

Public Finance

Overview

Unstable economies, public scrutiny of expenditures and legislative changes increase construction costs, reduce tax benefits to bond owners and impede the ability of local agencies to raise new revenue and participate in real economic growth. Faced with these challenges, local agencies require creative strategies to obtain necessary funding for new projects and to resolve troubled borrowings when needed.

With more than 35 years of experience, Best Best & Krieger LLP's nationally recognized Public Finance practice group has acted as bond, disclosure and underwriter's counsel in financings for public agencies throughout California. Our firm has closed more than \$1 billion a year in par value in recent years. We are California's leading bond counsel, having handled more than 25 percent of all transactions in California for which bond counsel was used. We are renowned for creative public finance solutions for construction projects and acquiring new public infrastructure. We are also highly regarded for our success in restructuring troubled debt, enabling underperforming assets to achieve value and pay debt service.

Diverse Experience

BB&K attorneys advise on a wide range of public projects from idea inception through design, finance, construction, project completion and dispute resolution. Our Public Finance team can handle every detail relating to the authorization, sale and delivery of public securities. Whether for roads or highways, schools, parks and playgrounds, housing or water supply conservation or wastewater facilities, our attorneys have extensive experience in all types of financing structures, including short-term and long-term borrowing, fixed- or variable-rate obligations and derivatives.

We are also very experienced in financings under the Marks Roos and Mello Roos acts to optimize public finance opportunities.

Leaders in the Energy Sector

We serve as bond counsel for Western Riverside Council of Governments, which runs the HERO Program for energy-efficiency improvements and

Key Contacts



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Connected Industries

Education

Municipal

Special Districts

products for homes and businesses. We are well known for our work in negotiating, structuring and documenting tax-exempt and taxable financings for local agencies' renewable energy projects. Additionally, we are bond counsel to two local public agencies issuing bonds under the Property Assessed Clean Energy Program.

Backed by one of California's largest and most experienced [Municipal Law](#) practices, we possess the comprehensive knowledge required to overcome the hurdles public agencies face and we have the experience necessary to assist them in meeting their public finance needs.

People



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Related Practices

[Energy](#)

[Fees, Taxes & Assessments](#)

[Finance & Banking](#)

[Government Policy & Public Integrity](#)

[Government Relations](#)

[Ports](#)

[Public Contracts & Construction](#)

[Public-Private Partnerships](#)

[School Finances, Developer Fees & Mitigation](#)

[Transportation](#)

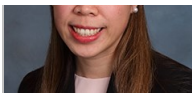
[Water](#)

Our Perspective

[Transportation](#)

[Public Infrastructure](#)

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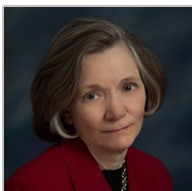
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News & Events

BB&K EVENT | OCT 24, 2019

2019 California Rates 101 Workshop

Raftelis Workshop

EVENT | OCT 09, 2019

67th Annual ACHD Meeting: Shaping Healthy Futures

Association of California Healthcare Districts

BB&K IN THE NEWS | JUL 26, 2019

One Calif. City's Tax Test

Partner Kelly Salt Discusses San Francisco's New Tax Efforts with *Bloomberg Tax*

EVENT | JUL 25, 2019

SGMA's Next Phase

Sustainable Groundwater Planning in California

LEGAL ALERTS | JUL 09, 2019

Cities May Record Special Assessment Liens for Delinquent Fees

Calif. Appellate Court Holds These Liens Not Subject to Prop. 218

PRESS RELEASES | JUL 08, 2019

BB&K Ranked No. 202 on NLJ Largest Law Firms

Growth Attributed to a Niche Public Law Focus and Great Results

CLIENT SUCCESSES | JUL 01, 2019

BB&K Contributes to Successful Rate Ordinance Defense

Partner Kelly Salt Represented Public Agencies as Amicus Curiae

LEGAL ALERTS | JUN 18, 2019

Resolution Adopting New Water Rates Not Subject to Referendum

Calif. Court of Appeal Holds that Referendum Power Not Applicable to Local Water Rate Resolutions

