

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, June 2, 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)

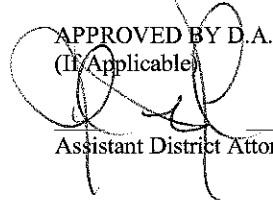
NAME OF FUND: _____

AGENDA ITEM DESCRIPTION: Discussion and possible action by the Board of County Commissioners, regarding Mutual Agreement between CITY OF BETHANY and the BOARD OF COUNTY COMMISSIONERS OF OKLAHOMA COUNTY.

(Document Received)

(ALL NECESSARY DOCUMENTATION MUST BE ATTACHED FOR APPROVAL)

APPROVED BY ENGINEER
(If Applicable)

APPROVED BY D.A.
(If Applicable)

Assistant District Attorney

5/25/2010

APPROVED BY PURCHASING
(If Applicable)

County Engineer

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:

BY: _____
(Person Submitting or Requesting Emergency Request)

DATE OF APPROVAL:

APPROVED BY:

COUNTY COMMISSIONER

Number of ORIGINAL DOCUMENTS you have attached: 2. 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: _____

PENDING APPROVAL

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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: Monday, May 24, 2010

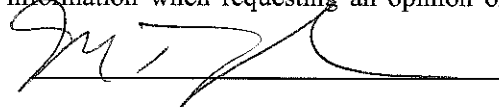
COUNTY DEPARTMENT MAKING REQUEST: District 2 #2289 Michael Taylor

Approve as to form and legality:

Bethany 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:

5/24/10

REPLY BY DISTRICT ATTORNEY:

Reviewed

RECEIVED

MAY 24 2010

CIVIL DIVISION
DISTRICT ATTORNEY

David Prater
DISTRICT ATTORNEY

By:



PENDING APPROVAL

MUTUAL COOPERATION AGREEMENT

CITY OF BETHANY
&
OKLAHOMA COUNTY

THIS MUTUAL COOPERATION AGREEMENT (the "Agreement") is entered into effective the _____ day of _____, 2010 between the **CITY OF BETHANY**, a municipal corporation organized and existing under the laws of the State of Oklahoma (the "Municipality"), and the **BOARD OF COUNTY COMMISSIONERS OF OKLAHOMA COUNTY**, a political subdivision organized and existing under the laws of the State of Oklahoma (the "County").

RECITALS:

WHEREAS, Title 69, Oklahoma Statutes, Section 1903B, authorizes the County to enter into an agreement with a municipality or any two or more counties or municipalities to construct, improve, repair or maintain any of the roads, streets or highways of the other parties to the contract;

WHEREAS, pursuant to County Resolution No. 077-97 setting procedures for tinhorn acquisition if the requested tinhorn location is within the corporate limits of a municipality, a legal agreement with the municipal entity to install the tinhorn and collect the fees must be approved;

WHEREAS, pursuant to Title 19, Oklahoma Statutes, Section 339, paragraph 16, the County may utilize county-owned equipment, labor and supplies on property owned by the county, public schools, state, and municipalities with a population less than five thousand (5,000); and

WHEREAS, 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 for maintenance, construction, and repair of certain streets within the limits of the Municipality and the responsibility of the Municipality, and the installation of tinhorns within the limits of the Municipality.

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

1. The County may perform work and maintain certain roadways within the incorporated limits of the Municipality.
2. The Municipality's governing body must submit written requests to the County for particularly described streets or portions of streets for which the Municipality needs assistance in reconstruction, improvement, repair and maintenance. Said requests shall adequately describe street location and type of assistance needed from the County and for what anticipated period of time. If the County approves the Municipality's request for assistance, said request shall be performed pursuant to the authority of this Agreement.

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3. The Municipality may, under separate agreement, furnish to the County the funds to pay the Municipality's share of the costs of labor, engineering, equipment, and material.
4. No party to the contract shall be liable for the acts or omissions of the other party or for failure to inspect or supervise the performance of the other party.
5. 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.
6. This Agreement shall commence on the 19 day of July, 2010 and continue through June 30, 2011.

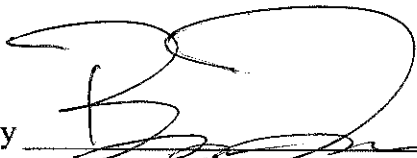
APPROVED by the governing bodies of the parties on the dates hereafter set forth.

MUNICIPALITY

APPROVED by the Municipality this 18th day of May, 2010.

ATTEST:


City Clerk

By 
Mayor

APPROVED as to form and legality this 18 day of May, 2010.




City Attorney

PENDING APPROVAL

COUNTY

APPROVED by the County this _____ day of _____, 2010.

BOARD OF COUNTY COMMISSIONERS OF OKLAHOMA COUNTY, OKLAHOMA

By _____
Chairman

ATTEST:

By _____
Member

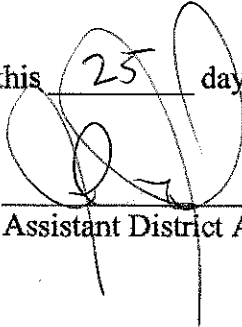
County Clerk

By _____
Member

APPROVED BY COUNTY ENGINEER:

Stacey Trumbo

APPROVED as to form and legality this 25 day of May, 2010.



Assistant District Attorney