

COUNTY OF LANE, STATE OF OREGON

RESOLUTION NO. 6-10-93A

A RESOLUTION ADOPTING THE BUDGET, MAKING APPROPRIATIONS AND LEVYING TAXES

WHEREAS, the annual budget for the fiscal year 1993-94 has been duly completed and submitted to the Mayor and City Council of the City of Dunes City, and;

WHEREAS, said budget has been reviewed by the Mayor and the City Council of the City of Dunes City,

NOW, THEREFORE, BE IT RESOLVED:

1. That the City Council of the City of Dunes City, Oregon, does hereby adopt the budget for the fiscal year 1993-94 approved by the Budget Committee of the City of Dunes City on April 29, 1993, now on file at the Dunes City Hall, Dunes City, Oregon.

2. That the City Council hereby levies the taxes provided for in the budget adopted in section 1 of this resolution in the aggregate amount of \$ 0.00, and that these taxes are hereby levied and assessed pro rata upon all taxable property within the City of Dunes City as of 1:00 A.M., January 1, 1993.

3. That the amounts for the fiscal year beginning July 1, 1993, and for the purposes shown below are hereby appropriated as follows:

GENERAL FUND

Personal Services	\$ 26,775
Materials and Services	\$ 61,525
Capital Outlay	\$ 33,000
Other	\$ 6,612
TOTAL	\$ 127,912

STATE STREET TAX FUND

Personal Services	\$ 2,835
Materials and Services	\$ 131,815
Other	\$ 1,058
TOTAL	\$ 135,708

EMERGENCY COMMUNICATION FUND

Materials and Services	\$ 3,144
TOTAL	\$ 3,144

PLANNING ASSISTANCE GRANT FUND

Materials and Services	\$ 2,790
TOTAL	\$ 2,709

URBAN TRANSITION FUND

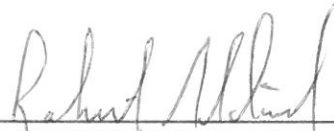
Materials and Services	\$ 298,485
Other	\$ 21,193
TOTAL	\$ 319,678

MOTEL TAX

Materials and Services	\$ 6,750
Other	\$ 1,375
TOTAL	\$ 8,125

4. That the City Recorder certify to the County Clerk and County Assessor of Lane County, Oregon, the levy made by this resolution and shall file with the Department of Revenue a true copy of the budget as finally adopted.

ADOPTED BY THE CITY COUNCIL OF DUNES CITY, OREGON THIS 10th DAY OF JUNE, 1993.



ROBERT PETERSDORF, MAYOR

Attest:



KATHIE HILBORN, CITY RECORDER

RESOLUTION NO. 6-10-93B

RESOLUTION TRANSFERRING GENERAL OPERATING CONTINGENCY

WHEREAS, the City has a \$6,000 General Operating Contingency in 1992-93 General Fund Budget; and

WHEREAS, the City has over expended its 1992-93 Budget Funds for Contracted Services;

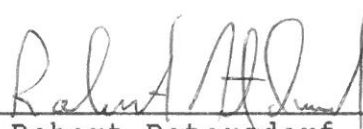
NOW, THEREFORE, BE IT RESOLVED, that the City Council does hereby approve the transfer of \$ 2,200 from the General Operating Contingency to be designated within the General Operating Fund as follows :

\$ 900.00 for Miscellaneous

\$ 800.00 for Equipment Maintenance and Repair

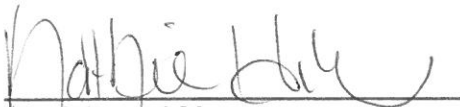
\$ 500.00 for Community Center Maintenance and Repair

Dated this 10th day of June, 1993.



Robert Petersdorf
Mayor

ATTEST:



Kathie Hilborn
City Recorder

Return to: Executive Department
Accounting Division
Attn: Janice Jamison
155 Cottage Street NE
Salem OR 97310

RESOLUTION NO. 6-10-93C

WHEREAS, ORS 221.760 provides as follows:

Section 1. The officer responsible for disbursing funds to cities under ORS 323.455, 366.785 to 366.820 and 471.805 shall, in the case of a city located within a county having more than 100,000 inhabitants according to the most recent federal decennial census, disburse such funds only if the city provides four or more of the following services:

- (1) Police protection
- (2) Fire protection
- (3) Street construction, maintenance, and lighting
- (4) Sanitary sewer
- (5) Storm sewers
- (6) Planning, zoning, and subdivision control
- (7) One or more utility services

and

WHEREAS, city officials recognize the desirability of assisting the state officer responsible for determining the eligibility of cities to receive such funds in accordance with ORS 221.760, now, therefore,

BE IT RESOLVED, that the City of Dunes City hereby certifies that it provides the following four or more municipal services enumerated in Section 1, ORS 221.760:

Fire Protection

Street Construction, Maintenance & Street Lights

Storm Sewers

Planning, Zoning & Subdivision Control

Approved by the City of Dunes City

this 11th day of June 1993.