PRESS RELEASES | MAY 28, 2019

BB&K Remains a Top 25 San Diego Law Firm

San Diego Business Journal's 2019 Ranking

EVENT | MAY 21, 2019

Special District Revenue Trials and Trends

California Special Districts Association

PRESS RELEASES | MAY 20, 2019

BB&K Attorney Lutfi Kharuf a Top 40 Under 40 in San Diego

San Diego Daily Transcript Annual List of Rising Stars

LEGAL ALERTS | MAY 13, 2019

"Qualified Electors" Under Mello-Roos Community Facilities Act are Registered Voters, Not Landowners,

Court Order Says

A California Superior Court Weighs-In on Who Can Vote in a CFD Election

PRESS RELEASES | MAY 13, 2019

BB&K One of 200 Largest Law Firms in the U.S.

Law360 Annual Ranking Reflects Firm's Continued Recent Growth

PRESS RELEASES | MAR 21, 2019

BB&K Attorneys Serving on LCC City Attorneys Committees

Including Cannabis Regulation, Legal Advocacy and Municipal Finance

PRESS RELEASES | MAR 18, 2019

Six BB&K Attorneys Named Top Lawyers in San Diego

Annual List Based on Martindale-Hubbell Ratings

BB&K IN THE NEWS | FEB 27, 2019

American Lawyer Discusses BB&K Growth Last Year

Firm Expands to Meet Client Demand

LEGAL ALERTS | FEB 19, 2019

Uniform Application of Parcel Tax Does Not Require Uniform Effect on Taxpayers

California Appellate Court Upholds Los Angeles County Parcel Tax

BB&K IN THE NEWS | FEB 15, 2019

California Supreme Court and Local Taxes

Partner Kelly Salt Interviewed by CALMatters on Upland's Impact

LEGAL ALERTS | FEB 06, 2019

New Disclosure Requirements for Municipal Debt Issuers

Take Effect this Month

LEGAL ALERTS | JAN 09, 2019

New Year, New Laws Impacting Public Agencies in California – Part I

2019 Brings Changes to Election, Revenue, Conflict of Interest, Property and

PRESS RELEASES | DEC 19, 2018

Cities' Struggles to Meet Obligations Are Real — BB&K Municipal Law Team Grows to Help

New and Expanded Services and More Attorneys and Staff Added in 2018

CLIENT SUCCESSES | DEC 07, 2018

Water and Wastewater Bond Deal

BB&K Attorneys Served as Bond Counsel

EVENT | NOV 27, 2018

ACWA 2018 Fall Conference & Exhibition

Association of California Water Agencies

PRESS RELEASES | OCT 16, 2018

Best Best & Krieger Marks 25 Years in San Diego

Proud to Serve, and Grow With, Its Community

LEGAL ALERTS | OCT 04, 2018

Statutory Authority to Adopt Fees Negates Any Potential State Mandate Funding

California Appellate Court Finds There is No State Mandate When a Public Agency Has The Statutory Authority to Levy Fees

LEGAL ALERTS | OCT 02, 2018

AB 2035: New Tax Increment Financing for Shelters and Affordable Housing

California Lawmakers Continue to Address Housing Crisis

EVENT | SEP 24, 2018

CSDA 2018 Annual Conference

California Special Districts Association

EVENT | SEP 06, 2018

Land-Secured Financing: Legislative and Legal Updates

LEGAL ALERTS | AUG 27, 2018

Transfer of Electric Utility Revenues to City's General Fund is not a Tax Under Proposition 26

Supreme Court Reverses Court of Appeal

LEGAL ALERTS | JUN 29, 2018

Ballot Initiative Withdrawn, Leaving Intact Local Authority to Impose Taxes, Fees and Charges

Last-Minute Deal to Withdraw Includes Moratorium on Certain New Taxes in California

