

PENDING APPROVAL

REQUISITION SHEET MUST BE ATTACHED
(Applies when agenda item requires a specific payment)

OKLAHOMA COUNTY BOARD OF COUNTY COMMISSIONERS

STATE OF OKLAHOMA
OKLAHOMA COUNTY
RECORDED OR FILED

2010 AUG -5 P 2:56

AGENDA ITEM REQUEST SHEET

For the Wednesday
Monday, August 2, 2010 Agenda
(Day of Meeting) (Date and Year of Meeting)

STATE OF OKLAHOMA
OKLAHOMA COUNTY
CLERK

DEPT.: Emergency Management BY: David Barnes EXT. 1369
(Department Requesting this item) (Contact person for this Item) (Contact's extension)

NAME OF FUND: _____

AGENDA ITEM DESCRIPTION:

Discussion and possible action regarding renewal of annual Letter of Agreement for fiscal year 2010-2011 between the Oklahoma District Attorney's Council and the Oklahoma County Board of County Commissioners.

(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

7/27/2010

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:

BY: [Signature]
(Person Submitting or Requesting Emergency Request)

DATE OF APPROVAL:

APPROVED BY:

COUNTY COMMISSIONER

RC - Checked for privacy issues

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: _____ Please return one (1) of the two (2) signed originals to Oklahoma County Emergency Management.

Special Instructions: _____

PENDING APPROVAL

743

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: 7 / 26 / 10

COUNTY DEPARTMENT MAKING REQUEST: Emergency Management

STATE WITH SPECIFICITY, WHAT THE REQUEST IS AND WHY THE ASSISTANCE OF THE DISTRICT ATTORNEY'S OFFICE IS NEEDED: *Please review as to form and content, the attached annual agreement for 2010-2011 between the Oklahoma District Attorney's Council and the Oklahoma County Board of County Commissioners.*

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).

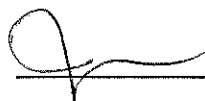


COUNTY OFFICER

.....
DATE RECEIVED BY DISTRICT ATTORNEY: 7/26/10

REPLY BY DISTRICT ATTORNEY: Reviewed

DAVID PRATER
DISTRICT ATTORNEY

By: 

RECEIVED
JUL 26 2010
CIVIL DIVISION
DISTRICT ATTORNEY

PENDING APPROVAL

LETTER OF AGREEMENT
OKLAHOMA COUNTY BOARD OF COMMISSIONERS
AND
OKLAHOMA DISTRICT ATTORNEYS COUNCIL

Agreement made on 22nd day of June 2010, between the Board of County Commissioners of Oklahoma County on behalf of Oklahoma County Emergency Management, hereinafter called COUNTY, and The Oklahoma District Attorneys Council hereinafter called DAC.

WITNESSETH:

WHEREAS, DAC desires to use antenna space on the penthouse roof structure located at 321 Park Avenue, Oklahoma City for the purpose of establishing computer data transmission with DAC.

NOW THEREFORE, BE IT RESOLVED that the COUNTY and DAC agree as follows:

1. DAC may install and maintain one parabolic dish approximately two (2) feet in diameter, and associated cables, wires, conduit and any other required accessories on the roof at 321 Park Avenue, Oklahoma City, Oklahoma, with the understanding DAC will retain title to its equipment.
2. COUNTY will allow the use of its penthouse structure by DAC for the above stated purposes.
3. In the event of harmful interface with any existing radio systems of the COUNTY, DAC will be notified and agrees to use its best effort to deactivate communications equipment at the County's location and will not reactivate said equipment until the interference is corrected.
4. The effective date of this agreement will begin on the date of execution and will end on June 30, 2011, with the parties intent being that this agreement will be renewed at the beginning of each fiscal year (July 1) for an additional one (1) year term only upon written agreement by each party prior to the end of the fiscal year June 30, 2011.
5. The right of DAC to occupy the installation site includes the right to maintain their equipment installed on the penthouse, as well as the right of ingress and egress for inspections, maintenance and repair of their equipment as necessary. The County Maintenance Department or Emergency Management Director will be contacted prior to entrance into leased premises.

PENDING APPROVAL

6. COUNTY shall not be liable in any way for damages to equipment owned by DAC unless caused by the intentional or negligent act or omission of the COUNTY, its agents, servants or employees, and shall not be responsible or liable for any maintenance or repair of such equipment, nor shall be responsible to inspect, examine or report any damage to or loss of such equipment. However, all due respect will be given to said equipment and COUNTY will in good faith make every effort to protect said equipment without obligation.

AGREED:



DAC Representative

6-22-10

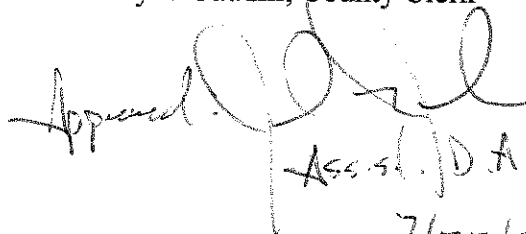
Date

Oklahoma County Representative

Date

ATTEST

Carolynn Caudill, County Clerk



Assessor D.A.

7/27/2010