



December 27, 2012

Chief Monroe:

Attached is a copy of the Memorandum of Understanding (MOU) for airport police services between CLT and CMPD. This document captures important operational, administrative, and customer service requirements. Please review, sign, and return a copy to me. If you have questions regarding specific items contained within the MOU, please contact me at (704) 359-4006.

Sincerely,

A handwritten signature in black ink, appearing to read "T.J. Orr".

Aviation Director

CITY OF CHARLOTTE AVIATION DEPARTMENT  
AND  
CITY OF CHARLOTTE POLICE DEPARTMENT  
MEMORANDUM OF UNDERSTANDING

By this Memorandum of Understanding (MOU) effective December 15, 2012, the Aviation Department (Aviation) as operator of Charlotte Douglas International Airport (CLT) and Charlotte Mecklenburg Police Department (CMPD) (collectively, the "Parties") set forth the scope of duties for law enforcement support at CLT and the respective obligations. The Parties hereby agree as follows:

- 1) Security Responsibilities. The Code of Federal Regulations, in 49 CFR Part 1542, requires airport operators to be under an approved Airport Security Program (ASP) and designate at least one Airport Security Coordinator (ASC). These federal regulations and the ASP mandate numerous requirements in various security activities such as employee vetting, law enforcement, access control, recordkeeping, and inspections. Therefore, Aviation, through the ASC, is primarily responsible and accountable for all airport security-related activities, infrastructure, personnel, and regulatory compliance at CLT.
- 2) Areas of Responsibility. CMPD will be the primary agency responsible for law enforcement at CLT. This includes both public areas, secure areas, sterile areas and the Aircraft Operations Area (AOA). The public area is defined as the areas prior to the security checkpoints. It includes the baggage/ticketing lobbies, curb, parking lots/decks, access roadways, outside perimeter, etc. The areas included in the secured area, sterile area and the AOA are the areas beyond the security checkpoints and within the perimeter fence. As part of law enforcement duties, CMPD personnel must also conduct terminal-related duties such as cash escorts, customer assists, and medic escorts.
- 3) Additional Responsibilities. CMPD will be responsible for enforcement and administrative responses to various City Ordinances, Aviation Rules & Regulations, and City of Charlotte procedures (e.g., general liability reporting, lost property processing, smoking guidelines, special event coordination, etc.) Further, to ensure compliance with the ASP, CMPD agrees to direct its personnel to comply with the directives of the ASC in all ASP related matters.
- 4) Airport Property. Aviation-purchased assets and property which were transferred or will be utilized by CMPD during the consolidation will continue to be used only for airport-related purposes. Additionally, assets and property acquired with airport funds during the term of this MOU shall be used only for airport purposes. Disposal, transfer, decommissioning, or alteration of property purchased with airport funds must be approved by the Aviation Director or designee. Upon termination of this MOU, all assets and property purchased with airport funds will be returned to Aviation.
- 5) Mutual Aid. CMPD Officers and Aviation personnel will maintain radio interoperability and, when required, immediately assist the other agency.
- 6) Dispatch. CMPD communications will be the primary dispatch communication center for the Airport CMPD Officers. However, CMPD will immediately notify Aviation dispatch (i.e. the control room)

of any CMPD dispatch calls to ensure that CLT is in compliance with any non-law enforcement requirements that might arise from such calls.