EVENT | JUN 11, 2018

California Water Law & Policy Conference

Argent Communications Group

BB&K IN THE NEWS | JUN 01, 2018

Brent Collinson Admitted to U.S. Supreme Court Bar

Attorney Recently Merged Firm with BB&K, Sierra Sun Reports

EVENT | MAY 30, 2018

Proposition 26, Proposition 218 and Rate Setting (Orange County)

California Special Districts Association

EVENT | MAY 23, 2018

Special Districts Revenue Legislation

CSDA Legislative Days

LEGAL ALERTS | MAY 17, 2018

City's Electric Utility Fund Transfer to General Fund Upheld by Court

California Appellate Court Interprets Term "Increase" and Statute of Limitations

EVENT | MAY 08, 2018

Impact of Cannabis Business to State and Local

Governments

Impact of Cannabis Business to State and Local Governments

EVENT | MAR 13, 2018

Proposition 26, Proposition 218 and Rate Setting (Isla Vista)

California Special Districts Association

EVENT | MAR 07, 2018

Special Taxes by Initiative

California Legislative Hearing

EVENT | FEB 20, 2018

California Society of Municipal Finance Officers

Annual Conference

EVENT | FEB 05, 2018

Sustainable Groundwater Planning in California

Law Seminars International

LEGAL ALERTS | JAN 09, 2018

2018 California Public Agency Laws – Part I

Elections, Public Records Act, Revenue and Conflicts of Interest

PRESS RELEASES | JAN 02, 2018

Five Attorneys Named to Partnership

BB&K Announces Promotions

LEGAL ALERTS | DEC 04, 2017

California Supreme Court Holds Groundwater Pumping Charges Are Not Property-Related Charges Subject to Proposition 218

Case May Impact Groundwater Pumping Charges Authorized Under SGMA

EVENT | NOV 28, 2017

ACWA Legal Affairs Committee CLE Workshop

Association of California Water Agencies

LEGAL ALERTS | NOV 02, 2017

Tax Bill Impacts

Immediate, Critical Impacts on State and Local Governments

| NOV 01, 2017

[WEBINAR] Tax Reform: What D.C.'s Actions Could Mean for Public Agencies

BB&K Webinar

BB&K EVENT | NOV 01, 2017

Tax Reform: What D.C.'s Actions Could Mean for Public Agencies

BB&K Free Webinar

AUTHORED ARTICLES & PUBLICATIONS | NOV 01, 2017

The Proposed Tax Plan: What Public Agencies Should Know

By John Freshman and Ana Schwab

PRESS RELEASES | OCT 30, 2017

Nora O'Brien Honored by Women in Public Finance

BB&K Attorney Receives Rising Star Award

EVENT | OCT 13, 2017

Cannabis Law Forum

2017 CMRTA Annual Conference

EVENT | SEP 26, 2017

Growth: The Leadership Conference for Special Districts

2017 CSDA Annual Conference

AUTHORED ARTICLES & PUBLICATIONS | SEP 20, 2017

The Little Hoover Commission Issues Report on Special Districts

By Whitney Blackhurst

CLIENT SUCCESSES | AUG 14, 2017

RCTC Secures TIFIA Funds for Important Highway Infrastructure Project

BB&K Advised on \$152.2 Million TIFIA Loan

LEGAL ALERTS | JUL 05, 2017

Surcharge on Utility Users Imposed Under a Franchise Agreement is Not a Tax

California Supreme Court Holds Surcharge for Franchise Rights Not Subject to Voter Approval if Reasonably Related to Value of Franchise

LEGAL ALERTS | JUN 19, 2017

No Mandatory Exhaustion of Administrative Remedies for Proposition 218 Challenge

California Court of Appeal Allows Challenge to Prop. 218 Without Public Protest

LEGAL ALERTS | JUN 16, 2017

Non-Property Owners in Cities and Counties May Now Sue for Wasteful Government Spending

