

## MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding is made and entered into this 19<sup>th</sup> day of November, 2019, by and between the CITY OF OMAHA, hereinafter referred to as the "City" and the OMAHA POLICE OFFICERS ASSOCIATION, hereinafter referred to as "Association".

WHEREAS, the City of Omaha Police Department maintains an Air Support Unit in which it operates helicopters that assist in performing various police functions; and,

WHEREAS, as a result of some recent incidents, the City hired a consultant to evaluate the Air Support Unit; and,

WHEREAS, the consultant recommended that the Air Support Unit be run by a non-sworn employee who will serve as its Chief Pilot; and,

WHEREAS, the City of Omaha has created a non-sworn civilian position entitled Chief Pilot - Air Support Unit; and,

WHEREAS, the City of Omaha considers this to be a transitional appointment with the hopes of a sworn officer with appropriated background and training ultimately assuming that role; and,

WHEREAS, the Association is willing to agree to allow the Air Support Unit to be run by a civilian employee subject to the terms of this Agreement; and,

WHEREAS, the City and the Association jointly desire to establish policies and procedures for the role of the Chief Pilot in the Air Support Unit.

NOW, THEREFORE, BE AGREED BY THE PARTIES AS FOLLOWS:

1. That either party may terminate this Agreement by providing one year's notice to the other as to their desire to terminate this Memorandum of Understanding.
2. The City and the Association agree that the City will hire a non-sworn civilian employee to be the overall unit commander for all operations for the City of Omaha Police Department Air Support Unit and its helicopters. Such position will be entitled "Chief Pilot – Air Support Unit". Such Chief Pilot – Air Support Unit will report directly to a Deputy Chief. The Chief Pilot – Air Support Unit shall be responsible for being the unit commander for the Air Support Unit, which includes, but is not limited to budgeting, planning, flying, supervision of all personnel, maintenance, inspections, and all other facets of administration. The City of Omaha shall assign a Sergeant to the Unit who will serve in an administrative capacity and be responsible for scheduling personnel, assisting the Chief Pilot, and assisting the Chief Pilot in the supervision of sworn and non-sworn personnel in the Unit and will report to the Chief Pilot – Air Support Unit. The Air Support Unit Sergeant will also work in the

capacity of the Tactical Flight Officer during mission flights. In the event there are any issues related to the Chief Pilot – Air Support Unit being unsworn and the Sergeant being sworn, those issues shall be taken to the appropriate Deputy Chief for resolution.

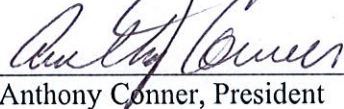
3. It is understood that other than no longer having a Lieutenant assigned to the Air Support Unit, this Memorandum of Understanding shall not result in the elimination of sworn positions occurring in the Air Support Unit that existed at the time the City entered into this Memorandum. Further, the parties agree that to the extent this Memorandum of Understanding is inconsistent with Article 15 of the Collective Bargaining Agreement, this Memorandum of Understanding shall prevail.
4. The Association agrees that to the extent that the effect of this Memorandum of Understanding is inconsistent with Omaha Municipal Code Section 23-148 that the Association waives any claim under that Code Section for itself or on behalf of any individual who is covered by the Collective Bargaining Agreement that the Association has with the City of Omaha.
5. All signatories to this Agreement warrant that they have read it, fully understand its terms, and they warrant they are of legal age and legally competent and authorized to execute this Agreement.

Dated this 19 day of November, 2019.


CITY OF OMAHA:

OMAHA POLICE OFFICERS  
ASSOCIATION:

  
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Todd Schmaderer, Chief of Police                      Date

  
\_\_\_\_\_  
Anthony Conner, President                      Date

APPROVED AS TO FORM:

  
\_\_\_\_\_  
DEPUTY CITY ATTORNEY                      11/19/19