

Ethics Complaint Against Commissioner Rhea Little

My name is Rebecca J. Martinez, and I have been a resident of the City of Brentwood for over 21 years. Based on information and belief, I submit the following Ethics Complaint against City Commissioner Rhea Little:

The oath of office taken by Brentwood City Commissioners mandates that they will obey the laws of the State of Tennessee, and the ordinances of the City of Brentwood. Commissioner Rhea Little failed to adhere to his oath of office when he intentionally and knowingly violated Tennessee State Law and Brentwood City Ordinances.

On Thursday, October 24, 2024, Paul Myers sent an email to all Brentwood City Commissioners stating his position on a proposed tennis and pickleball facility (copy attached as Exhibit B). On Saturday, October 26, 2024, Commissioner Rhea Little sent a reply email to Paul Myers and six of his fellow Commissioners (copy attached as Exhibit B-1, B-2). In Commissioner Little's reply email he made multiple false and intentionally misleading statements designed to create public discourse. For example, he referred to the proposed facility as a "private tennis club." The proposed facility, if built, would not be a private club. All residents would be able to use it by making a reservation and paying the appropriate fee. Commissioner Little stated, "on Monday night if they vote for this tennis club," which infers an approval vote on the facility was eminent. The vote on Monday evening, October 28, 2024, was only to fund a proposal to determine the projected cost of such a facility, in the event it actually is approved and built. Commissioner Little further stated, "then they show they are Wolves in Sheep's Clothing." Not only is this a false statement, but it is also a blatant defamation of character of four of Mr. Little's fellow Commissioners. At the time Commissioner Little sent his reply email he was in a re-election bid against two of the four commissioners previously referenced. His libelous and false statements were designed to intentionally influence the outcome of a pending election.

Below the signature block in Commissioner Little's email is a disclaimer stating, *"This message has been prepared using resources owned by the City of Brentwood, Tennessee and is subject to the City's policies on use of City provided technology."* Violating the Sunshine Law is contrary to the City's policy, and it is expected that all commissioners are aware of this regulation, having been informed during their onboarding process.

Commissioner Little violated T.C.A. 8-44, (commonly known as the Sunshine Law) when he sent his email to all six fellow Commissioners which contained language relating to matters they would be voting for or against in the future. The courts have determined that such communication qualifies as a public meeting, necessitating prior public notice and allowing for public comments from citizens. No advance notice or opportunity for comments was given.

Below the signature block in Commissioner Little's email is an additional disclaimer which states, *"E-mail created or received through the City's computer system by any City employee or official may be considered a public record,...."* Thus, Commissioner Little's email is a public

document subject to all relevant laws. On Saturday, October 26, 2024, outside normal business hours, Commissioner Little contacted Sarah VanWormer (Department Head of Information Technology for the City of Brentwood) to instruct her to rescind his October 26, 2024, email to Paul Myers. The email was subsequently removed from the inbox files of all Commissioners. Each Commissioner received an automated electronic communication indicating an email from Commissioner Little was removed from their inbox (copy attached as Exhibit C). Vice Mayor Travis happened to open and read the email prior to it being rescinded. Via text message, Sarah VanWormer advised Commissioner Little confirmed that the email had been rescinded. Commissioner Little responded with a "heart" emoji (copy attached as Exhibit D).

By virtue of Commissioner Little's position, he used his influence on a subordinate member of City Staff to instruct them to tamper with a public document. Commissioner Little, by his action, violated *T.C.A. 39-16-504 (a)(3)* in an attempt to cover up his wrongdoing.

T.C.A. 39-16-504(2023)

(a) It is unlawful for any person to:

- *(1) Knowingly make a false entry in, or false alteration of, a governmental record;*
- *(2) Make, present, or use any record, document or thing with knowledge of its falsity and with intent that it will be taken as a genuine governmental record; or*
- *(3) Intentionally and unlawfully destroy, conceal, remove or otherwise impair the verity, legibility or availability of a governmental record.*

(b) A violation of this section is a Class E felony.

Commissioner Little's action also violated *T.C.A. 39-16-402 (2023) (a)(1)* and *(a)(4)*.

Commissioner Little is not authorized to delete, or induce a member of City Staff to delete, any public record from other Commissioners' email inbox. Commissioner Little is also not authorized to violate the Tennessee Sunshine Law. It is believed *T.C.A. 39-16-402(2023) (b)* applies because Commissioner Little took advantage of his position to influence a subordinate member of City Staff to take an unauthorized action.

T.C.A. 39-16-402 (2023)

- *(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.**
- **(b) For purposes of subdivision (a)(2), a public servant commits an act under color of office or employment who acts or purports to act in an official capacity or takes advantage of the actual or purported capacity.**

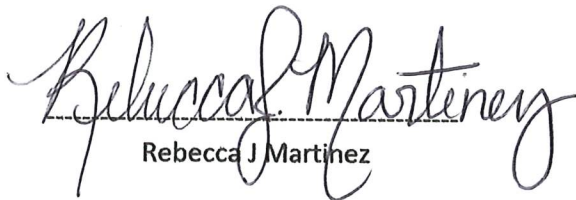
Commissioner Little also violated *Section 2-233(b)* of the City of Brentwood Municipal Code.

Section 2-233. - Use of position or authority

(b) An official or employee may not use or attempt to use his position to secure any privilege or exemption for himself or others that is not authorized in this article or by the Charter, general law, or ordinance or policy of the city.

It is against the city's policy, as well as Tennessee State Law, to delete, or attempt to delete, any public record.

Respectfully submitted this 31st day of March 2025.

A handwritten signature in cursive script, reading "Rebecca J. Martinez". The signature is written in dark ink and is positioned above a horizontal line.

