



Cochise County Board of Supervisors

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MEMORANDUM

To: Pat Call, Cochise County Board of Supervisors District 1
Ann English, Cochise County Board of Supervisors District 2
Peggy Judd, Cochise County Board of Supervisors District 3
Arlethe Rios, Clerk of the Board

From: Edward Gilligan, County Administrator

Subject: Intergovernmental Agreement to establish and operate the Southeastern Arizona law Enforcement Training Academy

Date: January 25, 2019

On Tuesday, January 29, 2019, you will be asked to approve an Intergovernmental Agreement between the County, the College, and the City of Sierra Vista to facilitate the creation and operation of an AZPOST approved law enforcement training academy in Cochise County. The Agreement is the product of more than six months of discussion and collaboration between the College, Sheriff's Office, and Sierra Vista Police Department.

On January 3, 2019, I received written notice from William Hardy, Executive Director of the Arizona Counties Insurance Pool, denying liability coverage for any event associated with the academy's operation. His correspondence was the first knowledge I had of the County's involvement in the proposed academy's operation. Subsequently, I learned Jay Howe, former Cochise County Director of Facilities, provided a letter to Tim Seguin, Cochise Community College faculty member and Southeastern Arizona Law Enforcement Training Academy Director, on July 12, 2018, authorizing Cochise Community College District to use sections of taxiway at Bisbee Douglas International Airport for driver training associated with the academy. Mr. Howe had no authority to commit County assets to the College, and it appears he did so without consideration of Federal Aviation Administration regulations and liability insurance limitations.

In addition to Mr. Howe's commitments to the College, the Sheriff's Office had agreed to provide law enforcement officers to serve as instructors and to host firearms and defensive tactics training. The Sheriff's office also worked with AZPOST to certify the

proposed locations for driver's training, firearms and defensive tactics met state law enforcement training board requirements. Mr. Howe consulted with officers from the Sheriff's department to make site improvements at BDI to enable AZPOST certification.

Using County law enforcement facilities to train law enforcement officers is consistent with their design and intended purpose. Use of the airport taxiways for driver's training is inconsistent with the airport's purpose and could not be accomplished without FAA authorization and supplemental insurance. It appears no attempts were made to secure authorization or insurance.

The first academy began on January 14, 2019. The City and College ratified the proposed IGA prior to that date, and the County's consent is necessary to ensure the academy can continue as planned. Cancelling an academy which has already begun could have negative financial and reputational impacts for all parties. Approving the agreement as drafted could expose the county to significant liability and other financial risks.

In consideration of these factors, I recommend the Board approve the proposed Intergovernmental Agreement with amendments as follows:

- Addition of language to indemnify the County from losses arising from instruction and training associated with the academy.
- Deletion of language committing use of Bisbee Douglas International Airport for driver training.
- Adding language to indicate the County will assist the College and City in securing a suitable location for driver training and that all vehicles used in the training will be owned or leased by the College.

I believe the College's successful operation of a law enforcement training academy would be good for all stakeholders. By supporting a local academy, the County reduces its training costs, helps increase the College's student population and academic offerings, provides an avenue for economic growth, and has an opportunity to showcase our extraordinary quality of life to recruits from other parts of the state.