

Amended

Regular Meeting Agenda

APR 26 2010

CAROLYNN GAHBILL, County Clerk, Okla. Cnty.
Carolynn Gahbill Deputy

9:00 a.m.

Wednesday, April 28, 2010
320 Robert S. Kerr, Room 103
Oklahoma City, OK

STATE OF OKLAHOMA
OKLAHOMA COUNTY
RECORDED 04/28/10
2010 APR 26 PM 4:25
STATE OF OKLAHOMA
OKLAHOMA COUNTY
CLERK'S OFFICE

1. Call to order.
2. Notice of the meeting was posted Friday, April 23, 2010.
3. Prayer and Pledge of Allegiance.
4. Approve the minutes of the meeting of Wednesday, April 21, 2010, prepared by the County Clerk as authorized by statute (19 O.S. § 243, 244, and 445) subject to additions or corrections by the Board of County Commissioners.
5. Discussion and possible action to approve Resolution No. _____ commending Bryant Rains for twenty years of outstanding public service. Requested by Brian Maughan, Oklahoma County Commissioner, District No. 2. (Document Received)

The following items, No. 6 through 13, are Consent Items and are routine in nature:

6. Approve Workers' Compensation claim payments from Consolidated Benefits Resources in the amount of \$21,530.35 for period ending April 20, 2010, pending notification of encumbrance to Donna Lovelace, County Treasurer's Office. (Document Received)
7. Approve Employee Benefit Trust Warrant No. 496996 through 497679 for Oklahoma County in the amount of \$361,040.11 pending notification of encumbrance to Donna Lovelace, County Treasurer's Office. (Document Received)
8. Receive the following litigation:

Case No. CJ 2010-3245 Summons & Petition

Case No. CIV 10-391 R Summons

Case No. CV 2010-493 Summons & Petition to Foreclose & Application to Vacate

Case No. CV 2010-2957 Summons & Petition
9. Discussion and possible action for approval of Tin Horn Sale to be installed by Oklahoma City. This item is in compliance with Resolution No. 118-08. Requested by Stacey Trumbo, P.E., County Engineer. (Document Received)

1-2010-85 \$329.56

1-2010-86 \$415.85

10. Receive Monthly Report of Fees for the Month of March, 2010. (Documents Received)

Board of County Commissioners

Escrow Cash Bond Fund 8202	\$	500.00
Culvert Pipe Sales Fund 8206	\$	<u>3,035.92</u>
Total	\$	3,535.92

County Clerk

General Fund	\$	321,017.38
Clerk Lien Fee Fund	\$	11,243.32
UCC Central Filing Fund	\$	68,061.60
Records Preservation Fund	\$	70,790.00
OK Tax Comm. % of Doc Stamps	\$	211,402.12
Mechanic Liens/Investments	\$	40,725.01
Refunds	\$	<u>811.55</u>
Total	\$	724,050.98

FILED IN OFFICE
COUNTY CLERK
OKLAHOMA CITY, OKLA.

APR 26 2010

CAROLYNN CAUDILL, County Clerk, Okla. Cnty.
Carolynn Caudill Deputy

11. Receive canceled checks as follows: (Document Received)

Cancelled Check: Midwest Veterinary Hospital Inc., Check No. 1160031684, dated April 5, 2010, in the amount of \$1,852.74. Reissue of check PO No. 210001801 for the amount of \$261.56 on April 28, 2010 meeting date.

12. Discussion and possible action to approve Resolution No. _____ to declare the following property surplus to be transferred to the Kiowa County Clerk, Kiowa County, Oklahoma. Requested by Carolynn Caudill, County Clerk, and approved as to form and legality by John M. Jacobsen, Assistant District Attorney. (Document Received)

One (1) Grey Metal Bookcase with 32 Roller Shelves, c/n F106-00020, acquired in 1982, from an unknown vendor, for an estimated \$672.00.

One (1) Grey Metal Bookcase with 32 Roller Shelves, c/n F106-00022, acquired in 1982, from an unknown vendor, for an estimated \$672.00.

One (1) Grey Metal Bookcase with 32 Roller Shelves, c/n F106-00023, acquired in 1982, from an unknown vendor, for an estimated \$672.00.

One (1) Grey Metal Bookcase with 32 Roller Shelves, c/n F106-00025, acquired in 1982, from an unknown vendor, for an estimated \$672.00.

