

PENDING APPROVAL

REQUISITION SHEET MUST BE ATTACHED

(Applies when agenda item requires a specific payment)

OKLAHOMA COUNTY BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM REQUEST SHEET

For the Wednesday, April 14, 2010 Agenda
(Day of Meeting) (Date and Year of Meeting)

DEPT.: District 2
(Department requesting this item)

BY: Michael Taylor
(Contact person for this item)

EXT: 2289
(Contact's extension)

NAME OF FUND:

AGENDA ITEM DESCRIPTION: Discussion and possible action by the Board of County Commissioners, District two agreement with Del City to assist and work on drainage and prep of Sunnyslane Rd. between NE 10th and 4th streets.

REGARDING
X

(Document Received)

(ALL NECESSARY DOCUMENTATION MUST BE ATTACHED FOR APPROVAL)

APPROVED BY ENGINEER
(If Applicable)

APPROVED BY D.A.
(If Applicable)

APPROVED BY PURCHASING
(If Applicable)

County Engineer

Assistant District Attorney

Purchasing Agent

NOTE: A COMMISSIONER MUST APPROVE ALL EMERGENCY REQUESTS


FOR ANY ITEM SUBMITTED AFTER THE DEADLINE

(THE DEADLINE IS 9:00AM ONE WEEK PRIOR TO THE DATE THAT THE AGENDA IS TO BE POSTED)

DATE OF REQUEST:
4-8-2010

BY: 
(Person Submitting or Requesting Emergency Request)

DATE OF APPROVAL:

APPROVED BY: 
COUNTY COMMISSIONER
CLERK DEPUTY FOR
RAY VALIQUETTE, CHAIR

Number of ORIGINAL DOCUMENTS you have attached: 3 NOTE: The County Clerk will keep one original and will return the remaining originals to you. If you provide only one original, the Board Secretaries will return one photocopy to you. However, if you have special circumstances that require the County Clerk to (check one): keep more than one original; or return all originals to you, please describe them for the County Clerk's consideration:

Special Instructions:

REQUEST FOR DISTRICT ATTORNEY LEGAL SERVICES

252

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: Thursday, April 08, 2010

COUNTY DEPARTMENT MAKING REQUEST: District 2 #2289 Michael Taylor

Approve as to form and legality.

Del City agreement

Thanks so much.

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).



COUNTY OFFICER

DATE RECEIVED BY DISTRICT ATTORNEY:

4/8/10

REPLY BY DISTRICT ATTORNEY:

Reviewed

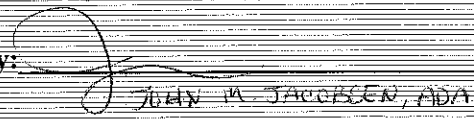
RECEIVED

APR - 8 2010

CIVIL DIVISION
DISTRICT ATTORNEY

David Prater
DISTRICT ATTORNEY

By:



DAVID M. JACOBSEN, ADA

PENDING APPROVAL

AGREEMENT

Between

THE BOARD OF COUNTY COMMISSIONERS OF OKLAHOMA COUNTY

And

THE CITY OF DEL CITY

Of

OKLAHOMA COUNTY

This Agreement entered into the _____ day of _____, 2010, by and between the Board of County Commissioners of Oklahoma County, hereinafter referred to as the "County", and the City of Del City of Oklahoma County, hereinafter referred to as the "Municipality".

RECITALS

WHEREAS, Title 69, Oklahoma Statutes, Sections 603 and 1903(B), authorizes the County to use county owned equipment, labor and supplies at the County's disposal on property owned by the municipalities;

WHEREHAS, the County and the Municipality find that it is to the mutual benefit of the citizens of both the Municipality and the County to enter into an agreement for mutual cooperation pertaining to maintenance, construction, and repair of a portion of roads, streets and highways where such street is a continuation of or a connecting link in the Oklahoma County's highway system pursuant to Title 69 O.S. Section 603.

NOW, THEREFORE, in consideration of the Mutual covenants and agreements contained herein, the parties agree as follows:

OKLAHOMA COUNTY AGREES:

1. To establish drainage and prepare the road physically located at Sunnyslane Road just south of NE 10th street.
2. To provide labor and equipment.

THE CITY OF DEL CITY AGREES:

1. To provide surveying and materials.

PENDING APPROVAL

The County agrees that the Municipality is and will remain responsible for maintenance of the project which County performs under this agreement.

The Municipality hereby represents and warrants to the County that they own, leases or holds beneficial easements on any and all real property involved in the work to be performed by the County and has obtained the proper permitting for this project. Furthermore, the Municipality hereby grants the County ingress and egress for County personnel and equipment to perform the work requested as set forth.

Both parties agree that upon completion and acceptance of said project the Municipality shall release the County from all claims for anything done relation to the project and assumes all liability form that forward.

This agreement shall commence on the date by which this Agreement is executed by both parties and will continue through May 31, 2010. Either party may sooner terminate this Agreement by prior written notice to the other party.

The parties understand and agree that this Agreement in no way relieves the Municipality of the Municipality's primary duty to maintain its streets in a reasonably safe condition for travel by the public.

IN WITNESS WHEREOF, The parties have caused this Agreement to be executed in 3 duplicate originals this day and year first written above.

PENDING APPROVAL

APPROVED by the governing bodies of the parties on the dates hereinafter set forth.

MUNICIPALITY

APPROVED by the Municipality this 5th day of APRIL, 2010.

ATTEST:

Carol Noble
City Clerk

By D. E. L.
Mayor

APPROVED as to form and legality this 5 day of April, 2010.

Jack Fred
City Attorney

PENDING APPROVAL

COUNTY

APPROVED by the County this _____ day of _____, 2010

BOARD OF COUNTY COMMISSIONERS OF OKLAHOMA COUNTY, OKLAHOMA

By _____
Chairman

ATTEST:

County Clerk

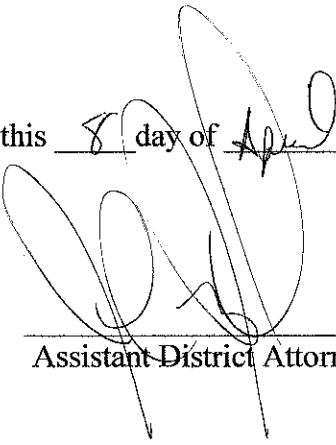
By _____
Member

By _____
Member

APPROVED BY COUNTY ENGINEER:

County Engineer

APPROVED as to form and legality this 8 day of April, 2010



Assistant District Attorney