

PENDING APPROVAL

OKLAHOMA COUNTY BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM REQUEST SHEET

FOR THE _____ Next _____ AGENDA

(THE DEADLINE IS ONE WEEK PRIOR TO THE DATE THE AGENDA IS TO BE POSTED)

DEPARTMENT: ENGINEERING REQUESTED BY: STACEY TRUMBO

REQUISITION NO.: : YES N/A

NAME OF FUNDS:

FUND NUMBERS:


PLEASE INITIAL IF PRIVACY/PROTECTED INFORMATION EXISTS: YES X N/A

NUMBER OF ORIGINAL DOCUMENTS TO BE RETURNED TO YOUR DEPARTMENT: 2


AGENDA ITEM READS AS FOLLOWS:

Discussion and possible action for approval of Memorandum of Understanding between Deer Creek Water Corporation and the Board of County Commissioners for extension of a water line in an unincorporated area of Oklahoma County. Oklahoma County shall waive the Utility Permit fee regularly charged for borings. This item is requested by Ray Vaughn, County Commissioner, District 3 and has been approved as to form and legality by John Jacobsen, Assistant District Attorney.

APPROVED BY DA
(If Applicable)


3/11/2010
ASSISTANT DISTRICT ATTORNEY

APPROVED BY ENGINEER
(If Applicable)


COUNTY ENGINEER

APPROVED BY PURCHASING
(If Applicable)

NA
PURCHASING AGENT

Please initial if privacy/security protected information exist

DISTRICT ATTORNEY – PRIVACY/SECURITY PROTECTED INFORMATION: YES X N/A

COUNTY CLERK – PRIVACY/PROTECTED INFORMATION: YES X N/A

(NOTE: THE CHAIRMAN/CHIEF DEPUTY MUST APPROVE ALL EMERGENCY REQUESTS FOR ANY ITEM SUBMITTED AFTER THE DEADLINE)

DATE OF REQUEST: _____ APPROVED BY: _____
CHAIRMAN

REQUEST FOR DISTRICT ATTORNEY LEGAL SERVICES

THIS FORM IS TO BE USED TO REQUEST ADVICE AND/OR REPRESENTATION FROM THE DISTRICT ATTORNEY'S OFFICE REGARDING THE COUNTY OF OKLAHOMA, COUNTY OFFICIALS AND EMPLOYEES AS REQUIRED BY SECTIONS 215.4, 215.5, 215.25 AND 215.26 OF TITLE 19 OF THE OKLAHOMA STATUTES.

IF ADVICE IS SOUGHT, THE REQUEST MUST BE SIGNED BY AN ELECTED COUNTY OFFICER. THIS FORM MUST BE FILLED OUT AND SUBMITTED TO THE CIVIL DIVISION OF THE OKLAHOMA COUNTY DISTRICT ATTORNEY'S OFFICE IN A TIMELY MANNER. ALL RESPONSES TO REQUESTS FOR ADVICE WILL BE IN WRITING.

IF THE REQUEST IS FOR LEGAL REPRESENTATION UNDER 19 O. S. SECTION 215.25, THE REQUEST MUST BE SUBMITTED IN WRITING EARLY ENOUGH TO PERMIT THE DISTRICT ATTORNEY'S OFFICE ADEQUATE TIME TO COMPLETE A THOROUGH "GOOD-FAITH-AND-COURSE-OF-EMPLOYMENT" INVESTIGATION AS CONTEMPLATED BY 19 O.S. SECTION 215.26.

DATE OF REQUEST: 2/26/10.

COUNTY DEPARTMENT MAKING REQUEST: Engineering

STATE WITH SPECIFICITY, WHAT THE REQUEST IS AND WHY THE ASSISTANCE OF THE DISTRICT ATTORNEY'S OFFICE IS NEEDED:

M.O.U w/ Neer Creek Water Corp

ATTACH ADDITIONAL DOCUMENTS AS APPROPRIATE. (NOTE: Advice, reviews and approvals as to "form and legality" are based on the documentation and information provided to the District Attorney's Office. Please provide all relevant information when requesting an opinion or review from the District Attorney's Office).

J. Blane
COUNTY OFFICER

DATE RECEIVED BY DISTRICT ATTORNEY: 3/1/10

REPLY BY DISTRICT ATTORNEY: Reviewed

STATE OF OKLAHOMA
DISTRICT ATTORNEY
CIVIL DIVISION
MAR 01 10 11 PM 231

DAVID PRATER
DISTRICT ATTORNEY

By: [Signature]

RECEIVED
MAR 01 2010
CIVIL DIVISION
DISTRICT ATTORNEY

PENDING APPROVAL

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding is an agreement between the Board of County Commissioners, 320 Robert S. Kerr, Oklahoma City, OK, 73102 and Deer Creek Water Corporation, 4621 NW 206th St., Edmond, OK 73012.

Deer Creek Water Corporation requests to extend a water line in the unincorporated areas of Oklahoma County and Oklahoma County's policies and procedures require Utility Permit fees for borings, Floodplain fees, and Storm Water fees.

Deer Creek Water Corporation allows Oklahoma County, District 3 access to water supply for use in road construction and maintenance, without charge.

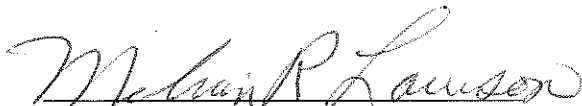
This agreement which is approved and accepted by Oklahoma County and Deer Creek Water Corporation with the signing of their authorized officials as shown below, sets forth the understanding between the two parties as follows:

1. **Oklahoma County** agrees to waive Utility Permit fees regularly charged for borings.
2. **Deer Creek Water Corporation** agrees to pay Storm Water fees and Floodplain fees associated with the extension.
3. **Deer Creek Water Corporation** agrees to allow **Oklahoma County, District 3** to continue usage of water for road construction and maintenance, without charge.

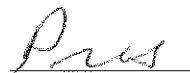
Because **Deer Creek Water Corporation** allows **Oklahoma County, District 3** access to and usage of water for road construction and maintenance, without charge, the Board of County Commissioners agrees to waive Utility Permit fees regularly charged for borings.

Both parties agree to the acceptance of this agreement by the signatures of their authorized officials as shown below:

DEER CREEK WATER CORPORATION
4621 NW 206th STREET
EDMOND, OK 73012



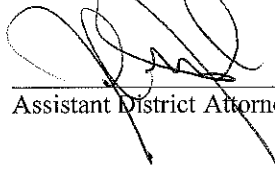
(Name)



(Title)

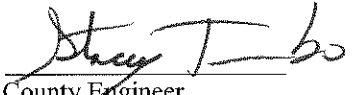
PENDING APPROVAL

Approved as to form and legality

 3/11/2010

Assistant District Attorney

APPROVED



County Engineer

APPROVED this _____ day of _____, 2010

BOARD OF COUNTY COMMISSIONERS
OKLAHOMA COUNTY, OKLAHOMA

:

Chairman

Member

Member

ATTEST:

Carolynn Caudill, County Clerk