One (1) Grey Metal Bookcase with 32 Roller Shelves, c/n F106-00029, acquired in 1982, from an unknown vendor, for an estimated \$672.00.

One (1) Grey Metal Bookcase with 32 Roller Shelves, c/n F106-00030, acquired in 1982, from an unknown vendor, for an estimated \$672.00.

One (1) Grey Metal Bookcase with 32 Roller Shelves, c/n F106-00031, acquired in 1982, from an unknown vendor, for an estimated \$672.00.

One (1) Grey Metal Bookcase with 32 Roller Shelves, c/n F106-00032, acquired in 1982, from an unknown vendor, for an estimated \$672.00.

One (1) Grey Metal Bookcase with 32 Roller Shelves, c/n F106-00033, acquired in 1982, from an unknown vendor, for an estimated \$672.00.

One (1) Art Metal Grey Metal Bookcase with 32 Roller Shelves, c/n F106-00082, acquired in October 31, 1951, from Wesbanco, 5th & Broadway, Oklahoma City, Oklahoma, for \$697.00.

One (1) Art Metal Grey Metal Bookcase with 32 Roller Shelves, c/n F106-00083, acquired in October 31, 1951, from Wesbanco, 5th & Broadway, Oklahoma City, Oklahoma, for \$697.00.

One (1) Art Metal Grey Metal Bookcase with 32 Roller Shelves, c/n F106-00086, acquired in October 31, 1951, from Wesbanco, 5th & Broadway, Oklahoma City, Oklahoma, for \$697.45.

One (1) Art Metal Grey Metal Bookcase with 32 Roller Shelves, c/n F106-00103, acquired in 1982, from Wesbanco, 5th & Broadway, Oklahoma City, Oklahoma, for an estimated \$320.00.

One (1) Art Metal Grey Metal Bookcase with 32 Roller Shelves, c/n F106-00104, acquired in 1982, from Wesbanco, 5th & Broadway, Oklahoma City, Oklahoma, for an estimated \$320.00.

One (1) Special Made Curtain Roller Shelf Cases, c/n F106-00125, acquired November 5, 1959, from Bill Doyle, Oklahoma City, Oklahoma, for \$815.55.

One (1) Special Made Curtain Roller Shelf Cases, c/n F106-00129, acquired November 5, 1959, from Bill Doyle, Oklahoma City, Oklahoma, for \$815.55.

Six (6) 3'5" x 3'9" Roller Shelves, not on Inventory.

13. Discussion and possible action to approve Resolution No. _____ to declare the following property surplus to be transferred to the Dewey County Clerk, Dewey County, Oklahoma. Requested byCarolynn Caudill, County Clerk, and approved as to form and legality by John M. Jacobsen, Assistant District Attorney. (Document Received)

One (1) Grey Metal, Grey Formica Counter Top Roller Shelf Bookcase, c/n F106-00152, acquired in April 26, 1972, from Southwestern Stationary, Oklahoma City, Oklahoma, for \$1,431.00.

One (1) Steelfixture Grey Metal Bookcase with 32 Roller Shelves, c/n F106-00146, acquired in 1982, from Modern Office Supply, 714 N. Broadway, Oklahoma City, OK, for an estimated \$598.00.

One (1) Steelfixture Grey Metal Bookcase with 32 Roller Shelves, c/n F106-00147, acquired in 1982, from Modern Office Supply, 714 N. Broadway, Oklahoma City, OK, for an estimated \$598.00.

One (1) Steelfixture Grey Metal Bookcase with 32 Roller Shelves, c/n F106-00148, acquired in 1982, from Modern Office Supply, 714 N. Broadway, Oklahoma City, OK, for an estimated \$598.00.

One (1) Steelfixture Grey Metal Bookcase with 32 Roller Shelves, c/n F106-00149, acquired in 1982, from Modern Office Supply, 714 N. Broadway, Oklahoma City, OK, for an estimated \$598.00.

One (1) Steelfixture Grey Metal Bookcase with 32 Roller Shelves, c/n F106-00150, acquired in 1982, from Modern Office Supply, 714 N. Broadway, Oklahoma City, OK, for an estimated \$598.00.

One (1) Steelfixture Grey Metal Bookcase with 32 Roller Shelves, c/n F106-00151, acquired in 1982, from Modern Office Supply, 714 N. Broadway, Oklahoma City, OK, for an estimated \$598.00.

End of Consent Docket

14. Awards. Tabulation of bids from the Central Purchasing Department with recommendation for selection of lowest and best bid:

CW10029C– Commissary Items

District No. 1

15. Discussion and possible action of a Mutual Cooperation Agreement between Mid-Del Public Schools and Oklahoma County pursuant to Title 19 O.S. § 108, § 339(16) and 359; providing for assistance with the construction of a walking trail at Country Estates School. The County agrees to expend an amount not to exceed Thirty Two Thousand Six Hundred Forty Nine Dollars and Twenty Five Cents (\$32,649.25) from District No. 1 Highway Cash Appropriations. The School agrees to reimburse the County for labor, equipment and materials in an amount not to exceed Eighteen Thousand Seven Hundred Ninety Two Dollars and Ninety Five Cents (\$18,792.95). Oklahoma County District No. 1 agrees to reimburse the Highway Cash Fund an amount not to exceed Thirteen Thousand Eight Hundred Fifty Six Dollars and Thirty Cents (\$13,856.30) from District No. 1 General Fund Appropriations. This Agreement shall become effective upon approval of all parties and shall terminate on June 30, 2010. Requested by Willa Johnson, Commissioner, District No. 1, and approved as to form and legality by John Jacobsen, Assistant District Attorney. (Document Received)
16. Discussion and possible action of a Mutual Cooperation Agreement between Mid-Del Public Schools and Oklahoma County pursuant to Title 19 O.S. § 108, § 339(16) and 359; providing for assistance with the construction of a walking trail at Cleveland Bailey School. The County agrees to expend an amount not to exceed Thirty Thousand Nine Hundred Ninety Five Dollars and Ninety Three Cents (\$30,995.93) from District No.1 Highway Cash Appropriations. The School agrees to reimburse the County for labor, equipment and materials in an amount not to exceed Eighteen Thousand One Hundred Five Dollars and Eighty Nine Cents (\$18,105.89). Oklahoma County District No. 1 agrees to reimburse the Highway Cash Fund an amount not to exceed Twelve Thousand Eight Hundred Ninety Dollars and Four Cents (\$12,890.04) from District No. 1 General Fund Appropriations. This Agreement shall become effective upon approval of all parties and shall terminate on June 30, 2010. Requested by Willa Johnson, Commissioner, District No. 1, and approved as to form and legality by John Jacobsen, Assistant District Attorney. (Document Received)

17. Discussion and possible action to approve Offer to Sell Real Property wherein the Board of County Commissioners will purchase from Ernesto Rivera and Leticia Rivera the following real estate: S10ft Lot 2 and N90ft Lot 3, Block 5, Crutch Park Sub Addition to Oklahoma County, Oklahoma, AKA 1908 N. Boyd St. according to the recorded plat thereof together with all improvements and appurtenances thereunto for the amount of \$66,000.00. This property is being acquired as part of the Oklahoma County Project E-2008-D, Crutch Park Acquisition Project, Phase III and payment will be made from the County Bond Fund/Flood Control-Crutch, 2032/1204. The dollar amount contained in this agreement is based upon the Board of County Commissioner's original offer. This amount does not include any additional title requirements, pro-rated advalorem taxes (if any), closing costs or relocation payments. (Parcel No. 10). This item is requested by Willa Johnson, County Commissioner, District No. 1 and approved as to form and legality by Gretchen Crawford, Assistant District Attorney. (Document Received)
18. Discussion and possible action to approve Offer to Sell Real Property wherein the Board of County Commissioners will purchase from Virgil Ray Young and Betty L. Young and Michael J. Young and Belinda J. Young the following real estate: Lot 7, Block 5, Crutch Park Sub Addition to Oklahoma County, Oklahoma, AKA 1808 N. Boyd St. according to the recorded plat thereof together with all improvements and appurtenances thereunto for the amount of \$67,000.00. This property is being acquired as part of the Oklahoma County Project E-2008-D, Crutch Park Acquisition Project, Phase III and payment will be made from the County Bond Fund/Flood Control-Crutch, 2032/1204. The dollar amount contained in this agreement is based upon the Board of County Commissioner's original offer. This amount does not include any additional title requirements, pro-rated advalorem taxes (if any), closing costs or relocation payments. (Parcel No. 12). This item is requested by Willa Johnson, County Commissioner, District No. 1 and approved as to form and legality by Gretchen Crawford, Assistant District Attorney. (Document Received)

District No. 2

19. Discussion and possible action by the Board of County Commissioners regarding the 2nd Annual Open House for District No. 2, May 29th, 2010, at 6:30 p.m., 7105 S. Anderson Road, Oklahoma City, OK. Requested by Brian Maughan, County Commissioner, District No. 2. (Document Received)
20. Discussion and possible action for approval of Assurances Relating to Real Property Acquisition as required by the Natural Resources Conservation Service of the U.S. Department of Agriculture. Oklahoma County, District No. 2 has requested Emergency Watershed Protection Assistance on Luther Road along the North Canadian River for erosion of the riverbank into a railroad embankment. Oklahoma County is providing assurance by this agreement that the County has acquired proper easements. District No. 2 will be responsible for 28.36% or \$185,628.67 of the project costs. In kind services and/or materials will be provided by District No. 2 in lieu of encumbrance of funds. Requested by Brian Maughan, County Commissioner, District No. 2, and has been approved as to form and legality by John Jacobsen, Assistant District Attorney.

Engineering

21. Discussion and possible action for approval of report of conference between bridge owner and bridge inspection consultant, Cobb Engineering Company. This conference occurred on April 6, 2010, with the County Engineer and District Superintendents. Requested by Stacey Trumbo, PE, County Engineer. (Document Received)

22. Discussion and possible action for approval of Engineering claim to ODOT for County Bridge and Road Improvement Fund (CBRIF) for Oklahoma County Off System Bridge Inspections (116) completed by Cobb Engineering Company. This claim is for the amount of \$34,675.97. Requested by Stacey Trumbo, PE, County Engineer. (Document Received)

Oklahoma County Clerk

23. Discussion and possible action to approve Oracle contract to provide Software Update License and support for Oracle Financials-80 application users from May 14, 2010 thru June 30, 2010, under Contract No. 3623689. Requisition No. 11006240 has been issued to Oracle Corp Support in the amount of \$591.50 from 1001/1700/55095 (General/County Clerk/Computer Software) contingent upon encumbrance of funds. Requested by Carolyn Caudill, County Clerk and Secretary to the Board, and has been approved as to form and legality by John Jacobson, Assistant District Attorney. (Document Received)

Oklahoma County Sheriff

24. Discussion and possible action to approve a contract amendment with J. Ted Bonham for legal representation for Sheriff John Whetsel, individually, in the defense of the lawsuit Davis vs. Board of County Commissioners of Oklahoma County; John Whetsel, individually, and in his capacity as Sheriff of Oklahoma County, Case Number CIV-08-875-M. The initial estimate of the projected fees and expenses that may become payable under this agreement is \$25,000.00. Requisition No. 11006191 in the amount of \$25,000.00 has been issued to J. Ted Bonham, PC, from General Fund/General Government/Professional Services/Legal (1001/1100/54451), contingent upon encumbrance of funds. Requested by John Whetsel, Oklahoma County Sheriff, and approved as to form and legality by John M. Jacobsen, Assistant District Attorney. (Document Received)
25. Discussion and possible action to approve a Management Control Agreement by and between the Oklahoma County Board of County Commissioners / Oklahoma County Management Information Systems and the Oklahoma County Sheriff's Office. The agreement is necessary to comply with the Federal Bureau of Investigation Justice Information Sharing policy version 4.5 requirements. Requested by John Whetsel, Oklahoma County Sheriff, and approved as to form and legality by John M. Jacobsen, Assistant District Attorney. (Document Received)
26. Discussion and possible action to approve a Memorandum of Agreement by and between the Oklahoma Department of Public Safety and the Oklahoma County Sheriff's Office for the support and development of TraCS and non – TraCS applications (electronic citations). Oklahoma County Sheriff's Office will utilize Justice Assistance Grant (JAG) funds which were designated for electronic citations in the amount of \$75,000.00. The remaining JAG funds will be for the purchase of hardware for the implementation of the electronic citation project. Requested by John Whetsel, Oklahoma County Sheriff, and approved as to form and legality by John M. Jacobsen, Assistant District Attorney. (Document Received)
27. Discussion and possible action to approve a Memorandum of Understanding between the Sheriff's Office and the Oklahoma County Public Buildings Authority for the provision of one uniformed Deputy to be assigned to Metro I and II parking garages. Requested by John Whetsel, Oklahoma County Sheriff, and approved as to form and legality by John M. Jacobsen, Assistant District Attorney. (Document Received)

