

RESOLUTION 2014 - 76



**A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF SUNNYSIDE, WASHINGTON, AUTHORIZING
PROFESSIONAL SERVICES AGREEMENT FOR
TOURISM PROMOTION SERVICES WITH
YAKIMA VALLEY TOURISM**

WHEREAS, the City of Sunnyside published a request for proposals for the use of Lodging Tax Funds on September 26, October 3 and October 10, 2014; and

WHEREAS, the Lodging Tax Advisory Committee reviewed said proposals on October 23, 2014 and November 5, 2014 as required by RCW 67.28; and

WHEREAS, the City Council of the City of Sunnyside authorized an appropriation be made to the 2015 budget in the amount of \$6,000; and

WHEREAS, the City of Sunnyside and Yakima Valley Tourism wish to enter into an agreement to cover the costs associated with tourism promotion; and

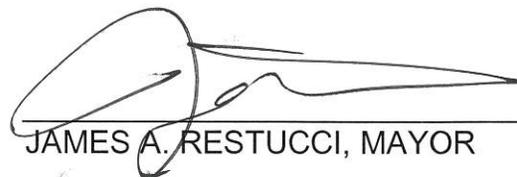
WHEREAS, the City Council finds and determines that approval of such agreement is in the best interests of residents of the City of Sunnyside and will promote the general health, safety and welfare.

NOW THEREFORE, IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF SUNNYSIDE, WASHINGTON, as follows:

Section 1. That the Agreement, attached hereto as Exhibit "A" and incorporated herein by this reference, is hereby approved; and the City Manager is hereby authorized to execute the contract and other documents necessary to accomplish such acceptance.

Section 2. This Resolution shall be effective upon passage and signatures hereon in accordance with law.

PASSED this 24th day of November, 2014.



JAMES A. RESTUCCI, MAYOR

ATTEST:



DELILAH SAENZ, CMC, CITY CLERK

APPROVED AS TO FORM:



KERR LAW GROUP, PLLC
Attorneys for the City of Sunnyside

AGREEMENT FOR TOURISM SERVICES
By and Between
CITY OF SUNNYSIDE
And
YAKIMA VALLEY TOURISM

THIS AGREEMENT is made and entered into this 25th day of November, 2014, by and between the CITY OF SUNNYSIDE, a municipal corporation, and YAKIMA VALLEY TOURISM, for the uses and purposes provided herein and below.

I. Recitals

A. CITY OF SUNNYSIDE, hereafter called "City," is a municipal corporation of the State of Washington, with City Hall located at 818 East Edison Avenue, Sunnyside, Washington 98944.

B. YAKIMA VALLEY TOURISM, hereafter called "YVT," is an entity formed and existing to promote economic and cultural development in the Yakima Valley. YVT maintains business offices at 10 North Eighth Street, Yakima, Washington 98901.

C. The City has adopted and implemented a transient occupancy tax authorized pursuant to Chapter 67.28 RCW and City Ordinances codified at Chapter 3.28 of the Sunnyside Municipal Code as the "Transient Occupancy Tax." State statute has since been amended to allow expenditure of such transient occupancy tax revenues for advertising and tourism promotion services as well as certain costs of operation and maintenance of tourism facilities and special events and festivals subject to appropriate documentation of services rendered and received.

D. YVVCB is able to provide for advertising and other services allowed by statutes governing the use of proceeds from the Hotel/Motel Tax, to promote and encourage tourism within the City.

E. City and YVT desire to enter into an Agreement for calendar year 2015 to provide for advertising services by YVT, utilizing funds from the Transient Occupancy Tax fund as described below.

II. Agreement

WHEREFORE, in consideration of the mutual covenants, conditions and promises herein, the parties agree as follows:

A. Scope and Purpose. The purpose of this Agreement is to provide for tourism promotion and advertising services, in compliance with the uses and purposes of state statutes and City codes governing use of Transient Occupancy Tax proceeds,

EXHIBIT "A"

by YVT for and on behalf of the City. YVT will develop and organize advertising campaigns that promote the City in accordance with the proposal attached hereto as Exhibit "A" incorporated herein by this reference.