ATTEST:

Nathie
Recorder

Rahm
Mayor

s:\wp\resolutn

7-8-93

**RESOLUTION REGARDING MEMBERSHIP
CITY/COUNTY INSURANCE SERVICES TRUST
PROPERTY SELF-INSURANCE POOL**

Whereas, the City/County Insurance Services Trust (CIS) offers pooled self-insurance offering cost stability and the potential for long-term savings and;

Whereas, CIS is sponsored by the League of Oregon Cities and the Association of Oregon Counties as a service to Oregon cities and counties; and

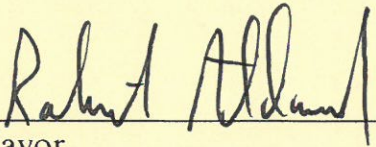
Whereas, the City of Dunes City finds that membership in CIS is of benefit in managing the risks involved in providing services to its citizens; and

Whereas, the City of Dunes City has been provided with an opportunity to review the Trust Agreement, Bylaws and Rules of CIS; and

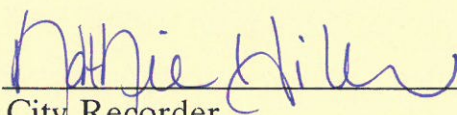
Whereas, the City of Dunes City has reviewed the Trust Agreement, Bylaws and Rules of CIS for compliance with the Charter and Ordinances of the City of Dunes City;

Now, therefore, the City of Dunes City does hereby enter into a contract with CIS and becomes a member of the CIS Trust for **Property** for a three-year period commencing July 1, 1993 and agrees to abide by the terms of the Trust Agreement, Bylaws and Rules of CIS which, along with this Resolution, constitutes the contract between the City of Dunes City and CIS. The [Administrative Officer - insert title City Recorder] is hereby authorized to execute such documents as are necessary pursuant to this Resolution.

ADOPTED: [Date] 7/8/93



Mayor

ATTEST: 

City Recorder

RESOLUTION NO. 8-9-93A

**A RESOLUTION REGARDING THE CITY OF DUNES CITY'S ELECTION
TO REGULATE RATES FOR BASIC CABLE TELEVISION SERVICE AND
RELATED SERVICES.**

The City Council of the City of Dunes City finds as follows:

A. In 1992 Congress re-empowered local franchising authorities to engage in regulating the rate for basic cable television services in communities where the local cable operator was not subject to effective competition.

B. Under the City of Dunes City Charter of 1979, the City has the authority necessary to issue franchises and to regulate rates for cable television services except where prohibited by law.

C. Based upon the definition of "effective competition" in the Federal Act, the Council does not believe that the current cable operator in Dunes City is subject to effective competition.

D. As provided in Ordinance No. 73, as amended, the City has reserved the right to approve the rates charged by the cable operator to assure their reasonableness.

E. If the City does not regulate the rates for basic cable services and related services, there will be no forum for cable customers to seek review of the rates for such services. The FCC regulations have determined that the cable services and programming provided on tiers other than the basic service tier shall be regulated by FCC and that cable premium programming and special events programming shall remain unregulated.

F. Rates for cable television service have long been a concern to the community and it is in the public interest that the City undertake on its own, or in cooperation with other franchising authorities the matter of cable service rates and ensure the administration and enforcement of FCC rate regulations and such local regulations as the Council may determine in the public interest.

NOW, THEREFORE, based upon the above findings,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DUNES CITY, a Municipal Corporation of the State of Oregon, as follows:

Section 1. DEFINITIONS

As used in this resolution the following words and phrases shall have the meanings set forth:

BASIC CABLE SERVICE: Includes all services for which the City may regulate the rates. It includes the basic service as defined under the Federal Act and FCC regulations and all other services not specifically exempted from local regulation.

MAYOR: The Mayor of the City of Dunes City or the Mayor's designee.

FCC: The Federal Communications Commission.

