



Written by [Kelly Holt](#) on July 23, 2019

Dallas, Texas Bond Election Under Intense Scrutiny

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On July 11, True Texas Elections, an Austin-based election advocacy group, issued a [press release](#), so far ignored by mainstream press, concerning a lawsuit filed in Dallas County, Texas. The lawsuit calls into question the outcome of a massive bond election in the county in May 2019, favored (officially) by over 70 percent of voters.



An unprecedented \$1.1 billion is at stake for the Dallas County Community College District (DCCCD) a network of seven community colleges covering the whole of Dallas County, with some exceptions. It's one of the largest community college systems in Texas. The release calls the proposal "the largest community college district bond measure in Texas history and the fourth largest overall."

But for the contestant's attorney Frank Dobrovoly it's about that and more, specifically election integrity. Given the increased scrutiny in Texas elections in recent years, this one is important.

Any discussion of bond issues can be a big snoozefest for most. But it shouldn't be: \$1.1 billion is a lot of money. According to last week's press release, the reason for the [lawsuit](#) is possible election fraud.

The petition claims, "Official Dallas County central counting station watchers reported tabulation errors, illegalities and potential fraud, according to court documents." Dobrovoly added, "There were so many mistakes in this election that a reasonable person can't have confidence that the outcome of the election was the true outcome."

The action asked of the court is to evaluate the evidence, declare the election void, and order a new one.

The New American magazine also spoke with Dorothy Zimmerman, board member for DCCCD District 3. While unable to comment on the lawsuit, she had been quite vocal in opposing the measure, largely because of what she believes to be fiscal irresponsibility, and for the additional tax burden on Dallas County taxpayers.

She said the District has not yet paid off \$263 million of a \$450 million bond from 2004 — the projects that bond was to have funded have never been finished, and the money that was spent was routed largely to only one of the seven DCCCD districts. Effectively, Zimmerman claims, her district got no benefits from the bond, but were responsible for paying for it.

The latest \$1.1 billion bond is to be spent primarily for the acquisition of property in downtown Dallas. The largest single allocation so far is \$325 million (at market square-foot prices), earmarked for a new El Centro Community College campus.

But Zimmerman is also concerned about some more obscure aspects of the proposal. Prior to passage,



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it was highly promoted by a local PAC, as well as being endorsed by the [Dallas Morning News](#) and the DCCCD Board itself, all [claiming](#) no tax increases would incur. Zimmerman says the downtown voters were largely responsible for the measure's passage, as they will benefit, while voters in her district hardly knew it was on the ballot. PAC materials were mailed only to select voters outside of downtown. She remembered the 2004 bond also claimed it wouldn't result in tax increases, but it did, so she says this go-round the District was more cautious about revealing many details.

In addition, Zimmerman objects that details weren't made known to the public. When *TNA* asked what the real cost to taxpayers would be, she replied that the Board doesn't know. In her thinking, the bond projects amount to simply a wish list, since no relevant details can even be known, such as the interest rate at the time of issuance, the costs of real estate, and the facts that overruns are a given. The location of the new downtown campus was not even revealed.

"Who in their right mind would ever vote for a bond?" asked Zimmerman. "Because all these things are unknowns, and always will be, you can never know exactly what things will cost and you end up with unfinished projects! And money can't be accounted for."

"The Board's attorney even said he 'didn't want to say anything yet, because there was nothing concrete to tell.'" She remembers asking him, "So you just want us to trust you?" Her question went unanswered.

Like Dallas needs more trouble. Its unfunded liabilities — pension and retirement plan shortfalls are no secret. Just two days after the DCCCD bond election, the PEW Charitable Trusts [reported](#) Dallas' shortfalls in meeting pension obligations, and it's not improving.

Zimmerman reports what that looks like in one of the largest cities in Texas: "Our police force struggles to keep enough officers; they leave for cities that are more financially stable. In fact, important to the bond issue, Dallas PD is already asking for extra help from campus police, anticipating the need when the new downtown campus opens. Downtown is notorious for its crime rate." Maybe she's right. This plan is unsustainable.

This challenge is a big deal. Considering the implications for future elections, especially bonds, it's important. According to The Bond Buyer for May 6, 2019 most bond measures pass, and they rarely if ever get challenged. The same article [reports](#) that on May 4 voters across Texas approved a staggering \$9.4 billion in bond measures.

In addition to more fiscal responsibility for Dallas County, a win for the contestant would also signal a big step toward cleaning up electronic voting in Texas. Many paper-ballot devotees may have to learn to live with electronic voting machines, but in recent years, some Texas counties have been forced to examine their methods more closely. Many are not in compliance with Texas election law, first brought to public attention by the [case](#) of Dr. Laura Pressley in Austin.

Dr. Pressley's suit, as outlined by *TNA*, eventually ended up in the Texas Supreme Court and was ruled in her favor. Because of her work for honest elections, many Lone Star counties are beginning to understand their proper duties and work toward election integrity. The buck stops with the Office of the Texas Secretary of State, responsible for Texas elections; even they are waking up that there's a new sheriff in town.

The next step in this process is the appointment to the District Court of a visiting judge to preside over the suit, followed by an initial hearing that may soon be ordered. In the meantime, the bond issuance may not continue. According to Texas Administrative Code 53.14, public securities will not be approved



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until “a final, nonappealable judicial order that does not overturn the election has been obtained.”

Dobrovolny added, “People should be able to have confidence in their elections. Responsible citizens also have a duty to make sure election laws are enforced if the government overseeing those elections will not do so. This case involves a magnitude of serious problems with many aspects of the election.”

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