B. Payment by City. The City shall reimburse YVT the sum of \$6,000 for tourism-related advertising costs incurred by YVT in providing the services associated with tourism.

Payment of any such amount is conditioned upon the following:

- 1) Each YVT request for reimbursement shall be accompanied by a copy of the invoice(s) or bill(s) for advertising services purchased; and
- 2) If the reimbursement is sought for advertising expenses, one copy of the advertisement(s), or other media copy acceptable to City, purchased by YVT for which reimbursement of costs is requested.

C. Restriction on Expenditures. YVT understands that this agreement is governed by the restrictions mandated for use of Lodger's Taxes and all expenditures are subject to full disclosure to the City in order to show compliance with said requirements. YVT further understands that all expenditures shall be for the purpose of promoting tourism into the City of Sunnyside. YVT shall provide documentation in support of its efforts. YVT further agrees to cooperate with and furnish any requested documents to the State Auditor upon request.

The City reserves the right to reject all or any portion of any request for reimbursement if, in the sole opinion of the City, such expenditure is not authorized by this Agreement or applicable law.

D. Reports to City. YVT shall report on the status of YVT projects, tourism promotion programs or campaigns, and any other information or reports deemed necessary or appropriate by the City.

E. Access to Records of Contractor. YVT agrees to provide access to City, its authorized agents and regulatory agencies, to YVT records pertaining to expenditure of funds and funded programs authorized pursuant to this Agreement. Such access shall be promptly scheduled at times convenient to YVT during normal work hours. Records created pursuant to this Agreement may be considered public records pursuant to Chapter 42.56 RCW and YVT agrees to provide reasonable assistance to City in producing records to requesting parties.

F. Term of Agreement – Effective Date of Amendment. This Agreement shall be for a term of one year, commencing January 1, 2015 and terminating December 31, 2015, unless sooner terminated by either party as described in section G below.

EXHIBIT "A"

G. Early Termination. This Agreement may be terminated by either party upon thirty (30) days advance written notice delivered to the other party. In the event of early termination, requests for reimbursement for advertising expenses incurred prior to the date Notice of Termination is delivered shall be processed in accordance with the procedures described in Section B(2) above. Any expenditure by YVT for advertising or other service occurring between the date of delivery of such notice and effective date of termination of the Agreement shall be reviewed and subject to prior approval by City.

H. Entire Agreement. This Agreement constitutes the entire agreement of the parties, and shall not be modified or amended except in writing signed by both parties.

I. Dispute Resolution. In the event of a dispute arising between the parties regarding the enforcement, breach, or interpretation of this Agreement, the Parties shall first meet in a good faith effort to resolve the dispute, however, with or without agreed meditation. Any remaining dispute shall be resolved by binding arbitration pursuant to RCW 7.04A, and the Mandatory Rules of Arbitration, with venue placed in Yakima County, Washington, and the arbitrator shall award to the substantially prevailing party, judgment for its attorney fees and costs against the other. In the event of de nova review, both parties waive their rights to a jury trial.

WHEREFORE, this Agreement is deemed executed on the date first referenced above.

CITY OF SUNNYSIDE

YAKIMA VALLEY TOURISM

By: _____
Donald D. Day, City Manager

By: _____

ATTEST:

ATTEST:

By: _____
Delilah Saenz, CMC, City Clerk

By: _____

CITY OF SUNNYSIDE 2015 SUPPLEMENTAL TOURISM FUND PROPOSAL

Amount Funded (\$6,000):

\$1,650 (1 page) - 2015 Yakima Valley Official Visitors Guide™ Advertisement:

- One advertorial page in the Visitors Guide about Sunnyside.

\$4,350 – Leisure Destination Marketing Services Including:

- Targeted Website Advertisements
- Mobile Website Advertisements
- Sunnyside App On Our Facebook Page (20,000+ Fans)
- Featured Video On Our YouTube.com Channel
- