

June 20, 2016

To: The Gila County Sheriff's Office  
From: The Gila County Attorney's Office  
Re: Agenda Item No. 3790; IGA for Detention Officer Training

Corrections needed:

1. There are two indemnity provisions in this IGA. The first is on page one, paragraph D. One sentence, inexplicably, requires both parties to indemnify the "State" which is not a party to the contract. And the indemnity provisions of this paragraph are unintelligible. This paragraph should be removed. The second indemnity provision is on page three, paragraph one; it is fine.
2. Paragraph three on page three needs corrections. On line two the word "the" in front of "Gila County" should be deleted. In the balance of the paragraph the word "County" is used many times without specifying which county is being referred to, i.e. Gila or Maricopa. Since the agreement is between two counties, the specific county referred to should be expressly stated.
3. A.R.S. Section 952(B)(3) requires that each intergovernmental agreement specify: "The manner of financing the joint or cooperative undertaking and of establishing a budget for the undertaking." As part of the agreement, page three, Gila County

agrees to provide instructors or administrative assistance to the academy upon request by the Maricopa County Sheriff's Office. Therefore, this is a cooperative undertaking -- but there is no language about a budget or financing. I suggest the following language: "Each party is responsible to finance and maintain a budget for its respective obligations under this agreement."