

RESOLUTION 23-___

**AMENDING SECTION 4 OF RESOLUTION 22-29, ADOPTED NOVEMBER 15, 2022,
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, TO CLARIFY THAT THE MAY 16, 2023, ELECTION IS A MAIL
BALLOT ELECTION**

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), adopted 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), adopted Resolution 22-29, ordering the formation of the Cochise County 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); and

WHEREAS, Resolution 22-29 was subsequently recorded at Document ID 2022-26083 on November 15, 2022, at 2:58 p.m., in the official records of the Cochise County Recorder; and

WHEREAS, the Board of Supervisors desires to amend Section 4 of Resolution 22-29 to clarify that the May 16, 2023, election shall be a mail ballot election.

IT IS THEREFORE RESOLVED:

1. That Section 4 of Resolution 22-29, adopted by the Board of Supervisors on November 15, 2022, is hereby amended to read as follows: 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, which shall be a mail ballot election.
2. That all other provisions of Resolution 22-29 shall remain in full force and effect.
3. That Section 1 of this Resolution shall be deemed effective as of November 15, 2022.

DATED this 24th day of January 2023.

Ann English, Chair

ATTEST:

Tim Mattix
Clerk of the Board

APPROVED AS TO FORM:

Paul Correa

Paul Correa
Civil Deputy County Attorney