

Date September 11, 2006

WHEREAS, the Des Moines School District and the City of Des Moines entered into a 28E agreement for a School Resource Officers Program on October 7, 2003, Roll Call Number 03-2213 dated September 22, 2003, and;

WHEREAS, Article VIII of the Agreement provides that the Agreement may only be modified or amended by written mutual agreement, and;

WHEREAS, both the District and City wish to amend the Agreement to reflect the addition of two (2) new School Resource Officers into the School Resource Officer Program in order to serve the District's ten current middle schools, and;

WHEREAS, the annual cost of the Amendment is \$ 115,240;

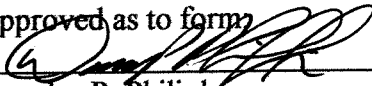
WHEREAS, the costs will be shared at a rate of 40 percent to City and 60 percent to the District, and;

WHEREAS, both the District and City have determined that such an amendment to the Agreement shall be to their mutual benefit and advantage;

NOW, THEREFORE, BE IT by the City Council of the City of Des Moines, Iowa that the Amendment to 28E Agreement for School Resource Officers Program is here by approved and the Mayor of the City of Des Moines, Iowa is hereby authorized and directed to sign said agreement and the City Clerk is hereby authorized and directed to attest to the Mayor's signature.

(Council Letter Number 06-553 attached)

Moved by \_\_\_\_\_ to adopt

Approved as to form:  
  
 \_\_\_\_\_  
 Douglas P. Philip  
 Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
KIERNAN				
HENSLEY				
MAHAFFEY				
VLASSIS				
TOTAL				
MOTION CARRIED	APPROVED			

**CERTIFICATE**

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

**AMENDMENT TO 28E AGREEMENT  
FOR SCHOOL RESOURCE OFFICER PROGRAM**

THIS ADDENDUM is made as of the \_\_\_\_ day of \_\_\_\_\_, 2006 by and between the DES MOINES INDEPENDENT COMMUNITY SCHOOL DISTRICT (“District”) and the CITY OF DES MOINES, IOWA ( “City”).

WHEREAS, District and City originally entered into a 28E Agreement for a School Resource Officers Program on October 7, 2003, and;

WHEREAS, Article VIII of the Agreement provides that the Agreement may only be modified or amended by written mutual agreement, and;

WHEREAS, both the District and City wish to amend the Agreement to reflect the addition of two (2) new School Resource Officers (“SRO’s”) into the School Resource Officer Program (“Program”) in order to serve the District’s ten current middle schools, and;

WHEREAS, both the District and City have determined that such an amendment to the Agreement shall be to their mutual benefit and advantage;

NOW THEREFORE, the District and City agree to an Amendment to the Agreement as set forth below:

1. Article I, “Assignment” Section, Subparagraphs 1 and 2 shall be amended to read as follows:

1. SRO’s will be assigned to schools cooperatively by the Des Moines Public Schools and the Des Moines Police Department. A total of two (2) SRO’s will be assigned to the District for use in the District’s middle schools. A total of six (6) SRO’s will be assigned to the District for use in the following high schools:

East High School  
Hoover High School  
Lincoln High School  
North High School  
Roosevelt High School  
Central Campus

2. Each of the six (6) high school SRO’s shall be assigned to a school on a full-time basis during those hours that the school is in session. The SRO shall be on campus from ½ hour prior to the start of class until ½ hour after classes are

dismissed. During their daily tour of duty, the SRO may be off campus performing such tasks as may be required by their assignments.

The two (2) middle school SRO's shall respond to calls at all ten middle school buildings, as necessary. Each of the two (2) SRO's will be assigned to five middle school buildings. When not responding to calls, the SRO's shall work with administrators and students in the various assigned buildings on a flexible and as-needed/directed basis.

2. Extent of Amendment: This Amendment is written pursuant to Article VIII of the Agreement and seeks to modify the terms of the Agreement. This Amendment, along with the Agreement, now represent the entire and integrated agreement between the District and City and supersede all prior negotiations, representations or agreements, either written or oral. Any Article of the Agreement not addressed in this Amendment shall continue in full force and effect, as if no Amendment had been drafted. If anything in the Agreement is inconsistent with this Amendment, then this Amendment shall govern.
3. The parties agree that this amendment will be effective as of July 1, 2006.

**DES MOINES INDEPENDENT  
COMMUNITY SCHOOL DISTRICT**

By: \_\_\_\_\_  
Board President

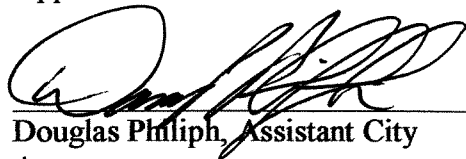
By: \_\_\_\_\_  
Board Secretary

**CITY OF DES MOINES**

By: \_\_\_\_\_  
T. M. Franklin Cownie, Mayor

Attest: \_\_\_\_\_  
Diane Rauh, City Clerk

Approved as to form:

  
\_\_\_\_\_  
Douglas Phillip, Assistant City  
Attorney

STATE OF IOWA, COUNTY OF POLK, ss:

On this \_\_\_\_ day of \_\_\_\_\_, 2006, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared \_\_\_\_\_ to me personally known, who being by me duly sworn, did say that he/she is the Des Moines Independent Community School District Board President executing the foregoing instrument, that said instrument was signed on behalf of the District by authority of its Board; and that he/she as President acknowledges the execution of the forgoing instrument to be the voluntary act and deed of the District, by it and by him/her voluntarily executed.

\_\_\_\_\_  
Notary Public in and for the State of Iowa

STATE OF IOWA, COUNTY OF POLK, ss:

On this \_\_\_\_ day of \_\_\_\_\_, 2006, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared T.M. Franklin Cownie and Diane Rauh, to me personally known, who being by me duly sworn, did say that they are the Mayor and City Clerk respectively, of the City of Des Moines, Iowa; that the seal affixed to the foregoing instrument is the corporate seal of said municipality, and that the instrument was signed and sealed on behalf of the corporation, by authority of its City Council, as contained in the resolution and Roll Call No. \_\_\_\_\_ adopted by the City Council on the \_\_\_\_ day of \_\_\_\_\_ 2006, and that T.M. Franklin Cownie and Diane Rauh acknowledged the execution of the instrument to be their voluntary act and deed and the voluntary act and deed of the municipal corporation, by it voluntarily executed.

\_\_\_\_\_  
Notary Public in and for the State of Iowa