

**AN ORDER CALLING A MAXIMUM TAX RATE AND BOND ELECTION TO BE HELD BY THE MULESHOE AREA HOSPITAL DISTRICT, MAKING PROVISION FOR THE CONDUCT OF THE ELECTION, AND RESOLVING OTHER MATTERS INCIDENT AND RELATED TO SUCH ELECTION**

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WHEREAS, the Board of Directors (the *Board*) of the MULESHOE AREA HOSPITAL DISTRICT (the *District*), located in Bailey and Parmer Counties, Texas, hereby finds and determines that an election should be held under section 1068.253 of the Texas Special District Local Laws Code (the *Code*) to determine whether the District shall be authorized to increase the maximum tax rate for the District and to further determine under section 1068.201 of the Code whether the District shall be authorized to issue bonds of the District in the amount and for the purposes hereinafter identified (the *Election*); and

WHEREAS, the District will contract with the City of Muleshoe, Texas (the *City*), by and through the City Secretary (the *City Secretary*), to conduct all aspects of the Election for the registered voters of the District; and

WHEREAS, the Election will be conducted by the City and may be held jointly with other political subdivisions for which the City is also conducting their elections (such other political subdivisions, collectively, the *Participants*), as provided pursuant to the provisions of an election agreement and/or a joint election or similar agreement between or among (as applicable) the District, the City, and/or any Participants, entered into in accordance with the provisions of Section 271.002, as amended, Texas Election Code; and

WHEREAS, the Board hereby finds and determines that the actions hereinbefore described are in the best interests of the residents of the District; now, therefore,

BE IT ORDERED BY THE BOARD OF DIRECTORS OF THE MULESHOE AREA HOSPITAL DISTRICT THAT:

SECTION 1: The Election shall be held in the MULESHOE AREA HOSPITAL DISTRICT on the 2nd day of May, 2020 (*Election Day*), which is a uniform election date under the Texas Election Code, as amended, and is 78 or more days from the date of the adoption of this order (the *Order*), for the purpose of submitting the following propositions to the qualified voters of the District:

MEASURE A

“Shall the maximum annual tax rate for hospital purposes be increased by 20 cents to authorize the Board of Directors of the Muleshoe Area Hospital District to levy annual taxes for hospital purposes at a rate not to exceed 60 cents on each \$100 valuation on all taxable property in said District subject to hospital district taxation, as authorized by the District’s enabling act?”

## MEASURE B

“Shall the Board of Directors of the Muleshoe Area Hospital District be authorized to issue and sell bonds of the District in the principal amount not to exceed \$9,000,000 for the purposes of purchasing, constructing, acquiring, repairing, renovating, equipping, improving, upgrading, or updating buildings or improvements necessary for accomplishment of the District’s purposes as specified in its enabling act, to include design, renovation, expansion, improvement, and equipment of the existing hospital and nursing home facilities, such bonds to mature serially or otherwise (not more than 40 years from their date) in accordance with law; any issue or series of such bonds to bear interest per annum at such rate or rates (fixed, floating, variable, or otherwise) as may be determined within the discretion of the Board of Directors, provided that such rate or rates of interest shall not exceed the maximum rate per annum authorized by law at the time of the issuance of any issue or series of such bonds; and shall the Board of Directors of the District be authorized to levy and pledge, and cause to be assessed and collected, annual ad valorem taxes on all taxable property in the District sufficient, without limit as to rate or amount, to pay the principal of and interest on the bonds and the cost of any credit agreements executed in connection with the bonds?”

SECTION 2: One or more District election precincts are hereby established for the purpose of holding the Election, and one or more polling places are hereby designated for holding the Election in the District election precincts as identified in Exhibit A to this Order (which is incorporated herein by reference for all purposes). At least 79 days prior to the scheduled Election Day, or as soon thereafter as is reasonably practicable, the President, Board of Directors, or the President’s designee, in coordination with the City Secretary, will appoint the Presiding Judge, Alternate Presiding Judges, Election Clerks, and all other election officials for the Election, together with any other necessary changes to election practices and procedures and can correct, modify, or change the Exhibits to this Order based upon the final locations and times agreed upon by the District, the City Secretary, and the Participants, if any and as applicable, to the extent permitted by applicable law.

