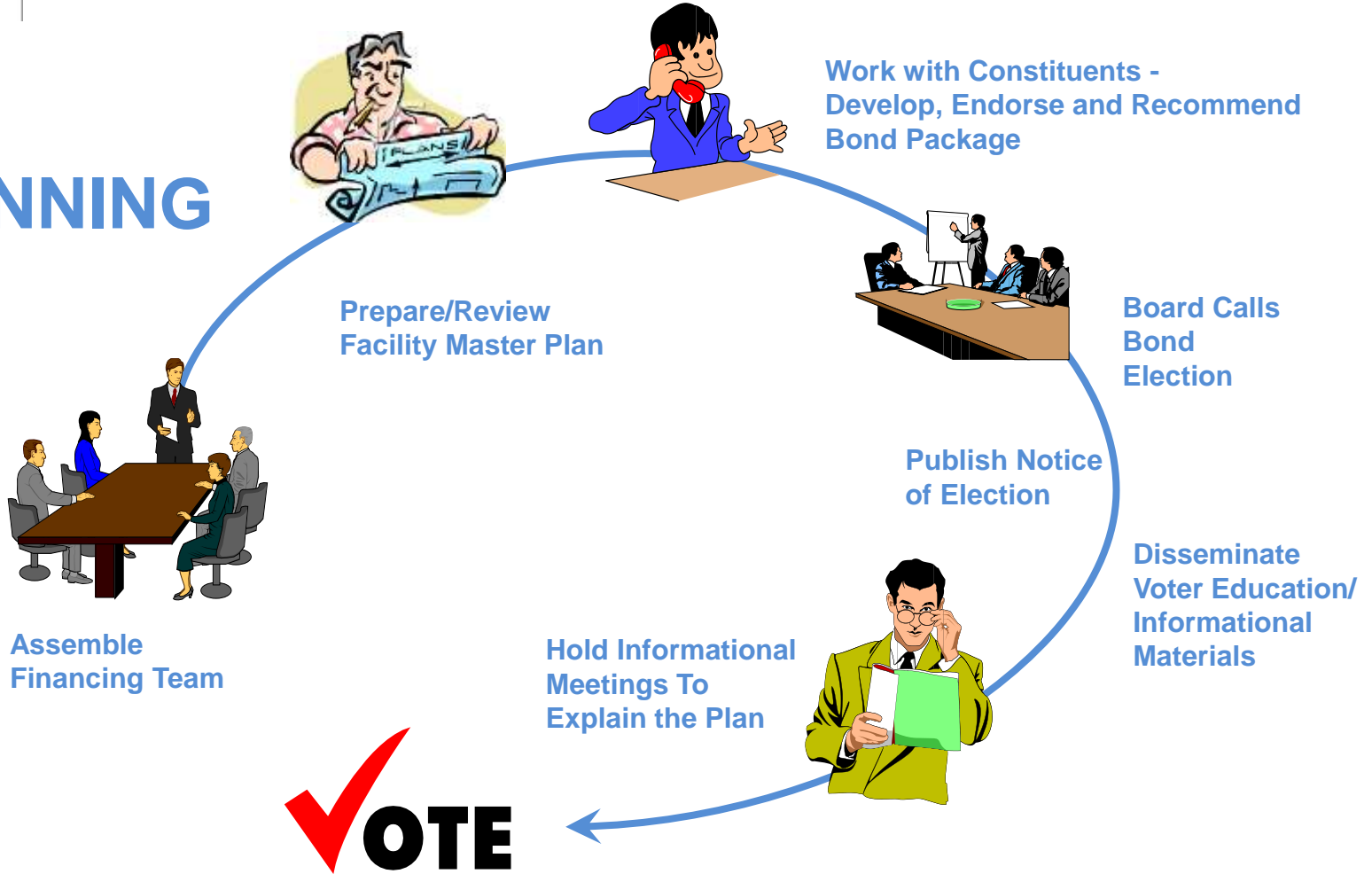


OVERVIEW OF THE BOND ELECTION PROCESS

Prepared for the City of Rollingwood
April 2022

Overview of the Bond Election Process

PLANNING





When is a Bond Election required?

