



Agenda Commentary

Item Title/ Subject: Inter-Local Agreement with Custer County

Staff Source: Gene McCullough, Acting City Manager

Date: September 1, 2020

History/Background Information: The City of Clinton and Custer County regularly enter into inter-local agreements for the betterment of both parties when it is feasible.

Subject Summary: The Custer County Courthouse has requested use of the Frisco Conference Center for COVID-safe handling of upcoming trials. The trials cannot be safely administered at their current facilities.

Recommendation: Approve the inter-local agreement with Custer County.

Price/Cost: \$40/day to cover janitorial/sanitation costs

INTER-LOCAL AGREEMENT

WHEREAS, on March 11, 2020, the World Health Organization (WHO) declared the coronavirus COVID-19 disease to be a pandemic; and

WHEREAS, on March 13, 2020, the President of the United States declared a National Emergency; due to the COVID-19 Virus pandemic; and

WHEREAS, on March 15, 2020, the Governor of the State of Oklahoma declared an emergency caused by the impending threat of COVID-19 to the people of this State and the public's peace, health and safety; and

WHEREAS, on March 16, 2020 the Supreme Court and Court of Criminal Appeals for the State of Oklahoma canceled all jury terms;

WHEREAS, the Governor's statewide emergency declaration and that of the Supreme Court and Court of Criminal Appeals has been renewed and extended numerous times and remains in effect; and

WHEREAS, on April 29, 2020 the Supreme Court and the Court of Criminal Appeals modified their Joint Order and required that all Jury Trials be rescheduled for a jury docket after July 31, 2020; and

WHEREAS, the April 29, 2020 Joint Order required the continued use of all available means to ensure the health of all participants in any court proceedings, limited the number of individuals in specified spaces and required social distancing; and

WHEREAS, it is the duty of the Commissioners of Custer County and City Council of the City of Clinton to protect the health and safety of the City and its inhabitants, to preserve the peace and administer justice, and to provide emergency functions; and

WHEREAS, it is necessary in the administration of justice and that Jury Trials be conducted and that they be conducted in the most efficient and health conscience manner.

NOW THEREFORE:

The Commissioners of Custer County, Oklahoma and the City Council for The City of Clinton, Oklahoma agree that the County may utilize the Frisco Center, located at 101 S 4th St, Clinton, OK, for the purposes of conducting Jury Trials.

Duration: This Interlocal Agreement shall initially cover the 2020 Fall Jury Term, but may be extended as needed due to the COVID-19 pandemic. In order to allow for scheduling, County must notify City 60 day in advance of any future Jury Term. This Agreement shall terminate when the COVID-19 emergency is declared by the Governor of the State of Oklahoma to be over.

Use of Space: County shall be entitled to use (1) all common areas, (2) one half of the Exhibit Hall, and (3) an extended meeting room, for the purpose of conducting Jury Trials. The Trial Judge and Frisco Center personal shall determine the most appropriate extended meeting room to utilize for the purposes of the Jury Trial prior to each jury trial.

Consideration: As consideration for the use of the space, County shall reimburse City \$20 per room, per day utilized, in order to offset the cleaning costs. City shall invoice County within 30 days of the completion of the applicable Jury Term.

Dated this ___ day of _____, 2020.

CITY OF CLINTON,
OKLAHOMA

CUSTER COUNTY, OKLAHOMA

David Berrong, Mayor

County Commissioner

ATTEST:

County Commissioner

Debra Blanchard,
Acting City Clerk

County Commissioner

ATTEST:

Secretary