A. The Presiding Judge shall appoint not less than two resident qualified voters of the District to act as clerks in order to properly conduct the Election. To the extent required by the Texas Election Code, as amended, or other applicable law, the appointment of these clerks must include a person fluent in the Spanish language to serve as a clerk to render oral aid in the Spanish language to any voter desiring such aid at the polls on Election Day. If the Presiding Judge appointed actually serves, the Alternate Presiding Judge shall serve as one of the clerks. In the absence of the Presiding Judge, the Alternate Presiding Judge shall perform the duties of the Presiding Judge of the election precinct.

B. On Election Day, the polls shall be open as designated on Exhibit A.

C. The main early voting location is designated in Exhibit B to this Order (which is incorporated herein by reference for all purposes). The individual named as the Early Voting Clerk as designated in Exhibit B is hereby appointed as the Early Voting Clerk to conduct such early voting in the Election. The Early Voting Clerk shall appoint the Deputy Early Voting Clerks. This

office or place shall remain open to permit early voting on the days and at the times as stated in Exhibit B. Early voting shall commence as provided on Exhibit B and continue through the date set forth on Exhibit B, all as provided by the provisions of the Texas Election Code, as amended.

Additionally, permanent and/or temporary branch offices for early voting by personal appearance may be established and maintained in accordance with the Texas Election Code. In the event such permanent and/or temporary branch locations are established, information regarding the locations, dates, and hours of operation for early voting at these offices shall be determined by the City Secretary, as identified in Exhibit B hereto.

An Early Voting Ballot Board is hereby established for the purpose of processing early voting results. The individual designated in Exhibit B as the Presiding Judge of the Early Voting Ballot Board is hereby appointed the Presiding Judge of the Early Voting Ballot Board. The Presiding Judge shall appoint not less than two resident qualified voters of the District to serve as members of the Early Voting Ballot Board.

SECTION 3: Electronic voting machines may be used in holding and conducting the Election on Election Day; provided, however, in the event the use of such electronic voting machines is not practicable, the Election may be conducted on Election Day by the use of paper ballots (except as otherwise provided in this section). Electronic voting machines or paper ballots may be used for early voting by personal appearance (except as otherwise provided in this section). Pursuant to Section 61.012, as amended, Texas Election Code, the District shall provide at least one accessible voting system in each polling place used in the Election. Such voting system shall comply with Texas and federal laws establishing the requirement for voting systems that permit voters with physical disabilities to cast a secret ballot. Any legally permissible voting method may be used for early voting and Election Day voting by personal appearance. Certain early voting may be conducted by mail.

SECTION 4: The District is authorized to utilize a Central Counting Station (the *Station*) as provided by Section 127.001, *et seq.*, as amended, Texas Election Code. The City Secretary, or the designee thereof, is hereby appointed as the Manager of the Station, who will establish a written plan for the orderly operation of the Station in accordance with the provisions of the Texas Election Code. The Board hereby authorizes the City Secretary, or the designee thereof, to appoint the Presiding Judge of the Station, the Tabulation Supervisor, and the Programmer for the Station and may appoint Station clerks as needed or desirable. The City Secretary will publish (or cause to be published) notice and conduct testing on the automatic tabulation equipment relating to the Station and conduct instruction for the officials and clerks for the Station in accordance with the provisions of the Texas Election Code.

