

A RESOLUTION CANVASSING THE RETURNS AND DECLARING THE RESULTS OF A BOND AND TAX RATE ELECTION; AND OTHER MATTERS IN CONNECTION THEREWITH

WHEREAS, on January 23, 2020, the Board of Directors (the *Board*) of the Muleshoe Area Hospital District (the *District*) ordered an election to be held on May 2, 2020 for the purpose of determining whether the resident, qualified voters of the District would authorize the issuance of general obligation bonds by the District and increase the maximum annual tax rate; and

WHEREAS, the Board has reviewed and investigated all matters pertaining to this election, including the resolving, notices, election officers, holding, and returns thereof; and

WHEREAS, the Board hereby canvasses the returns of this election, at which there were submitted to all resident, qualified voters of the District for their action thereupon, the following measures:

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?”

and

WHEREAS, the Board has diligently inquired into the poll lists and the official election returns which were duly and lawfully made to the Board by the judges and clerks holding and conducting such election; the poll lists and the official election returns showing separately the votes cast in the election; and

WHEREAS, from these returns, this Board hereby finds that the following votes were cast in the election by voters who were resident, qualified voters of the District:

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.”

	<u>For</u>	<u>Against</u>
Early Votes (including mail ballots)	149	111
Election Day Votes	80	160
TOTAL	229	271

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.”

	<u>For</u>	<u>Against</u>
Early Votes (including mail ballots)	153	110
Election Day Votes	85	159
TOTAL	238	269

NOW, THEREFORE,

IT IS ACCORDINGLY FOUND, DECLARED, AND RESOLVED BY
THE BOARD OF DIRECTORS OF
THE MULESHOE AREA HOSPITAL DISTRICT THAT:

SECTION 1: The Board officially finds, determines, and declares that the election was duly and properly ordered, that proper legal notice of such election was duly given in the English language and the Spanish language (to the extent required by law), that proper election officers were duly appointed prior to the election, that the election was duly and legally held, that all resident, qualified voters of the District were permitted to vote at the election, that due returns of the results of the election had been made and delivered, and that the Board has duly canvassed such returns, all in accordance with the laws of the State of Texas and of the United States of America, and the order calling the election.

SECTION 2: A MAJORITY of the resident, qualified voters of the Muleshoe Area Hospital District voting in such election, having voted AGAINST the authorization and the levy of annual taxes by the Board 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 as provided in Proposition A, the Board hereby finds and determines that Proposition A failed at the election, that the election was duly called, that proper notice was given, and that the election was held in all aspects in conformity with the law.

SECTION 3: A MAJORITY of the resident, qualified voters of the Muleshoe Area Hospital District voting in such election, having voted AGAINST the authorization and issuance of \$9,000,000 of bonds and the levy and pledge of the tax in payment thereof as provided in Proposition B, the Board hereby finds and determines that Proposition B failed at the election, that the election was duly called, that proper notice was given, and that the election was held in all aspects in conformity with the law.

SECTION 4: The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the Board.

SECTION 5: All orders and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

SECTION 6: This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

SECTION 7: If any provision of this Resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Resolution and the application of such provision to other persons and circumstances shall nevertheless be valid, and the Board hereby declares that this Resolution would have been enacted without such invalid provision.

SECTION 8: It is officially found, determined, and declared that the meeting at which this Resolution 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 Resolution, was given, all as required by Chapter 551, as amended, Texas Government Code.

SECTION 9: This Resolution shall be in force and effect from and after its final passage and it is so resolved.

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PASSED, ADOPTED, AND APPROVED on May 12th, 2020, the date of the canvassing meeting.

MULESHOE AREA HOSPITAL DISTRICT



Allen Smyer
President, Board of Trustees

ATTEST:



Dana Rasco
Secretary, Board of Trustees

(DISTRICT SEAL)