

ITEM #: 21
DATE: 10-08-24
DEPT: POLICE

COUNCIL ACTION FORM

**SUBJECT: AMENDMENT #1 TO INTERGOVERNMENTAL 28E AGREEMENT FOR
COMBINED LAW ENFORCEMENT OPERATIONS**

BACKGROUND:

The City is a party to an intergovernmental agreement with other jurisdictions in Story County for combined law enforcement operations. These activities include, but are not limited to, special traffic enforcement projects, additional help during special events, or major incidents. The current agreement was entered into on May 17, 2018, and expires on February 28, 2028.

Iowa Code Section 804.7 has been revised to clarify that while peace officers, as defined in Section 801.4, shall have the authority to make an arrest within the state, a peace officer shall not establish routine patrol outside of the jurisdiction of the peace officer's employing agency. **There is no intent in the current 28E agreement for peace officers to routinely patrol outside of their jurisdictions. An amendment (attached) has been prepared to clarify this point and also put the 28E in compliance with Section 804.7. The amendment also clarifies that the Story County Sheriff's Office and Story County Conservation are two separate entities.**

The other governing bodies that are parties to the 28E agreement have approved the amendment.

ALTERNATIVES:

1. Approve Amendment #1 to the Intergovernmental 28E Agreement for Combined Law Enforcement Operations.
2. Do not approve the amendment.

CITY MANAGER'S RECOMMENDED ACTION:

The proposed amendment places the 28E Agreement in compliance with a change in state law and seeks to clarify that the Story County Sheriff's Office and Story County Conservation are separate entities. Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, as described above.

ATTACHMENT(S):

[AMENDMENT NO. 1 \(copy distributed for signing\) \(1\).docx](#)