

RESOLUTION NO. 25-16

A RESOLUTION OF THE COCHISE COUNTY BOARD OF SUPERVISORS IN CONSIDERATION OF THE CONTINUED ESTABLISHMENT OF THE JAIL DISTRICT

WHEREAS, the Cochise County Board of Supervisors serves as the Board of Directors of the Jail District based on A.R.S. 48-4002; 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, on November 15, 2022, the Board of Supervisors adopted Resolution 22-29, finding that the public interest, convenience, and necessity will be served by the formation of a Jail District; and

WHEREAS, an election was held in Cochise County on May 16, 2023, to vote on the Jail District Excise Tax Question to fund the Cochise County Jail District; and

WHEREAS, on June 13, 2023, the Board of Directors of the Cochise County Jail District adopted Resolution JD 23-02 Levying the Cochise County Jail District Tax; and
WHEREAS, Cochise County Jail District Board of Directors has approved a settlement in the jail district election litigation case Daniel LaChance, et al., vs County of Cochise, Cochise County Jail District, Board of Supervisors, et al.; and

WHEREAS, the Cochise County Superior Court has dismissed the case of Daniel LaChance, et al., vs County of Cochise, Cochise County Jail District, Board of Supervisors, et al., because a settlement has been reached; and

WHEREAS, such settlement stipulates a binding term that “The Defendants agree to stop collection of the tax until and unless a new election is held which remedies the foregoing shortcomings in the previous election, and which does not disenfranchise so-called "inactive voters"; and

WHEREAS, on May 6, 2025, the Cochise County Jail District Board of Directors called for the approval of the excise tax to be placed on the November 4, 2025, ballot; and

WHEREAS, the Cochise County Board of Supervisors recognizes the need for a new county jail facility due to safety concerns, deteriorating conditions, and lack of space at the current county jail; and

WHEREAS, the current county jail facilities are inadequate to meet the growing demands of public safety and inmate rehabilitation; and

WHEREAS, after careful review and discussion, it is determined that the construction of a new county jail will provide enhanced security, better living conditions for detainees, and improved resources for the rehabilitation of incarcerated individuals; and

WHEREAS, funding for the project will be provided through bonds, grants, county revenue, or state assistance.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of Cochise County, that:

1. A hearing on this Resolution shall be held on August 5, 2025, at 10:00 a.m. in the Board of Supervisors' Hearing Room located at 1415 Melody Lane, Bisbee, Arizona, to allow the Board of Supervisors to hear all persons who wish to appear in favor of or against the continued establishment of the Cochise County Jail District.
2. After the hearing, the Board of Supervisors shall consider whether the public interest, convenience and necessity will be served by continued establishment of the Cochise County Jail District and whether to order the continued establishment of the District contingent on voter approval of an excise tax pursuant to A.R.S. § 48-4021.

3. That, if the Board of Supervisors orders continued establishment of the District, the Board affirms the placement of a question of the excise tax on the ballot for the election to be held on November 4, 2025.

4. That, if continued as established, the District would include incorporated and unincorporated areas of the County as required by A.R.S. § 48-4001.

PASSED, ADOPTED AND APPROVED at Bisbee, Arizona, on July 1, 2025.

COCHISE COUNTY BOARD OF SUPERVISORS

Frank Antenori, Chairman

ATTEST:

Lara Loewenheim
Clerk of the Board

APPROVED AS TO FORM:



6/26/2025

Dylan Hendel
Civil Deputy County Attorney