Rebecca J Martinez

9547 Thoroughbred Way
Brentwood, TN 37027

rebecca.martinez09@comcast.net

615-507-9977

From: Paul Myers <primyers16@gmail.com>
Sent: Thursday, October 24, 2024 4:22 PM
To: CityCommissioners <CityCommissioners@brentwoodtn.gov>
Subject: Upcoming vote

Warning: External Email - Do not click any links or open any attachments unless you trust the sender and know the content is safe.

I would like to render my opinion on an item scheduled for an upcoming vote.
I am **not** in favor of a taxpayer funded racquetball facility. I will list my concerns which are the basis of my objection.

- In the past, indoor sports facilities have not been tax subsidized, and there is no reason taxpayers should take on the expense for a racquetball court now.
- If building a racquet club is such a profitable concept, the private sector should do it and not the city government.
- Private companies have already talked about opening pickleball facilities in Brentwood. Should they have to compete with a tax-subsidized rival?
- Even if the facility runs a "profit" annually, it will take years to recoup the initial investment, assuming the estimates to build are correct. The rationale to build a racquetball facility with taxpayer money because it will be profitable in the long run is a bad decision. We have a lot more pressing needs now.
- This will serve too small a segment of the Brentwood citizens for this big an expense.

PLEASE do not use my tax dollars to pay for funding of a niche facility that serves relatively few of the people of Brentwood.

Brentwood's signature is open spaces, parks, trails, and access to a wide array of public services that serve the common good. PLEASE let us keep it that way.

The single biggest concern that *should* be the focus of our tax dollars is *not* a taxpayer funded racquetball facility but the **SERIOUS** and growing problem we have with congestion and traffic. Granted there has been progress (Franklin Rd, etc), but Concord Road is a "parking lot" an increasing amount of time throughout the day. Concord Road has become the conduit for the growing Nolensville population to get to I-65. I know...you will say the problem is State initiated changes and funding and the City of Brentwood has no influence over this problem.

Thank you for your time. And I hope the City Council makes the right decisions.

Paul Myers

9715 Concord Pass

Brentwood, TN. 37027

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Above all else, guard your heart, for it is the wellspring of life.
Proverbs 4:23

EXHIBIT A

From: Little, Rhea <rhea.little@brentwoodtn.gov>

Sent: Saturday, October 26, 2024 4:08 PM

To: Paul Myers <prmyers16@gmail.com>; CityCommissioners <CityCommissioners@brentwoodtn.gov>

Subject: Re: Upcoming vote

Paul,

Thank you so very much for taking the time to e-mail me your thoughts, your concerns are being represented by Commissioner Andrews, Dunn and myself. We need your continued voice as some Commissioners are wanting to build a private tennis club with taxpayer's hard-earned dollars! For me to vote for this would be opposed to everything I have stood for as a fiscal conservative and an affront to the tremendous majority of Brentwood citizens. The sad thing is the Mayor, Vice-Mayor and the two Commissioners who are for this have always billed themselves as fiscal conservative, on Monday night if they vote for this tennis club, then they show they are Wolves in Sheep's clothing.

We need you to come to our briefing on Thursday morning and show your opposition to the tennis club, because those who are wanting this tennis club are showing up. Also, of more importance, we need you to come on Monday night, October 28, to the Commission meeting and voice your opposition to spending a million dollars to do the architecture and engineering plans for a Private Tennis Club built at taxpayer's expense. Your thoughts in your e-mail are excellent and if you don't voice your opposition vehemently, there is no chance in changing one of their four votes. This type of irresponsible spending for a select few is why most governing entities operate in an annual deficit! We are better than that in Brentwood! Your voice is going to have to be heard and heard loudly and consistently to stem the tide

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EXHIBIT B-1

of this folly! As you can tell, I am passionately against this because it will not stop with this, every special interest group will want taxpayers to fund their hobbies. Brentwood is excellent because we have stayed fiscally strong and are not dictated to by larger municipalities around us, and/or by the state. If we become a debtor then we will become beholden to entities around us. We have made many wise decisions that keep us in great fiscal condition, this is not one of them!

These are just a very few reasons of why this is wrong, so for brevity, I am limiting my comments for now. However, I will leave you with a few tidbits. In the Summer of 2023, I already knew we were headed towards \$20,000,000 and that was confirmed when American Constructors did a preliminary estimate for information for the city staff in early 2024, that said the project would be \$20,000,000. This project will cost much more than \$20,000,000, in my experienced view. If it does just cost \$20,000,000 at 400-800 avid tennis players, here is what the Brentwood taxpayers are going to subsidize:

800 players equal \$25,000 per player

600 players equal \$33,333 per player

400 players equal \$50,000 per player

Thank you for voicing your opposition to this lack of stewardship of some Commissioners of Brentwood tax dollars and I know you will have to continue to voice your opposition and be sure all your friends and neighbors know about this waste of taxpayer's dollars and if they don't speak up, it will be too late!

With Greatest Appreciation,
Commissioner Rhea Little



Rhea Little

City Commissioner | City of Brentwood

Main: 615-371-0060

Direct: 615-371-0060

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www.brentwoodtn.gov

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EXHIBIT B-2



Your administrator has removed a message from your mailbox

This is because the message contains harmful or restricted content. You don't need to take any action.

Message Details

From rhea.little@brentwoodtn.gov
Subject Re: Upcoming vote
Date 26 Oct 2024 17:08

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EXHIBIT C

2:02

5G+



Rhea



Sat, Oct 26 at 5:28 PM



All set! I just removed it from the inboxes.

Read

EXHIBIT D