

Office of the Attorney General of Texas

RE: Citizen Complaint by League of Independent Voters of Texas to the Office of Attorney General, Public Finance Division concerning irregularities in the adoption of City of Bastrop Ordinance 2025-81, adopted October 21, 2025 by the Bastrop City Council and concerning issuance of COB \$15,000,000 Certificates of Obligation, including method of publication of Notice of Intention to issue Certificates, and inclusion of a project in the plan of finance that is not an eligible public work

To whom it May Concern:

In support of this complaint, attached please find written comments submitted to the Bastrop City Council on behalf of the League of Independent Voters in advance of the Council's action on Ordinance 2025-81 on Tuesday, October 21.

The thrust of the comments were:

- Even if the City desired to publish the Notice of Intention in the Bastrop Advertiser, the City *also* should have published the Notice in the Elgin Courier to fully comply with the spirit of the law which requires timely notice to the public, to allow the filing of a petition for a public vote on the proposed Certificates of Obligation. The City's adoption of Ordinance 2024-37 in November 2024, changing the City's official newspaper for notices **related to its official business** from the Bastrop Advertiser to the ELGIN COURIER, and the City's consistent and exclusive use of the Elgin Courier for such purposes thereafter, specifically with respect to notices related to any City ordinance, *with the lone exception of the Notice of Intention related to Ordinance 2025-81*, dictated at least dual publication of the Notice of Intention in the Elgin Courier.
- The inclusion of "a golf course and golf facilities" project as a stand-alone component of the plan of finance, without reference to any related eligible public work does not qualify as a "public work" eligible for Certificate of Obligation financing, as defined in Texas Local Government Code Sec. 271.043(A)(7-a). Moreover, the absence of any specification of proposed costs of golf course facilities exacerbated the vague and ambiguous project description. If the current description is allowed to stand, the City bond counsel's averment to the effect the golf course project was clearly "intended" to be part of an eligible public works project, fails to assure taxpayers that would happen, and if it did not, that they could enforce its removal as a viable project post-issuance.
- For these reasons, we believe the public was deprived of notice they would have reasonably expected to find in the City's official newspaper as a pre-requisite of issuance and a precursor of their right to petition for a public vote, and that the plan of finance should be corrected to explicitly identify the public work project that will include construction of a golf course and related facilities.

The League of Independent Voters respectfully reserves the right to augment and/or supplement this complaint either due to questions OAG may ask, additional information OAG may request, or additional information LIV may submit.

Thank you for your prompt attention to this matter.

Linda Curtis, Chief Organizer

LEAGUE OF ***independent*** VOTERS OF TEXAS (LIV)

LIVTX.org

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