- 7) Chain of Command. CMPD officer's chain of command will run through the CMPD Airport Division Captain (Captain) up to Chief Rodney Monroe following the standard CMPD chain of command structure. The Captain will ensure compliance with the directives of the ASC with respect to the ASP.
- 8) External Communication. Based on federal regulations, the Airport does not publically discuss security related information. The Aviation Director is the official spokesperson for the Airport. Media inquiries regarding Airport Operations and security related incidents on Airport property should be directed to Airport Public Affairs. Airport Public Affairs will notify additional agencies, including CMPD Public Affairs as needed. Other external inquiries regarding Airport Security should be directed to the Airport Security Coordinator-Assistant Aviation Director of Operations and/or the Aviation Director.
- 9) Staffing Levels. CMPD will provide the necessary law enforcement personnel as agreed upon by CMPD and Aviation. Any future changes in the staffing levels will meet the requirements of the ASP and/or the directives of the Transportation Security Administration (TSA).
- 10) Traffic Control. Aviation will provide traffic control services. CMPD will supplement traffic control efforts at the curbside as needed.
- 11) Customer Service. Customer service with both the public and CLT tenant is a vital part of operations and, as such, CMPD personnel will immediately communicate to Aviation management any potential customer service issues they may encounter during their patrols.
- 12) Vehicles. CMPD will provide any vehicles it deems necessary for its officers. Further, any required fuel and maintenance must also be provided by CMPD.
- 13) Funding & Financial Compliance Requirements. Title 49 U.S. Code 47107 and other federal documents address the authority for use of airport revenue. Airport revenue cannot be diverted to support non-aviation/airport purposes. To insure that Aviation and CMPD can meet all federal guidelines in accordance with current Airport Improvement Program (AIP) grant assurances and to insure that the City of Charlotte can answer all questions from federal inquiries or audits related to revenue diversion, the financial transaction(s) between Aviation and CMPD will follow the below stated guidelines. Also, in the event of an inquiry or audit, it will be the responsibility of CMPD to provide all required financial documentation to satisfy the inquiry or audit and to insure that the City of Charlotte meets all AIP grant assurances and follows all guidelines related to revenue diversion.
  - a) During the City's annual budget setting process CMPD will convey a schedule of value(s) of work order rates for the next fiscal year to Aviation and the Budget and Evaluation Department. The schedule of values will contain a work order rate for all CMPD hours related to Police services at the airport and the number of hours required to provide the

service. The annual time requirement should define the assumptions used for billable and non-billable hours and the total number of FTE's assumed to determine the annual billable hours. The schedule of values should outline the work order rate for all officers and may establish various rates for different classes of officers/Police Department personnel. If the CMPD opts to establish multiple work order rates, the schedule of values should also include the number of hours required to provide the service for each of the various work order rates. It is anticipated that work order rates included in the schedule of values will be a "loaded" rate and will cover all costs associated with performing the police function at the airport (this includes salary, overtime, benefits, equipment, training, etc.).

- b) Aviation and the Budget and Evaluation Department will use the schedule of values to establish Aviation's annual operating budget for Aviation cost center 57707 (Police Services).
- c) At the conclusion of each fiscal year the CMPD will reconcile its actual costs with the revenues collected via the work order rate and adjust the work order rate for the next fiscal year accordingly.
- d) For grant purposes, CMPD will provide detailed time weekly/monthly timesheets for each of the assigned personnel in compliance with existing TSA grant requirements.
- e) Aviation will be responsible for grant administration and grant drawdowns. Grant revenues will be posted to CLT's fund. CMPD will seek approval from the Aviation Director or his designee for any special activities that may exceed the estimated hours in the schedule of values.
- f) CMPD will provide Aviation an annual certification verifying all expenditures were associated with airport activities. CMPD also agrees to fully cooperate with any federal/state/local audit pertaining to the appropriate use of the Aviation Fund and pertaining to federal grant assurances. In the event that either Aviation or CMPD is notified of a future audit, Aviation will serve as the lead agency and CMPD will assist in providing requested documentation as necessary.

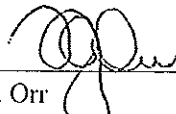
14) Incident Reporting. CMPD will provide to Aviation with a daily report consistent with Exhibit A. Further, upon request by one of the Assistant Aviation Directions, Legal or the Public Affairs Manager a detailed report of any incident requested will be provided as soon as practical, but not to exceed 24 hours.

15) Term. This MOU will remain in full force until superseded. It may be terminated by either party, upon 30 days written notice.

16) Modification. Any modification to the MOU must be in writing and may occur at any time during the term of this document with agreement of both parties.

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Rodney Monroe  
Chief  
Charlotte Mecklenburg Police Department

Date: \_\_\_\_\_

  
T. J. Orr  
Aviation Director  
Charlotte Douglas International Airport

Date: 12.21.12