Election Required

- Bonds issued by municipalities that are payable from ad valorem taxes

No Election Required

- Utility System Revenue Bonds
- Certificates of Obligation
- Contractual Obligations
- Tax Notes



General Information about Bond Elections

Parties Involved

- Governmental Entity/Issuer
- Financial Advisor
- Bond Counsel
- Other
 - Election Consultant(s)
 - Election Administrator
- Voters



Role of Bond Counsel – Election Matters

- Hired by and represents the City
- Assist with planning and calling the bond election
- Draft all election documents
- Provide detailed instructions for posting and publication requirements
- Advise and assist with election strategies
- Review informational materials
- Preclear proposition(s) with Attorney General's Office



Legal Authority for a Bond Election

Legal Authority for Governmental Entities to Issue Tax Bonds

- Home-rule Cities:
 - Article XI, Section 5 of the Texas Constitution
 - State Statutes
 - City's Charter
- General Law Cities:
 - Article XI, Section 4 of the Texas Constitution
 - State Statutes

Authorized Purposes for Tax Bonds

- Permanent public improvements and other public purposes



Calling the Bond Election

Generally, a bond election must be held on a Uniform Election Date - first Saturday in May or first Tuesday after the first Monday in November

Council adopts an ordinance calling a bond election containing:

- Proposition(s) and Ballot Language
- Precincts
- Election Day Polling Places
- Early Voting dates, hours and locations
- Other important information



Calling the Election - Propositions

- Each purpose requires a separate proposition
- General prohibition against logrolling – cannot combine multiple purposes into a single proposition
- Exception – common project designed to support more than one governmental purpose (e.g., common building designed to support more than one municipal purpose – administrative offices and police station)



Important Dates for November 8, 2022 Bond Election

<u>Date</u>	<u>Event</u>
Mid-May*	Finalize purposes
Mid-June*	Finalize preferred grouping of purposes/projects to be presented in each measure to voters; Orrick seeks Texas AG pre-clearance, if necessary
Wed., Aug. 10	First day for City Council to adopt election ordinance
Mon., Aug. 22	Last day for City Council to adopt election ordinance
Mon., Oct. 24	Early voting begins
Tues., Nov. 8	Election Day
Fri., Nov. 11 – Tues., Nov. 22	Window to canvass the election

*Recommended timeline to ensure City can meet deadline to adopt election ordinance.



Calling the Bond Election

Posting and Publishing Requirements

- Post the Notice
 - City's bulletin board
 - City's website
- Publish the Notice
 - Newspaper of general circulation published in the City
- Post the Election Ordinance
 - Each polling place
 - 3 public places in the City
 - City Hall
 - City's website
- Post and publish in English and Spanish
- Bond Counsel will provide documents (in English and Spanish) and detailed instructions



Voter Outreach and Education

City Informs Community About Purpose(s) of the Bonds

- Provide factual information only (no advocacy)
- Prepare, print and distribute factual voter education materials
- Schedule and hold community engagement meetings to present factual information to the community



Post-Election Issues

Canvassing Window: November 11, 2022 – November 22, 2022

Election Contest Period: Ends 30 days after canvassing

Bonds cannot be issued until after the election contest period has ended



Questions?

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Jerry practices in the public law area. With a focus in public finance, he serves as bond counsel or underwriters' counsel in tax-exempt bond transactions. Jerry has been active in traditional bond financings for governmental entities such as school districts, cities, counties and special-purpose districts, advising them on general obligation, ad valorem tax-secured financings and special or limited obligation financings, such as utility system revenue-secured financings, conduit financings, financings for state agencies and financings for entities authorized to act on behalf of the State of Texas and its political subdivisions, including tax and revenue anticipation and general obligation and special-purpose facility revenue financings.

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Ben is a public law attorney who focuses his practice on public finance. He has served as bond counsel, underwriter's counsel and disclosure counsel on virtually every type of public finance transaction. Throughout his career, he has worked on more than 100 public finance transactions with an aggregate par value of approximately \$15 billion. Ben also counsels utility districts, municipal management districts, cities, economic development corporations, tax increment reinvestment zones and other governmental entities on general matters. In addition, he has substantial experience with economic development matters, and advises both developers and governmental entities in the negotiation of agreements relating to the construction of public infrastructure/developer reimbursement and economic incentives.