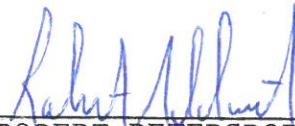
FEDERAL ACT: The 1984 Federal Cable Policy Act as amended by the Cable Television Consumer Protection and Competition Act of 1992.

Section 2. The City of Dunes City hereby declares its intent to adopt the FCC regulations regarding the regulation of basic cable service within 120 days of being certified by the FCC for rate regulation.

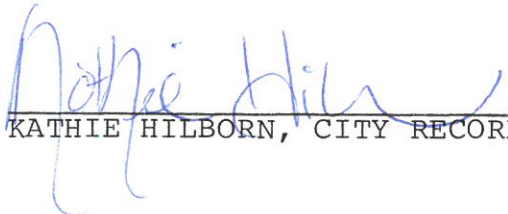
Section 3. The Council hereby directs the Mayor to assign such personnel or to enter into such agreements as necessary, or both, to assure the City it has the necessary personnel and expertise to administer the FCC rate regulations. If insufficient appropriations are in the adopted 1993-94 Budget, the Mayor shall present a supplemental budget to the Council with the appropriations necessary to carry out this direction.

Section 4. The Mayor is directed to do all things necessary to have the City certified by FCC or to enter into cooperative inter-governmental agreements for performance of the responsibilities herein conferred on the Mayor.

The foregoing Resolution adopted the 9th day of September, 1993.



ROBERT PETERSDORF, MAYOR



KATHIE HILBORN, CITY RECORDER

RESOLUTION NO. 8-30-93

A RESOLUTION OF THE CITY OF DUNES CITY, LANE COUNTY, OREGON, CALLING A SPECIAL ELECTION TO SUBMIT TO THE VOTERS THE QUESTION OF ISSUING A GENERAL OBLIGATION BONDED INDEBTEDNESS IN AN AMOUNT NOT TO EXCEED \$3,200,000 TO FINANCE A PORTION OF THE COST OF ACQUIRING, CONSTRUCTING AND EQUIPPING A MUNICIPAL WATER SYSTEM AND EVIDENCING ITS OFFICIAL INTENT TO REIMBURSE CAPITAL EXPENDITURES.

WHEREAS, the Council of the City of Dunes City, Lane County, Oregon, (the "City") has determined that there is a need for the City to acquire, construct and equip a municipal water system (collectively the "Project"); and

WHEREAS, the cost of the Project is estimated to be \$6,161,000; and

WHEREAS, the City intends to apply for a grant from Farmer's Home Administration in the amount of \$3,200,000; and

WHEREAS, the City intends to call an election to seek voter approval of a measure authorizing the issuance of general obligation bonds to finance the balance of the cost of the Project; and

WHEREAS, the City intends to reimburse itself for such capital expenditures with the proceeds of the general obligation bonds; and

WHEREAS, United States Treasury Regulation Section 1.103-18 sets forth certain requirements that must be complied with in order for the proceeds of bonds to qualify as an expenditure of bond proceeds.

NOW, THEREFORE, BE IT RESOLVED BY THE DUNES CITY COUNCIL:

1. That a special election is hereby called for the purpose of submitting to the electors of the City the question of contracting a general obligation bonded indebtedness in the name of the City in an amount not to exceed \$3,200,000 to finance a portion of the cost of the Project and to pay the cost of issuance of the bonds. The general obligation bonds shall mature over a period not exceeding forty (40) years.

2. That the election hereby called shall be held in the City on Tuesday, November 9, 1993, the date of the November 1993 election set by the Oregon legislature.

3. That the City directs that there shall be delivered to the elections officer of Lane County, Oregon the attached Notice of Measure Election, not later than September 2, 1993 (which date is more than 61 days prior to the election). The Election Officer is hereby requested to conduct the election in accordance with Oregon law.

4. That it is the reasonable official intent of the City to reimburse itself for the capital expenditures associated with the Project with the proceeds of such bonds in the principal amount not to exceed \$3,200,000. This declaration of official intent is given pursuant to United States Treasury Regulations Section 1.103-18.

5. This resolution shall be contained in the official records of the City and be available to members of the general public at the main administrative office of the City at least until the date of the issuance of the bonds.