Juvenile Bureau

28. Discussion and possible action to approve the renewal of Continuation Lease Agreement for the Pauline E. Mayer Shelter located at 5909 N. Classen Court, Oklahoma City, Oklahoma. This agreement is for an additional term effective July 1, 2010 through June 30, 2011. All terms and conditions remain the same. Requested by Lawrence E. Hicks, Director, Juvenile Bureau, and approved as to form and legality by John M. Jacobsen, Assistant District Attorney. (Document Received)

Recurring Agenda Items:

29. Approve all claims, list available for inspection in the office of the County Clerk, Room 201. (Document Received)
30. Discussion and possible action to approve Resolution No. _____ approving Blanket Purchase Orders as submitted by each department, list available for inspection in the office of the County Clerk, Room 201. (Document Received)
31. Citizen participation: Any citizen wishing to address the Board of County Commissioners may do so at this time.
32. Commissioners Comments/General Remarks:
33. New business: In accordance with the Open Meeting Act, Title 25 O.S. § 311.A.9, new business is defined as any matter not known about or which could not have been reasonably foreseen prior to the time of posting the agenda.
34. Opening of the following bids and/or Requests for Qualifications. Any vendor wanting to review the bids or RFQs may see the Purchasing Agent immediately following this meeting.

CW11027 – Correctional Facility Equipment & Supplies

CW11011 – Emergency Utility Assistance

CW11032 – Oklahoma County At Risk Youth Project

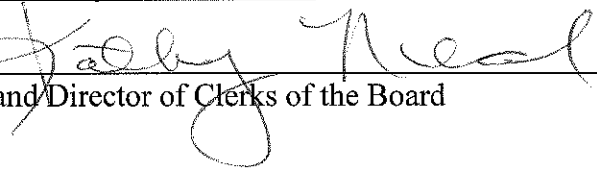
35. Executive Session for the purpose of discussing the following:
- a. Pursuant to Title 25 O.S. § 307(B)(4) for confidential communications with Board's attorney to discuss possible settlement of Bobby J. Wigley, for Carlos Wigley, a Minor vs. Board of County Commissioners, CJ-2010-1484.
- b. Pursuant to Title 25 O.S. § 307(b)(4) for confidential communications with Board's Attorney regarding Benito Bowie, Jr., vs. Lt. Ward, CIV-07-886.
- c. Pursuant to Title 25 O.S. § 307(b)(4) for confidential communications with Board's attorney to discuss Tamela Rowe vs. Board of County Commissioners of Oklahoma County, CIV-09-302 regarding status of the case.
- d. Pursuant to Title 25 O.S. § 307(b)(4) for confidential communications with Board's attorney to discuss the status of case CIV-06-1158, Jill Cutter a/k/a Jill Harris, Estate of William E. Harris IV,

Deceased vs. The Metro Fugitive Squad, et al. and discuss settlement amounts, if any.

36. Action regarding communications with Board's Attorney regarding Bobby J. Wigley, for Carlos Wigley, a Minor vs. Board of County Commissioners.
37. Action regarding communications with Board's Attorney regarding Benito Bowie, Jr., vs. Lt. Ward, CIV-07-886.
38. Action regarding communications with Board's Attorney regarding Tamela Rowe vs. Board of County Commissioners of Oklahoma County, CIV-09-302 regarding status of the case.
39. Action regarding communications with Board's Attorney regarding Jill Cutter a/k/a Jill Harris, Estate of William E. Harris IV, Deceased vs. The Metro Fugitive Squad, et al. and discuss settlement amounts, if any.
40. Adjourn at _____ until 9:00 a.m., Monday, May 3, 2010.

NAME OF PERSON REPORTING: Carolynn Caudill, County Clerk

TITLE: SECRETARY TO: Board of County Commissioners

SIGNATURE: Carolynn Caudill, by: 
County Clerk Deputy and Director of Clerks of the Board