California Supreme Court Decision Widens Potential Claimant Pool

LEGAL ALERTS | JUN 14, 2017

New Filing Deadline for JPAs Approaches

JPAs Providing Municipal Services Must File with LAFCOs by July 1

LEGAL ALERTS | MAY 31, 2017

U.S. Supreme Court Declines to Review a Legal Challenge to Mello-Roos Special Taxes

Funding Mechanism for “Additional Services” for New Development Remains

PRESS RELEASES | MAY 25, 2017

Partners Michelle Ouellette and Kelly Salt Named Top Women Lawyers

Daily Journal’s Annual List of California’s Best Female Attorneys

EVENT | MAY 09, 2017

One Water, One Future

ACWA's 2017 Spring Conference & Exhibition

EVENT | APR 12, 2017

Structuring Conservation-Based Rates Under Current California Law

CA-NV AWWA's 2017 Spring Conference

LEGAL ALERTS | APR 10, 2017

School Districts not Exempt from Paying Assessments to Fund Flood Control Services

California Appellate Court Finds Constitutional Mandate Supersedes Statutory Exemption

EVENT | MAR 15, 2017

Proposition 26, Proposition 218 and Rate Setting (Oakland)

California Special Districts Association

EVENT | FEB 23, 2017

Proposition 26, Proposition 218 and Rate Setting (Vista)

California Special Districts Association

LEGAL ALERTS | DEC 14, 2016

Transient Occupancy (Hotel) Taxes May be Limited by Ruling

Online Booking Rates Addressed by California Supreme Court

BB&K IN THE NEWS | DEC 02, 2016

Hillsborough Residents File Suit Over Water Rates

Rates Comply with Law, BB&K Partner Kelly Salt Tells East Bay Times

VIDEOS | NOV 18, 2016

Kimberly A. Byrens Video Bio

Partner

VIDEOS | NOV 18, 2016

William J. Priest Video Bio

Of Counsel

BB&K IN THE NEWS | NOV 17, 2016

Drought Policies, Price of Water Lands in Court

Hillsborough, Represented by BB&K Attorney Kimberly Hood, Faces Suit from Residents

AUTHORED ARTICLES & PUBLICATIONS | NOV 08, 2016

New Laws of 2017 Series Part I: Parcel Taxes and Property Related Fees

CSDA Series Kicks Off With Analysis by BB&K Attorney Lutfi Kharuf

EVENT | NOV 02, 2016

Intro Property Assessed Clean Energy (PACE) Finance Course

Council of Development Finance Agencies Training Institute

BB&K IN THE NEWS | OCT 26, 2016

In Yorba Linda, the Race for Water District Board is Getting Ugly

KPCC Interviews BB&K Partner Kelly Salt on Water Agency Issues

LEGAL ALERTS | OCT 24, 2016

Financing Increased Demand On Pre-Existing Services Constitutes “Additional Services”

California Court Decision Rules on Mello-Roos Community Facilities Act of 1982

EVENT | OCT 10, 2016

California Special Districts Association

Annual Conference

EVENT | OCT 06, 2016

Ensuring the Financial Health of Your Utility After California's Historic Drought

Rate Workshop Hosted by Raftelis Financial Consultants, Inc.

PRESS RELEASES | OCT 05, 2016

Two BB&K Partners Named Among 100 Influential Leaders in San Diego

Partners Warren B. Diven and Shawn D. Hagerty Recognized by The Daily Transcript

LEGAL ALERTS | SEP 22, 2016

New Legislation Impacts Special Parcel Taxes, Community Facilities Districts, and Notices for Property-Related Fees

Public Agencies Must Comply Beginning Jan. 1

LEGAL ALERTS | SEP 14, 2016

Legislation Establishes New Reporting Requirements for State and Local Debt Obligations

Annual Reports Filed with the California Debt and Investment Advisory Commission Must Include Additional Information

LEGAL ALERTS | SEP 12, 2016

Bill Addresses Excessive Water Use by Some California Urban Retail Water Purveyors

Tiered Water Rates and Surcharges Among Tools Agencies Can Use During Water Shortages