IT IS SO RESOLVED BY THE DUNES CITY COUNCIL this 30th day of August _____, 1993, by the following vote:

Aye 4

Nay _____

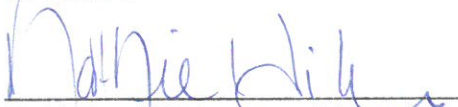
Absent 2

Abstain _____



ROBERT PETERSDORF, Mayor

ATTEST:



Kathie Hilborn, City Recorder

10-14-93

A RESOLUTION ADOPTING AN AMENDED DUNES CITY
FEE SCHEDULE FOR ACTIVITIES REQUIRING PERMITS

WHEREAS, the City presently has a fee and fine schedule in place, and;

WHEREAS, From time to time the City must update that fee and fine schedule; therefore;

BE IT RESOLVED, that the City of Dunes City, Oregon, hereby adopts the following schedule of permit and fine fees described in this Resolution.

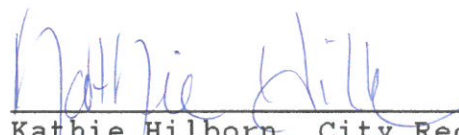
ACTIVITY	PERMIT FEE	FINE
Variance	75.00	150.00
Vegetation removal in shoreland zone	50.00	500.00
Vegetation removal from public rights-of-way	none	750.00
Site Review- Pre-Planning	125.00	250.00
Sign Permit	75.00	250.00
Planned Unit Development	1,000.00	-----
Road Permit	75.00	250.00
Access Permit (Driveway)	25.00	250.00
Zone Change	500.00	750.00
Temporary Permit	50.00	250.00
Flood Hazard Permit	10.00	-----
Amendments to Ordinance	350.00	-----
Mobile Home Parks	1,000.00	-----
Travel Trailer Parks	1,000.00	-----
Amendments to Comprehensive plan (Fee plus actual costs)	1,000.00	-----
Street Vacations (Fee plus actual costs of property)	1,000.00	-----
Subdivision application: Four (4) lot maximum	1,200.00	
Each lot over four (4)	325.00 each	-----

Major Land Partition (3) (The original lot being divided to be assessed also)	325.00 per lot	
Minor Land Partition	250.00	500.00
Concept Assistance	125.00	-----
Conditional Use Permit:	325.00	650.00
Building Permit	Fee set by Building Inspector	Double Permit Fee

Dated this 14 th Day of October, 1993


 Robert Petersdorf, Mayor

ATTEST:


 Kathie Hilborn, City Recorder

RESOLUTION NO. 10-14-93A

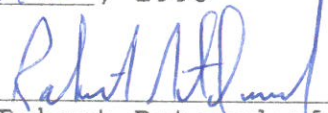
RESOLUTION ADOPTING STANDARDIZED PROVISIONS
AND QUALIFICATIONS OF THE 1991 STATE OF OREGON
"STANDARD SPECIFICATIONS FOR HIGHWAY CONSTRUCTION"

WHEREAS, the city would like to deal with all contractors bidding on a road project in a standardized manner; and

WHEREAS, the State of Oregon requires cities have standard specifications for highway construction for bidding purposes,

NOW, THEREFORE, BE IT RESOLVED that Dunes City adopts the attached ""Dunes City General Provisions and Scope of Work".

Dated this 14th day of October, 1993



Robert Petersdorf, Mayor
City of Dunes City

ATTEST:



Kathie Hilborn
City Recorder

GENERAL PROVISIONS AND SCOPE OF WORK

A. BIDDER'S SUBMISSIONS

Proposals for work shall be submitted in a sealed envelope, appropriately marked to ensure proper identification and special handling, to the following address:

The City of Dunes City
PO Box 97
Westlake, OR 97493

It is the bidder's responsibility to insure that bids are received by the city prior to the stated bid closing.

The city will not be responsible for failure of bidders to receive notifications. Proposals will be rejected if found not to be based upon the changes or corrections.

B. BIDDER'S ADDRESS AND SIGNATURE PAGES

The proposal shall include:

name and telephone number of a Company representative to contact for information regarding the bid; the address of the company to which written communications should be sent; a cover page that references the bid inquiry for which the proposal is intended, and formalizes the proposal by either the signature of: an individual (with that person's social security number:), or an officer of the company; or copy of the company minutes that authorizes the proposal.

C. BIDDER'S BID SECURITY

Dunes City requires all bid proposals that have a value greater than \$10,000 (cummulative for all work bid) to include a Bid Security equal to 10% (ten percent) of that proposal value. The Bid Security may be of the following form: a Surety Bond issued by a Surety Company authorized to do business in the state of Oregon; or a Cashiers Check; or a check that is certified by a Bank or Savings and Loan Comapny. The bid security of all unsuccessful bidders shall be returned after a contract has been awarded or all bids rejected. The city may at its discretion hold the security of the three lowest bidder's pending the execution of a contract.