SECTION 5: The official ballot shall be prepared in accordance with the provisions of the Texas Election Code, as amended, so as to permit voters to vote “FOR” or “AGAINST” the aforesaid measures which shall appear on the ballot substantially as follows:

PROPOSITION A

“THE LEVY OF ANNUAL TAXES BY THE BOARD OF DIRECTORS OF THE MULESHOE AREA HOSPITAL DISTRICT FOR HOSPITAL PURPOSES AT A

RATE NOT TO EXCEED 60 CENTS ON EACH \$100 VALUATION OF ALL TAXABLE PROPERTY IN THE DISTRICT SUBJECT TO HOSPITAL DISTRICT TAXATION.”

PROPOSITION B

“THE ISSUANCE OF \$9,000,000 OF BONDS BY THE MULESHOE AREA HOSPITAL DISTRICT FOR HOSPITAL FACILITIES AND THE LEVYING OF A TAX IN PAYMENT THEREOF.”

SECTION 6: All resident, qualified voters of the District shall be permitted to vote at the Election, and on Election Day, such voters shall vote at the designated polling place. The Election shall be held and conducted in accordance with the provisions of the Texas Election Code, as amended, except as modified by the provisions of the Texas Education Code, as amended, and as may be required by law. To the extent required by law, all election materials and proceedings relating to the Election shall be printed in both English and Spanish.

SECTION 7: A substantial copy of this Order, including a Spanish translation thereof, shall be published once a week for two consecutive weeks in a newspaper of general circulation in the District, with the first publication occurring not less than 35 days before Election Day. Moreover, a substantial copy of this Order and the voter information attached as Exhibit C, including a Spanish translation thereof, shall be posted (i) on the bulletin board used for posting notices of Board meetings not less than 21 days prior to Election Day, (ii) in three additional public places within the District’s boundaries not later than 21 days prior to Election Day, (iii) in a prominent location at each polling place on Election Day and during early voting, and (iv) in a prominent location on the District’s internet website not less than 21 days prior to Election Day. A sample ballot shall be posted on the District’s internet website not less than 21 days prior to Election Day.

SECTION 8: As required by and in accordance with Section 3.009(b)(5) and (7) through (9) of the Texas Election Code, the District, as of the date of this order, had outstanding an aggregate principal amount of debt equal to \$280,000; the aggregate amount of the interest owed on such District debt obligations, through respective maturity, totaled \$5,600; and the District levied an ad valorem debt service tax rate for its outstanding debt obligations of \$0.0767 per \$100 of taxable assessed valuation. Based on the bond market conditions on the date of the Board’s adoption of this Order, the maximum interest rate for any series of bonds authorized at the Election is 3.60% (expressed as a net effective interest rate applicable to any such series of bonds). The bonds that are the subject of this Election shall mature serially or otherwise over a specified number of years (but not more than 40 years from their date), as prescribed by applicable Texas law, though the District estimates that, based on current bond market conditions, such bonds will amortize over a 21-year period from their respective date of issue. The foregoing estimated maximum net effective interest rate and amortization period are only estimates, provided for Texas statutory compliance; they do not serve as a cap on the per annum interest rate at which any series of bonds authorized at the Election may be sold, or the amortization period for bonds that are the subject of this Election.

SECTION 9: The Board authorizes the President, Board of Directors, and the President's designee, to negotiate and enter into one or more joint election agreements, election services contracts, and/or similar contracts or agreements with the City, acting by and through the City Secretary, and any Participants if desired or if required to comply with applicable law, as permitted and in accordance with the provisions of the Texas Election Code, as amended. In addition, the Board authorizes the President, Board of Directors, and the President's designee to make such technical modifications to this Order that are necessary for compliance with applicable Texas or federal law or to carry out the intent of the Board, as evidenced herein. By incorporating all essential terms necessary for a joint election agreement, this Order is intended to satisfy Section 271.002(d) of the Texas Election Code, as amended, without further action of the Board of Directors.

SECTION 10: The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Order for all purposes and are adopted as a part of the judgment and findings of the Board.

SECTION 11: All orders and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Order are hereby repealed to the extent of such conflict, and the provisions of this Order shall be and remain controlling as to the matters ordered herein.

