

RESOLUTION 22-29

ORDERING THE FORMATION OF THE COCHISE COUNTY JAIL DISTRICT CONTINGENT UPON VOTER APPROVAL OF AN EXCISE TAX AND DIRECTING THAT THE APPROVAL OF THE EXCISE TAX BE PLACED ON THE BALLOT FOR THE ELECTION TO BE HELD ON MAY 16, 2023

WHEREAS, County Boards of Supervisors are authorized, pursuant to Title 48, chapter 25 (§§ 48-4001, et. seq.) of the Arizona Revised Statutes to establish County Jail District for the purpose of acquiring, constructing, operating, maintaining, and financing county jails and jail systems upon voter approval of a dedicated tax levy to be used only for that purpose; and

WHEREAS, on October 21, 2022, the Board of Supervisors of Cochise County (“Board”), pursuant to A.R.S. § 48-4001(A), approved Resolution 22-28, stating its intent to consider the establishment of the Cochise County Jail District; and

WHEREAS, on November 15, 2022, a hearing on Resolution 22-28 was held pursuant to A.R.S. § 48-4001(B), at which time the Board heard persons appearing in favor of and against establishment of the Jail District; and

WHEREAS, after the above-referenced public hearing, the Board, pursuant to A.R.S. § 48-4001(C), considered whether the public interest would be served by establishment of the Jail District.

IT IS THEREFORE RESOLVED:

1. That the Board of Supervisors of Cochise County finds that the public interest, convenience, and necessity will be served by the formation of a Jail District.
2. That the Board of Supervisors of Cochise County hereby orders formation of a Jail District contingent on voter approval of an excise tax as provided in A.R.S. §48-4022, with a maximum effective rate not to exceed .50 percent (one-half cent).

3. That if, approved, collection of the excise tax would be authorized for a period of 25 years.
4. That the question of approval of the excise tax shall be included on the ballot of the election to be held on May 16,2023.
5. That a publicity pamphlet shall be prepared and distributed in the manner provided by law and that the pamphlet shall include those written arguments in favor of and in opposition to the proposed tax levy that have been filed in the office of the Clerk of the Board of Supervisors no later than 5:00 P.M. on February 15, 2023.
6. That the Jail District shall be known in all proceedings as the "Cochise County Jail District" with the boundaries of the district to be those of all of Cochise County including the incorporated and unincorporated areas.
7. That the revenues generated by the proposed excise tax shall be used only for acquiring, constructing, operating, maintaining, and financing of county jail facilities and a county jail system.

DATED this ____ day of November 2022.

Ann English, Chair

ATTEST:

Tim Mattix
Clerk of the Board

APPROVED AS TO FORM:

Christine J. Roberts 11/3/2022

Christine J. Roberts
Chief Civil Deputy County Attorney