D. SUCCESSFUL BIDDER'S DOCUMENTATION REQUIREMENTS

If a bidder is successful in being awarded a contract for work to be performed for Dunes City, before work will be allowed to commence, the following documents or proof of compliance shall be presented to Dunes City:

- a) A Security of Performance Bond is required to cover all proposed work that has a value greater than \$10,000.00 cumulative for all work to be performed). The bond shall cover 100% (one hundred percent) of the value of the proposed price of that successful bid. The form of the Bond shall be as for the Bid Security Bond of Section C, above.
- b) Certification of Worker's Compensation as per the Bureau of Labor Wage and Hour form. These forms shall also cover all sub-contractors used for the work.
- c) Certification of Liability Insurance to cover Personal Injury. Furnish the city a certificate of Personal Injury according to the city's minimum requirements. The insurance to be in force throughout the performance of the contract and not be allowed to elapse without prior written approval of the city.
- d) Contractor License(s), registered in the state of Oregon, and current, for all disciplines that will perform in the work.

E. RIGHTS AND RESPONSIBILITIES OF DUNES CITY

As representatives of the city, the Director of Roads, and Road Commissioner are authorized by the Dunes City Council to act for and interface with the contractor and make progress inspections as deemed necessary by the city. The Director of Roads has the following duties (but is not limited to them): Inspection of all materials furnished, preparation work, fabrication work, and site clean-up; orally reject workmanship or sub-standard materials (to be confirmed in writing); temporarily suspend work being done improperly, until the question at issue can be resolved or referred to the Road Commissioner; additional duties and authority as may be delegated.

The city reserves the right to make necessary changes or corrections as deemed necessary by the city. Holders of bidding documents will be notified of these changes or corrections by certified mail to the bidders address of record.

The city will not be responsible for loss or unanticipated costs suffered by the bidder because the bidder failed to become fully informed about all conditions of the work.

Any explanation or interpretation of plans and specification shall be in writing through the Director of Roads, such requests shall be made in sufficient time for the city to reply prior to the city receipt of proposal. Oral explanation

or interpretation will not be binding upon the city.

The city reserves the right to make awards, to its advantage, on combination proposals or separate contract will be written for each individual project included in the combination.

Permission will not be given to change any proposal after it has been delivered to the city except to change unit prices and total prices entered on the bid schedule. These changes must be in writing and received by the city prior to the time set for opening of proposals.

F. RIGHTS AND RESPONSIBILITIES OF BIDDER

Dunes city considers the submission of a Proposal Bid as proof that the bidder has examined and understands the bid documents, the conditions to be encountered at the site where the work is to be performed, and all relevant requirements of the Scope of Work pertaining to the site.

G. OPENING OF BIDS

Receipt, opening, qualification and recording of bids:
Upon its receipt, each bid and modification shall be marked but not opened.

Bids and modification will be opened publicly, at the time, date and place designated in the bid documents.

Any bid or modification received after the time and date set in the bid documents will be considered late and shall not be considered by the city.

Mistakes in bids will be considered under Oregon Model Public Contract Rule 137-30-075.

Bid evaluation and award is considered under Oregon's Model Public Contract Rule 137-30-090 and ORS 279-035. The successful bidder will be notified by the city in writing within 15 business days. A notice to proceed will be issued by the Director of Roads within 5 calendar days.

The city reserves the right to award the next lowest bidder or re-advertise for bids.

Cause for rejection of individual bids or proposals as outlined in Oregon Model Rules Contract 137-30-100 and ORS 279.035-279-039-361.

Cause for bidder disqualification as outlined in Oregon Model Rules Contract 137-30-11 and ORS 279-037.

In the circumstances that a bidder wishes to change plans, quantities or specifications, after the submission of his proposal, the bidder shall present such changes in writing to Dunes City before the published Opening date of bids.

H. RESPONSIBILITIES OF THE SUCCESSFUL BIDDER

Upon notice of award of bid the successful bidder will provide to Dunes City a Performance Bond in a sum equal to the contract price.

Requirements as stated in Section D, must be received by Dunes City within seven (7) working days from the mailed date of the "Notice of Award".

Failure to execute contract documents by successful bidder will be cause for cancellation of the award and withdrawal of the contract and may be cause to forfeiture of the proposal guaranty. (Bid Security Only)

The forfeited proposal will become the city's property, not as a penalty but as liquidation of damages resulting from the bidder failure to comply with these specifications.