SECTION 12: This Order shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

SECTION 13: It is officially found, determined, and declared that the meeting at which this Order is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Order, was given, all as required by Chapter 551, as amended, Texas Government Code.

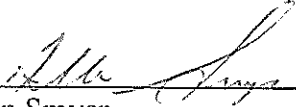
SECTION 14: If any provision of this Order or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Order and the application of such provision to other persons and circumstances shall nevertheless be valid, and the Board hereby declares that this Order would have been enacted without such invalid provision.

SECTION 15: This Order shall be in force and effect from and after its final passage, and it is so ordered.

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PASSED AND APPROVED, this the 23rd day of January, 2020.

MULESHOE AREA HOSPITAL DISTRICT

  
\_\_\_\_\_  
Allen Smyer  
President, Board of Directors

ATTEST:

  
\_\_\_\_\_  
Dana Rasco  
Secretary, Board of Trustees

(DISTRICT SEAL)

[Signature Page to Muleshoe Area Hospital District Bond Election Order]

**Exhibit A (Anexo A)**

**ELECTION DAY (DÍA DE ELECCIONES)**

Election Day: Saturday, May 2, 2020  
(Día de la Elección: Sábado 2 de mayo de 2020)

Election Day Polling Locations open from 7 a.m. to 7 p.m.  
(Lugares de votación del Día de la Elección abiertos de 7 a.m. a 7 p.m.)

Presiding Judges and Alternates: to be appointed by the City Secretary  
(Jueces Presidentes y Suplentes: a ser nombrados por el Secretario Municipal)

<b>District Precinct</b> <i>(Precinto del Distrito)</i>	<b>Bailey County Precinct</b> <i>(Precinto del Condado de Bailey)</i>	<b>Parmer County Precinct</b> <i>(Precinto del Condado de Parmer)</i>	<b>Polling Place</b> <i>(Lugar de la votación)</i>
1	1, 2, 3, 4	-	City Hall 215 S 1st Muleshoe, TX 79347
2	-	302, 401	Lazbuddie ISD 675 FM 1172 Lazbuddie, TX 79053

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**Exhibit B (Anexo B)**

**EARLY VOTING (VOTACIÓN ANTICIPADA)**

Early voting begins Monday, April 20, 2020 and ends on Tuesday, April 28, 2020.

*(La votación anticipada comienza el lunes 20 de abril de 2020 y termina el martes 28 de abril de 2020.)*

Early Voting Clerk: Zanea Carpenter, 215 S. First Street, Muleshoe, Texas 79347.

*(Secretario de Votación Anticipada: Zanea Carpenter, 215 S. First Street, Muleshoe, Texas 79347.)*

Presiding Judge of the Early Voting Ballot Board: to be determined by the City Secretary.

*(Juez Presidente del Consejo de Boletas de Votación Anticipada: a ser determinado por el Secretario Municipal.)*

April 20, 2020 (20 de abril de 2020)	8:00 am – 5:00 pm
April 21, 2020 (21 de abril de 2020)	7:00 am – 7:00 pm
April 22, 2020 (22 de abril de 2020)	8:00 am – 5:00 pm
April 23, 2020 (23 de abril de 2020)	8:00 am – 5:00 pm
April 24, 2020 (24 de abril de 2020)	8:00 am – 5:00 pm
April 27, 2020 (27 de abril de 2020)	8:00 am – 5:00 pm
April 28, 2020 (28 de abril de 2020)	7:00 am – 7:00 pm

**Bailey County (Precinto del Condado de Bailey)**

City Hall, 215 S 1st, Muleshoe, TX 79347

**Parmer County (Precinto del Condado de Parmer)**

Lazbuddie ISD, 675 FM 1172, Lazbuddie, TX 79053

**Early Voting By Mail (Votación Anticipada por Correo)**

Applications for voting by mail should be received no later than the close of business (5:00 pm) on Monday, April 20, 2020. Applications should be sent to:

*(Las solicitudes de votación por correo deben ser recibidas a más tardar al cierre de operaciones (5:00 p.m.) del lunes 20 de abril de 2020. Se deben enviar las solicitudes a:)*

Zanea Carpenter

215 S. First Street, Muleshoe, Texas 79347

fax: 806-272-5260

email (*correo electrónico*): zcarpenter@city-of-muleshoe.com

If an application for ballot by mail is faxed or emailed (or if a federal postcard application is faxed), the applicant must also mail the original application so that the early voting clerk receives the original no later than four days after receiving the emailed or faxed copy.

