Financial Disclosure Statement (where McGrady disclosed his work as a Sports Referee on behalf of the Capitol City Officials Association), McGrady answered "No" on all other Statements to having any non-city employment income and "No" on all Statements (including 2017) to having any additional sources of income over \$5,000¹.

Conclusions of Law

- 12) "A primary purpose of the City's Standards of Conduct (Code of Ethics) is to prohibit city... employees from engaging in any business or having any financial interest that conflicts, or would create the justifiable impression of any conflict, with the official's or employee's official duties. Section 2-820 (b) specifically prohibits city... employees from engaging in private employment or rendering services for private interests when the employment or service is adverse to, and incompatible with, the proper discharge of the official's or employee's official duties." See *City of Atlanta Board of Ethics Formal Advisory Opinion 2004-3*.
- 13) To that end, the Code also requires the "disclosure of the assets and income of... certain employees so that the public may review actual and potential conflicts of interest..." See *Section 2-802*. Specifically, Section 2-814 (a) requires "the officials and employees listed in subsection (b) of" Section 2-814 to "annually file statements with the ethics division disclosing the following: (1) All positions of employment held by the official or employee in any business (*as defined in section 2-801 (b)*) for all or any portion of the year, including a description of the type of business and the existence and nature of any business done by the employer entity with the city..." and "(2) Each and every source of income from any business received by such official or employee in excess of \$5,000.00 derived from any single source in the preceding calendar year..." For purposes of this Section, "the following officials and employees shall be required to file annual statements disclosing information set forth in subsection (a) of this ordinance: (9) Bureau (department) directors, assistant bureau directors, managers, and their equivalents..."
- 14) Section 2-811 of the Code states in relevant part that "no... employee shall... use or permit the use of... any... publicly supported... labor or service for the private advantage of such... employee or any other person or private entity..." Publicly supported labor and services include payments made to an employee to perform their respective city job duties and responsibilities using public funds earmarked for city employee salaries.

- 15) In the present case, city records and other documentation reviewed by the Division show that, despite being employed full-time by the City of Atlanta's Department of Parks and Recreation at the time, McGrady was also employed full-time by Fulton County from November 29, 2017, to October 19, 2018, and employed full-time by Valet Living LLC from July 8, 2019, to May 2, 2021. McGrady's work hours at both Fulton County and Valet Living overlapped with his full-time work hours for the City. McGrady was paid an annual salary of \$50,000 at Fulton County and \$54,000 at Valet Living, while simultaneously collecting a full-time salary from the City. Specifically, McGrady's city work hours are 10 am to 7 pm. McGrady's work hours at Fulton County were 8 am to 4pm (6 hours average daily overlap) and his work for Valet Living required him to provide on call support and oversight to the company in the morning/early afternoon and evenings and to split his time working from home and in the field at community properties. McGrady also sued Valet Living in 2021 and received a \$1,750 settlement check from Valet Living in April 2022. Further, McGrady's resume shows that since July 2022, he works on behalf of a company called the Empowerment Resource Center and is the co-founder of an entity called The Gresham Project LLC. The Gresham Project, which was registered with the State of Georgia on February 24, 2019, remains active as of June 17, 2022.
- 16) A review of McGrady's 2018, 2019, 2020, 2021, and 2022 City Financial Disclosure Statements revealed that McGrady failed to disclose his work on behalf of Fulton County on his 2018 and 2019 Statements; failed to disclose his work on behalf of Valet Living on his 2020, 2021, and 2022 Statements; and also failed to disclose his work on behalf of The Gresham Project on his 2020, 2021, and 2022 Statements. With regards to Fulton County and Valet Living, despite earning a full-time salary as indicated above, McGrady answered "No" on each of the referenced Statements when asked if he had any non-city sources of income, and "No" when asked whether he received more than \$5,000 in income from any non-city sources (excluding investment income). In late 2019, McGrady met with the Ethics Division on an ethics matter. At that time, McGrady was asked whether he was performing any paid non-city work and he responded that he was not.
- 17) McGrady violated Sections 2-811, 2-814, and 2-820 of the Code of Ethics. Documentary evidence, including Fulton County employee records and information provided by Counsel for Valet Living LLC, show McGrady worked at least two additional full-time jobs while being employed full-time by the City's Department of Parks and Recreation. City records show that McGrady repeatedly failed to disclose his outside employment/business interests on his annual City Financial Disclosure Statements despite receiving a full-time salary from at least two outside employers and being listed on State of Georgia records (as well as his work resume) as the co-founder and organizer of an active LLC.

