



VOICE FOR THE PEOPLE

Knowledge is Power; and Elections have Consequences!

(404) 344-3710 edpittman26@bellsouth.net www.earnestinedpittman.com
Vol. 9 May 14, 2022

VOTE NO on MOST!

AN ADDITIONAL \$175,00 for WEDNESDAY WIND DOWN!

It is hard to believe that our Mayor and currently seven Council Members would consider spending anymore of the financially strapped residents money on a free-for-all mass PARTY that is mainly attended by outsiders with no financial benefit to the City or residents. Yet, that is exactly what they will be voting on this Monday, May 16th.

The FY 2022 Budget adopted by Mayor and Council in June 2021 that would begin on July 1, 2021, and end on June 30, 2022, included an allocation of \$150,000 for Wednesday Wind Down (EVENT). In February 2022, Mayor and Council amended the FY 2022 Budget to include another allocation of \$75,000 for the EVENT. On this Monday, Mayor and Council is proposing to again amend the FY 22 Budget to include an additional allocation of \$100,000 for the EVENT. If the VOTE is YES on Monday, Mayor and Council would have VOTED to allocate \$325,000 to the EVENT in less than twelve months.

This is beyond extraordinary because neither the Mayor, or any Council Member; or the City Manager or anyone on his Staff can ACCOUNT for who is DESIGNATED to SPEND any MONEY allocated for the EVENT. Who is making the decisions for the EVENT'S allocations and expenditures? The money allocated for the EVENT is listed in two places in the three Budget documents.

- 1) \$150,000 in the FY 22 Budget is allocated in City Council & Committee Budget.
- 2) \$75,000 in the FY 2022 Budget Amendment # 2 Operation; and the proposed additional \$100,000 in the FY 2022 Budget Amendment # 3 Operation are allocated in the City Council/City Clerk Budget.

The City Charter clearly states that the City Clerk cannot be a Council Member. That prohibits the combining of the City Council Budgets with City Clerk Office Budget. The

City Council does not have the authority to request/order the City Clerk to perform any duties associated with the EVENT (WEDNESDAY WIND DOWN). According to the Charter: Sec. 4-103.-City clerk. :The city council shall appoint a city clerk who shall not be a councilmember. The city clerk shall be custodian of the official city seal and shall impress documents with such seal when authorized, shall maintain city council records required by this charter, and shall perform such other duties as may be required by the city council. The city clerk shall coordinate the handling of the day-to-day affairs of the office with the city manager but shall ultimately report to the city council.

The City Charter also states in Sec. 2-401.-Role delineation. (4) The mayor and city council, as elected officials, shall possess fundamental oversight duties and responsibilities with respect to all operations and administration of city government, and the city manager shall be responsible and duty bound to facilitate the mayor and city council's oversight function. Once the city council has passed the operating and capital budgets of the city, it shall be the responsibility of the city manager to administer such budgets and to keep the mayor and city council fully informed as to the city's progress against such budgets. The city manager shall provide monthly financial updates on the budgets with year to date information, and such updates shall contain all material information necessary for the mayor and city council to evaluate the financial performance and condition of the city. However, once the city council has appropriated funds in the budget and encumbered such funds through subsequent legislative action, the city manager shall have the authority to administer such budget including contract administration and account payables as part of the management function.

Simply stated this means that before any Budget appropriations/allocations can be encumbered (used) , Mayor and Council have to provide subsequent legislative action by VOTING on the appropriations/allocations amounts in accordance with other City Ordinances. Since the City Charter does not allow for the establishment of any Department funding for any Council ACTIVITIES other than MEMBERSHIP in National, State and Local Government associated Organizations, Mayor and Council can not be the Designated entity to Plan or Manage Wednesday Wind Down; Juneteenth Celebrations; Jazz Festival; July 4th Celebrations; or Martin Luther King Holiday. So, if funding is appropriated/allocated in the City Budget for these Activities; Mayor and Council would have to use a non-profit to present a detailed Proposal of Expenditures to Mayor and Council for a VOTE. Likewise, the Activities cannot violate the State Gratuity Clause and should a tangible benefit to the City (Pleasure is not a tangible benefit.).

Mayor and Council are operating under the mistaken and illegal assumption that any Budget Appropriation/Allocation voted on in the Budget has the Green light to move forward without “subsequent legislative action” meaning coming back to Mayor and Council for

a VOTE. The State Constitution and Amendments dictate Budget Principles and Accounting Structure for all levels of government within the State.

According to the City Charter: Sec. 5-101.-Budget preparation and submission .