*(Si se envía por fax o correo electrónico una solicitud de boleta por correo (o si se envía por fax una solicitud postal federal), el solicitante también debe enviar la solicitud original para que el secretario de votación anticipada reciba el original a más tardar cuatro días después de recibir la copia enviada por correo electrónico o por fax.)*



**Exhibit C (Anexo C)**

**VOTER INFORMATION DOCUMENT  
(DOCUMENTO DE INFORMACIÓN PARA EL VOTANTE)**

Muleshoe Area Hospital District Proposition B:  
(Propuesta B del Distrito Hospitalario del Área de Muleshoe:)

<input type="checkbox"/> FOR (a favor)          <input type="checkbox"/> AGAINST (en contra)	“THE ISSUANCE OF \$9,000,000 OF BONDS BY THE MULESHOE AREA HOSPITAL DISTRICT FOR HOSPITAL FACILITIES AND THE LEVYING OF A TAX IN PAYMENT THEREOF.”	“LA EMISIÓN DE \$9,000,000 EN BONOS POR PARTE DEL DISTRITO HOSPITALARIO DEL ÁREA DE MULESHOE PARA INSTALACIONES HOSPITALARIAS Y LA IMPOSICIÓN DE UN IMPUESTO PARA EL PAGO DE LO ANTERIOR.”
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principal of debt obligations to be authorized (capital de obligaciones de deuda que se autorizará)	\$9,000,000
estimated interest for the debt obligations to be authorized presuming an interest rate of 3.60% (interés estimado para las obligaciones de deuda que se autorizarán asumiendo una tasa de interés del 3.60%)	\$3,800,000
estimated combined principal and interest required to pay on time and in full the debt obligations to be authorized amortized over 20 years (capital e intereses juntos estimados necesarios para pagar a tiempo y en su totalidad las obligaciones de deuda que se autorizarán amortizar durante 20 años)	\$12,800,000
as of the date the election was ordered, principal of all outstanding debt obligations (a partir de la fecha en que se ordenó la elección, el capital de todas las obligaciones de deuda pendientes)	\$280,000
as of the date the election was ordered, the estimated interest on all outstanding debt obligations (a partir de la fecha en que se ordenó la elección, el interés estimado de todas las obligaciones de deuda pendientes)	\$5,600
estimated combined principal and interest required to pay on time and in full all outstanding debt obligations amortized over 1 year (capital e intereses juntos estimados necesarios para pagar a tiempo y en su totalidad las obligaciones de deuda pendientes amortizadas durante 1 años)	\$285,600
estimated maximum annual increase in the amount of taxes on a residence homestead with an appraised value of \$100,000 to repay the debt obligations to be authorized, if approved (aumento anual máximo estimado de la cantidad de impuestos en una residencia principal con un valor estimado de \$100,000 para pagar las obligaciones de deuda que se autorizarán, si se aprueba)  This estimate assumes no annual growth of the District’s taxable assessed valuation and holds the District’s existing taxable assessed valuation constant for the life of the bonds, and assumes that the proposed bonds will be issued to mature in 20 years in an amortization that will produce relatively consistent levels of debt service in each year. (Esta estimación no asume ningún crecimiento anual de la tasación oficial gravable del Distrito y mantiene la tasación oficial gravable existente del Distrito constante durante la vigencia de los bonos, y asume que se emitirán los bonos propuestos para que venzan en 20 años en una amortización que producirá niveles de servicio de la deuda relativamente consistentes en cada año.)	\$102.30