Sanctions

- 18) In proposing sanctions in this matter, the Ethics Division considered both aggravating and mitigating circumstances. There are no mitigating factors applicable in this case. When provided an opportunity to disclose his non-city work, McGrady repeatedly failed to disclose those interests as required by city law on his annual City Financial Disclosure Statements, did not file a Request for Permission to Perform Outside Employment form with the Department of Human Resources, and was not truthful to the Ethics Division when asked whether he had any non-city sources of income. McGrady's full-time

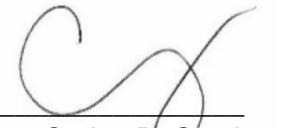
employment with Fulton County and Valet Living were during his official city work hours, clearly interfering with McGrady's ability to perform his city job duties and responsibilities for the City. McGrady's city work duties require him to oversee one of the City's community facilities and the employees working at those locations, and his actions were against the best interests of the City, his co-workers and the public. Therefore, the Division recommends the maximum administrative sanction of \$1,000 for each violation², totaling \$7,000, as outlined in paragraphs 11-16 of this Decision, and recommends that the Department of Human Resources consider separation from city employment for McGrady. A written reprimand will also be issued against McGrady for his actions.

- 19) The Division orders McGrady to pay a total administrative sanction of **\$7,000** for violating Sections 2-811, 2-814 and 2-820 of the Code of Ethics, as outlined in paragraphs 1-17 of this Decision.
- 20) Failure by the Respondent, Jared McGrady, to comply with the order listed in paragraph 18 of this Decision may result in additional sanctions or referral of this matter to the City Solicitor's Office for prosecution.

Respondent has the right to appeal this Decision to the Governing Board of the Office of the Inspector General within 14 days of the date of receipt of the Decision³. See Atlanta, Ga., Charter §8-103(a).

So ordered this 8th day of February 2023.

For the City of Atlanta Office of the Inspector General, Ethics Division



Carlos R. Santiago
Deputy Ethics Officer

¹ The Division spoke with McGrady in late 2019 following the discovery of several State of Georgia entities where McGrady is referenced in Georgia Secretary of State organizational documents as the Registered Agent (Gordo Ventures LLC) and as an Organizer (PIF Group), but which were not disclosed on his City Financial Disclosure Statement. McGrady explained at the time that PIF Group was his uncle's business, and that he did not receive any income from that entity. Therefore, McGrady stated that he did not believe he needed to disclose the business. During that conversation, McGrady was also asked about any outside work or companies he was associated with and advised the Division that he did not have any non-city sources of income.

² Each act of failing to disclose a non-city source of income (including those over \$5,000 in a calendar year) was a violation of Section 2-814 of the Code of Ethics. McGrady failed to disclose any non-city sources of income in 2018, 2019, 2020, 2021, and 2022. Due to repeated nature of the non-disclosures, each violation carries the maximum administrative sanction of \$1,000 for a total \$5,000. McGrady's misuse of city was a violation of Section 2-811 on misuse of city labor and services, carrying the maximum administrative sanction of \$1,000. McGrady's full-time outside full-time work was wholly incompatible with his city employment and carries the maximum sanction of \$1,000. Therefore, the total administrative sanction in this case is \$7,000.

³ See enclosed/attached "Appeal of Penalties Form"

**BEFORE THE CITY OF ATLANTA
ETHICS DIVISION**

In the Matter of:)	
)	
Jared McGrady)	Case No. CO-23-001
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Respondent)	
)	

CONSENT PAYMENT AGREEMENT

This consent payment agreement is between Carlos R. Santiago, Deputy Ethics Officer on behalf of the City of Atlanta, Ethics Division, and Jared McGrady (Respondent), a city employee charged on February 8, 2023, with violating Sections 2-811, 2-814, and 2-820 of the City's Standards of Conduct (Code of Ethics). Per the City Charter, the Ethics Division of the Office of the Inspector General is responsible for administering, implementing, and enforcing the Standards of Conduct contained in the Atlanta Municipal Code.

The parties agree and consent to the following in order to resolve this matter:

FINDINGS OF FACT

1. Jared McGrady (McGrady) is a current City of Atlanta employee who is subject to the City's Standards of Conduct (Code of Ethics) found in section 2-801 to 2-825 of the City's Code of Ordinances.
2. Section 2-811 of the Code states in relevant part that "no... employee shall... use or permit the use of... any... publicly supported... labor or service for the private advantage of such... employee or any other person or private entity..." Publicly supported labor and services include payments made to an employee to perform their respective city job duties and responsibilities using public funds earmarked for city employee salaries. The Code of Ethics requires city officials to file their annual disclosure statement . . . each year in which they work for the city and for the year after they leave their position. "The failure of any official or employee so required to file an annual disclosure statement without reasonable cause shall render such person delinquent and result in an administrative sanction . . . , provided that the maximum penalty for the *first offense* shall be \$500.00." Atlanta, Ga., Code § 2-814(e).
3. To that end, the Code also requires the "disclosure of the assets and income of... certain employees so that the public may review actual and potential conflicts of interest..." See Section 2-802. Specifically, Section 2-814 (a) requires "the officials and employees listed in subsection (b) of" Section 2-814 to "annually file statements with the ethics division disclosing the following: (1) All positions of employment held by the official or employee in any business (as defined in section 2-801 (b)) for all or any portion of the year, including a description of the type of business and the existence and nature of any business done by the employer entity with the city..." and "(2) Each and every source of income from any business received by such official or employee in excess of \$5,000.00 derived from any single source in the preceding calendar year..." For purposes of this

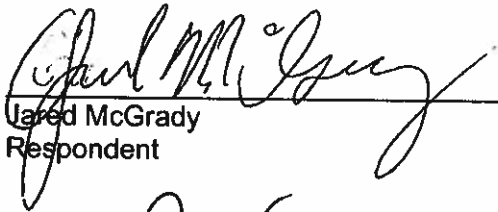
Section, "the following officials and employees shall be required to file annual statements disclosing information set forth in subsection (a) of this ordinance: (9) Bureau (department) directors, assistant bureau directors, managers, and their equivalents..."

4. "A primary purpose of the City's Standards of Conduct (Code of Ethics) is to prohibit city... employees from engaging in any business or having any financial interest that conflicts, or would create the justifiable impression of any conflict, with the official's or employee's official duties. Section 2-820 (b) specifically prohibits city... employees from engaging in private employment or rendering services for private interests when the employment or service is adverse to, and incompatible with, the proper discharge of the official's or employee's official duties." See City of Atlanta Board of Ethics Formal Advisory Opinion 2004-3.
5. City records show that McGrady completed the mandatory city-wide ethics training course (due by April 2, 2022) and signed the mandatory attestation on September 21, 2022. The ethics training course provides guidance to employees on the Code of Ethics, which includes ethics rules on conflicts of interest, outside employment, use of city property, and the city financial disclosure statement.
6. The Division reviewed McGrady's City Financial Disclosure Statements filed from 2016 to 2022. This review found that except for his 2017 City Financial Disclosure Statement (where McGrady disclosed his work as a Sports Referee on behalf of the Capitol City Officials Association), McGrady answered "No" on all other Statements to having any non-city employment income and "No" on all Statements (including 2017) to having any additional sources of income over \$5,000.
7. McGrady violated Sections 2-811, 2-814, and 2-820 of the Code of Ethics. Documentary evidence, including Fulton County employee records and information provided by Counsel for Valet Living LLC, show McGrady worked at least two additional full-time jobs while being employed full-time by the City's Department of Parks and Recreation. City records show that McGrady repeatedly failed to disclose his outside employment/business interests on his annual City Financial Disclosure Statements despite receiving a full-time salary from at least two outside employers and being listed on State of Georgia records (as well as his work resume) as the co-founder and organizer of an active LLC.
8. Respondent indicated by email that he would not appeal the Ethics Division's Final Decision in this matter. Any appeals were due on or before February 23, 2023.

AGREEMENT

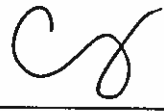
9. Respondent acknowledges that he violated the City's ethical standards as outlined in paragraphs 1-7 in the "Findings of Fact" section of this document.
10. Respondent agrees to pay the City of Atlanta a civil penalty of **\$7,000**. Respondent may pay the fine in full at any time to resolve this matter or must pay a minimum of **\$250 per month over (28) months beginning on March 1, 2023**. The assessed fine must be paid in full by June 30, 2025.

11. Respondent agrees to abide by the City's ethical standards, including compliance with city laws regarding the use of city property, disclosure of outside personal and financial interests, and incompatible interests.
12. Respondent understands and voluntarily waives all procedural rights under the Code of Ordinances, including the right to appeal any of the terms of this agreement to the Governing Board, subpoena witnesses to testify, confront and cross-examine witnesses, and have the Board hear the matter at any appeal hearing.
13. Respondent acknowledges that this agreement is not binding on any other city department, law enforcement or governmental agency and does not preclude the Office of the Inspector General from referring this matter to, cooperating with, or assisting any other law enforcement or government agency on this or any other related matter.
14. **The failure of Respondent to comply with this agreement may result in additional sanctions by the Ethics Division or referral to the City Solicitor for prosecution for violation of its terms.**



Jared McGrady
Respondent

2/27/23
Date



Carlos R. Santiago
Deputy Ethics Officer

2/28/2023
Date