Contact the Director of Roads for clarification or interpretation as required to successfully complete the project. Successful bidder to secure any construction permit as required by the city.

I. CONTRACT INTENT

Provide for construction and completion of the described work and for the contractor to:

- a) Furnish tools, materials, equipment, labor, transportation, and incidentals required to complete the work according to plans, specifications, and terms of the contract.
- b) Perform other work determined necessary to complete this project.

J. CHANGES IN WORK

It is mutually agreed that changes in plans quantities or details of construction are inherent in the street construction and may be necessary or desirable during the course of construction.

Without impairing the contract the city reserves the right to require changes, determined necessary within the general scope of the contract. These changes may include but are not limited to:

- Specification and design

- Grade and alignment
- Cross Sections and thicknesses of coarse materials
- Method or manner of performance of work
- Increases or decreases of work and quantities
- Additional work
- Elimination of any contract item
- Length of project
- Acceleration or delay in performance of work

Upon written order, the contractor shall perform the changed work as part of work to be done under the contract. Performance of changed work shall not invalidate the contract nor release the surety.

Payment for changes will be mutually agreed upon in writing between the city and the contractor as an increase or decrease to the original contract.

- Q. Project work schedule and pre-construction conference. Submit a project work schedule to the Director of Roads as required per the Director of Roads. Contractor failure will be cause to suspend the work on the contract until the required data is provided to the Director of Roads.

Before any work is performed under the contract and within 5 calendar days of the Notice to Proceed, unless otherwise approved in writing by the Director of Roads, meet with the Director of Roads for a pre-construction conference at a time mutually agreed upon.

- R. Acceptability of materials and work and or removal of unacceptable and unauthorized work:

Materials furnished and work performed will conform to design and construction tolerances as specified per bid. Acceptance is the responsibility of Director of Roads.

Correct or remove unacceptable work found before final acceptance as directed by the Director of Roads. Unauthorized work will not be paid for and the Director of Roads may issue a written order for its removal or correction at the contractors expense.

If when ordered by the Director of Roads the Contractor fails to correct or remove per order within 30 days he may elect to have this work done by others and deduct the entire cost from monies due or to become due the contractor on the contract.

- S. Final Inspection:

When all on site-construction work for the project is completed, including change order work, written notification

will be provided to Director of Roads.

The Director of Roads will make a final inspection within 7 calendar days and if all work is found to be complete and satisfactory the Director of Roads will issue written notice of Acceptance to the contractor within 10 working days.

If however any on-site work is found to be incomplete or unsatisfactory the contract will be given written instructions as what is necessary to complete per contract. The contractor will then follow the above procedures for acceptance.

T. Director of Roads Authority and Duties:

As representatives of the city, the Director of Roads, and Road Commissioner are authorized by the Dunes City Council to act for and interface with the contractor and make progress inspections as deemed necessary by the city.

The following are some of the Director of Roads duties, but not limited to:

- Inspect work, materials furnished, including preparation fabrication, or manufactured materials to be used.
- Orally reject workmanship or defective materials and confirm in writing.
- By oral order temporarily suspend work being done improperly until the question at issue can be resolved or referred to the Road Commissioner.
- Do such additional duties and authority as may be delegated.

RESOLUTION NO. 11-11-93

RESOLUTION TRANSFERRING MONIES WITHIN THE GENERAL
FUND FROM LANE COUNTY ANIMAL CONTROL AND
OPERATING CONTINGENCY LINE TO LEGAL CONTRACTED SERVICES.

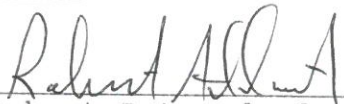
WHEREAS, Dunes City has a \$5,887 balance of in General Operating Contingency and a \$4,000 balance in Lane County Animal Control in the 1993-94 General Fund; and

WHEREAS, the City has over expended its 1993-94 budget line item for General Contracted Legal Services;

NOW, THEREFORE, BE IT RESOLVED pursuant to ORS 294.450, the City Council does hereby approve the transfer of \$2,000 from the General Operating Contingency and \$4,000 from the Lane County Animal Control line items as follows:

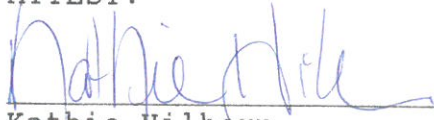
\$6,000 to General Contracted Legal Services

Dated this 11th day of NOVEMBER, 1993



Robert Petersdorf, Mayor
City of Dunes City

ATTEST:



Kathie Hilborn
City Recorder