EVENT | MAY 20, 2016

Rate Setting & District Finances

Ninth Annual OC Water Summit

EVENT | MAY 18, 2016

Proposition 218 Roundtable

University of California, Irvine School of Law

EVENT | MAY 04, 2016

Adopting Conservation-Based Water Rates That Meet Proposition 218 Requirements

League of California Cities' City Attorney Spring Conference

LEGAL ALERTS | MAR 07, 2016

Statute Authorizing Transfer of Local Taxes as Penalty is Unconstitutional

California Appellate Court Ruling on Proposition 22

EVENT | FEB 09, 2016

Proposition 26, Proposition 218 & Rate Setting

California Special Districts Association

AUTHORED ARTICLES & PUBLICATIONS | JAN 07, 2016

Structuring Tiered Water Rates Under Conflicting Court Decisions: Interpreting the California Constitution

Partner Kelly Salt Writes About Tiered Rates in the January 2016 American Water Works Association Journal

LEGAL ALERTS | DEC 09, 2015

California Appellate Court Addresses Lease-Back Financing Plan to Fund Public Infrastructure Improvements

Court Finds Plan Does Not Violate Requirement that Municipal Indebtedness be Approved by a Two-Thirds Vote of the Electorate

LEGAL ALERTS | DEC 09, 2015

California Appellate Court Holds Groundwater Pumping Fees are Property-Related Fees Subject to Prop. 218

Decision Conflicts with a Separate Appellate Court Decision to be Considered by the California Supreme Court

BB&K IN THE NEWS | SEP 29, 2015

A Tax Ruling Could Complicate California's Effort to Battle the Drought

BB&K Partner Kelly Salt Discusses Capistrano Case With the American Bar Association Journal

LEGAL ALERTS | JUL 23, 2015

California Supreme Court Denies Requests to Depublish San Juan Capistrano Case

Action Means the Closely Watched Tiered Water Rate Case Is Final

LEGAL ALERTS | JUL 22, 2015

California Department of Water Resources Adopts Update to the Model Water Efficient Landscape Ordinance

Cities and Counties Will be Required to Update their Existing Water Efficient Landscape Ordinances or Otherwise be Subject to the New Model Ordinance

EVENT | JUL 20, 2015

Dealing With the Drought: State Water Resources Control Board (WRCB) Mandatory Water Consumption Reduction Measures

Law Seminars International

LEGAL ALERTS | JUN 25, 2015

California Supreme Court Grants Review in San Buenaventura Groundwater Pumping Fees Case

Appellate Court Decision Held that the Pumping Fee is Subject to Prop. 26 and is not a Property-Related Fee Subject to Prop. 218

LEGAL ALERTS | JUN 23, 2015

Drought Bill To Combat Water Shortages Passes In California Legislature

Measure Would Allow Forced Consolidation Of Water Suppliers, Large Civil Fines

EVENT | JUN 15, 2015

California Water Law & Policy Conference

Argent Communications Group

LEGAL ALERTS | JUN 04, 2015

City's Revenue Transfer From its Wastewater Utility to its General Fund Is Justified

California Appellate Court Holds that Transfer Did Not Violate Proposition 218

EVENT | MAY 26, 2015

Webinar: Regulations for Small Systems

Association of California Water Agencies

LEGAL ALERTS | MAY 07, 2015

State Water Resources Control Board Adopts Emergency Water Restrictions Throughout California

Sweeping Regulations Expected to Take Effect by May 15

LEGAL ALERTS | APR 21, 2015

California Court of Appeal Holds City's Tiered Water Rate Structure Violates Proposition 218

But City May Charge Potable Customers for the Costs of Developing Alternative Supply Projects, Such as Recycled Water

BB&K IN THE NEWS | APR 21, 2015

San Juan Capistrano Tiered Water-Use Rates Decision

BB&K Partner Kelly Salt Interviewed on Capistrano Taxpayers Association v. City of San Juan Capistrano
