

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

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WHEREAS, on August 10, 2021, the Board of Trustees (the *Board*) of the Canutillo Independent School District (the *District*) ordered an election to be held on November 2, 2021 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

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 was submitted to all resident, qualified voters of the District for their action thereupon, the following propositions:

PROPOSITION A [SCHOOL FACILITIES]

“Shall the Board of Trustees of the Canutillo Independent School District be authorized to issue and sell bonds of the District in the principal amount not to exceed \$177,500,000 for the purposes of designing, constructing, renovating, improving, upgrading, updating, acquiring, and equipping school facilities, to wit: one (1) new middle school; converting a middle school to District alternative education program, community based programming and office space; multi-purpose rooms at four (4) elementary schools; a career and technical education center at the high school, early college high school classroom buildings; warehouse space; additional classrooms and renovations at school campuses; additions, renovations and improvements to libraries, science labs, special education and fine arts facilities; various system infrastructure repairs, replacements, improvements, and equipment upgrades including roof repair or replacement, waterproofing, air-conditioning, heating, lighting, plumbing, electric, flooring, technology, paving, drainage, parking, safety and security and other structural and mechanical systems; additions, expansion, renovations, and improvements to athletic facilities; and other additions, renovations, and improvements to instructional and non-instructional District facilities, auditoriums, kitchens and cafeterias at school campuses; planning for new schools and related facilities; any necessary or related removal of existing facilities; and the purchase of the necessary sites for schools and school 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 Trustees, 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

Trustees 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?"

PROPOSITION B [REFUNDING OF MAINTENANCE TAX NOTES]

"Shall the Board of Trustees of the Canutillo Independent School District be authorized to issue and sell bonds of the District in the principal amount not to exceed \$10,000,000 for the purposes of refunding all or a portion of the principal and/or interest on certain previously issued maintenance tax obligations styled "Canutillo Independent School District Maintenance Tax Notes, Series 2020", dated June 1, 2020, and any refunding obligations thereof; such bonds to mature serially or otherwise (not more than 10 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 Trustees, 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 Trustees 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 ISSUANCE OF \$177,500,000 OF BONDS BY THE CANUTILLO INDEPENDENT SCHOOL DISTRICT FOR SCHOOL FACILITIES, THE PURCHASE OF LAND FOR SCHOOLS AND SCHOOL FACILITIES AND THE LEVYING OF A TAX IN PAYMENT THEREOF. THIS IS A PROPERTY TAX INCREASE."

	<u>For</u>	<u>Against</u>
Early Votes (including mail ballots)	302	476
Election Day Votes	<u>277</u>	<u>583</u>
TOTAL	579	1059

PROPOSITION B

“THE ISSUANCE OF \$10,000,000 OF REFUNDING BONDS BY THE CANUTILLO INDEPENDENT SCHOOL DISTRICT FOR THE PURPOSE OF REFUNDING ALL OR A PORTION OF THE PRINCIPAL AND/OR INTEREST ON CERTAIN PREVIOUSLY ISSUED MAINTENANCE TAX OBLIGATIONS OF THE DISTRICT STYLED “CANUTILLO INDEPENDENT SCHOOL DISTRICT MAINTENANCE TAX NOTES, SERIES 2020,” AND ANY REFUNDING OBLIGATIONS THEREOF AND THE LEVYING OF A TAX IN PAYMENT THEREOF. THIS IS A PROPERTY TAX INCREASE.”

	<u>For</u>	<u>Against</u>
Early Votes (including mail ballots)	308	468
Election Day Votes	<u>262</u>	<u>594</u>
TOTAL	570	1062

NOW, THEREFORE,

IT IS ACCORDINGLY FOUND, DECLARED, AND RESOLVED BY
THE BOARD OF TRUSTEES OF
THE CANUTILLO INDEPENDENT SCHOOL 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 Canutillo Independent School District voting in such election, having voted AGAINST the authorization and issuance of \$177,500,000 of bonds and the levy and pledge of the tax in payment thereof as provided in Proposition A, the Board hereby finds and determines that Proposition A [passed/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, and that the Board is hereby

accordingly authorized to issue the bonds and to levy the tax in accordance with the authority granted in the Proposition and with law.

SECTION 3: A MAJORITY of the resident, qualified voters of the Canutillo Independent School District voting in such election, having voted AGAINST the authorization and issuance of \$10,000,000 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 [passed/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, and that the Board is hereby accordingly authorized to issue the bonds and to levy the tax in accordance with the authority granted in the Proposition and with 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: Pursuant to the provisions of Section 1201.028, as amended, Texas Government Code, this Resolution shall be effective immediately upon adoption.

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PASSED, ADOPTED AND APPROVED on November ____, 2021, the date of the canvassing meeting.

CANUTILLO INDEPENDENT SCHOOL
DISTRICT

President, Board of Trustees

ATTEST:

Secretary, Board of Trustees

(DISTRICT SEAL)