(c)(1) The budget shall provide a complete financial plan of all city funds and activities for the ensuing fiscal year and, except as required by law or this charter, shall be in such form as the city manager deems desirable or the city council may require. In organizing the budget, the city manager shall utilize the most feasible combination of expenditure classification by fund, organization unit, program purpose of activity, and object. It shall begin with a clear general summary of its contents; shall show in detail all estimated income, indicating the proposed property tax levy and all proposed expenditures including debt service, for the ensuing fiscal year; and shall be so arranged so as to show comparative figures for actual and estimated income and expenditures of the current fiscal year and actual income and expenditures of the preceding fiscal year. It shall indicate in separate sections:

(1) Proposed expenditures for current operations during the ensuing fiscal year detailed by offices, departments, and agencies in terms of their respective work programs and method of financing such expenditures;

As stated in highlighted (c)(1) above, the **budget shall provide a complete financial plan of all city funds and activities**, meaning that the Budget handbook document is not an ORDINANCE, hence **“subsequent legislative action”** is needed by Mayor and Council. Likewise, **Proposed expenditures** in (1) above means that all EXPENDITURES in the Budget handbook document are PROPOSALS and **“subsequent legislative action”** by Mayor and Council is needed!

In (1) above, **Proposed expenditures** are detailed by offices, departments, and agencies in terms of their respective work programs and method of financing such expenditures. Hence, in the case of ACTIVITIES outside of offices, departments, and agencies, the Budget identifies them as NON-DEPARTMENTAL and their FUNDING are placed in Contingency and Reserve Accounts. Again, according to the City Charter Sec. 5-106.-Fiscal controls. **(b) Contingency and reserve account. There shall be no expenditure of any funds from a contingency or reserve fund account, unless such expenditure has been approved by the council.**

YES, it is true that East Point Mayor and Council are addictive to SPENDING taxpayers money to ENTERTAIN the masses from OUTSIDE of East Point. What REASON (S) do Residents have to be DISTURBED by WEDNESDAY WIND DOWN (Event) EXPENDITURES? Could it be any or all of the following:

- 1) There is no TRANSPARENCY concerning this Event.**
- 2) There are NO records that Mayor and Council ever voted for the Expenditures for the Event.**
- 3) There is NO designated person to sign contracts/agreements for the Event.**

- 4) There are NO requested and approved Procurement/Purchase documents on any Council Agenda for the Event.

HOW do I know all of this? I received my information from City documents and mainly Open Records Requests which I will share them with you.

- 1) PAGES 1- 4: I was unable to find the funding source for the Event in the APPROPRIATED FY 21 Budget, so I contacted City Manager Fred Gardiner. According to Mr. Gardiner's document the allocated/appropriated funding for the W/W (EVENT), JAZZ FEST, ETC WAS \$200,00 (P3) and on (P4) WED. WIND DOWN allocated/appropriated funding in the same Budget was \$150,000. The allocated/appropriated funding actually exceeded \$300,000 for the EVENT SERIES!
- 2) PAGE 5: In February 2022, the Mayor and Council allocated/appropriated another \$75,000 to cover the EVENT'S cost OVERRUN!
- 3) PAGE 6: Open Records Request for the Minutes and Funding for the May 2022 Event.
- 4) PAGE 7: More Requests for Expenditures for the May 2022 Event.
- 5) PAGES 8 -9: Mayor and Council's vote to adopt the Budget Amendment #2 Operation Ordinance.
- 6) PAGE 13: On Monday, Mayor and Council will vote for ANOTHER Budget Amendment for the allocation/appropriation of \$100,000 for the EVENT and \$50,000 for JUNETEENTH!

This means that Mayor and Council will have ALLOWED the SPENDING of: \$150,000 + \$75,000 + \$100,000 = \$325,000 Since JULY 2021 for WEDNESDAY WIND DOWN EVENTS WITHOUT A SINGLE VOTE BY MAYOR and COUNCIL for ANY of the EXPENDITURES ; and WITHOUT a DESIGNATED PERSON to ACCOUNT for the EXPENDITURES.

The ACTUAL allocation/appropriation AMOUNT for the WEDNESDAY WIND DOWN, JAZZ FESTIVAL, AND JUNETEENTH FOR THE LAST ELEVEN MONTHS IS \$425,000 (\$325,000 for WEDNESDAY WIND DOWN; and \$100,000 combined for the JAZZ FESTIVAL and JUNETEENTH). WHAT A WASTE!

NOW PAGES 10-12 concerns PARKS & RECREATION and how unconcerned MAYOR & COUNCIL are about our YOUTH and the majority of the RESIDENTS. THAT will be in PART 10, my next POST.

PLEASE VOTE and VOTE NO on the MOST!

MAYOR and COUNCIL are WASTING our MONEY with NO ACCOUNTABILITY and TRANSPARENCY. THEY NEED TO TELL US WHAT HAPPENED TO THE

\$13,023,592 given to the City from the AMERICAN RESCUE PLAN and WHO IS SPENDING OUR MONEY ON WEDNESDAY WIND DOWN SERIES INSTEAD of ADDING more TAXES on the RESIDENTS to SPEND on PARTIES, FRIENDS; TRIPS; and THEMSELVES. NOW IS NOT THE TIME TO ASK RESIDENTS TO PAY MORE IN TAXES ON FOOD, GAS AND EVERYTHING ELSE IN EAST POINT. THEY CANNOT BE TRUSTED WITH OUR MONEY!

If there is ANYONE BUT PITTMAN who cares about the people of this City please SHARE THIS INFORMATION and TELL MAYOR and COUNCIL to REOPEN CITY HALL and FACE the RESIDENTS NOW!