

RESOLUTION JD25-01

**CALLING FOR AN ELECTION OF THE COCHISE COUNTY JAIL DISTRICT
DIRECTING THAT THE APPROVAL OF THE EXCISE TAX BE PLACED ON THE BALLOT
FOR THE ELECTION TO BE HELD ON NOVEMBER 4, 2025**

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; and

WHEREAS, the Board of Supervisors wishes to conduct an in-person election to allow Cochise County residents a meaningful opportunity to consider the question of the creation of a Cochise County Jail District and related excise tax as described herein; and

WHEREAS, Cochise County Jail District Board of Directors has approved a settlement in the jail district election litigation case of *Daniel LaChance, et al., vs County of Cochise, Cochise County Jail District, Board of Supervisors, et al.*, 2024 WL 5402722 (Ariz. Ct. App. 2024), pending on remand before the County Superior Court; and

WHEREAS, such settlement stipulates a binding term that, “The County will hold a new jail district election for the public to consider the jail tax at an election that meets all legal requirements in November of 2025.”; and

WHEREAS, the Cochise County Jail District seeks to mitigate the taxpayers’ expense by holding a special election at the next consolidated election date of November 4, 2025, pursuant to A.R.S. §§ 16-204(A), 16-225(A).

NOW, THEREFORE, BE IT RESOLVED by the Board as follows:

1. That, if approved, collection of the excise tax would be used only for acquiring, constructing, and financing of county jail facilities with the condition that the Jail District be dissolved, and the excise tax is terminated once sufficient funds have been collected to plan and construct the jail facilities, and retire financing.

2. That the question of approval of the excise tax shall be included on the ballot of the election to be held on November 4, 2025.
3. 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 August 6, 2025.
4. 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.

DATED this ____ day of May 2025.

Frank Antenori, Chairman

ATTEST:

Lara Loewenheim
Clerk of the Board

APPROVED AS TO FORM:

Paul Correa 5/6/2025
Paul Correa
Chief Civil Deputy County Attorney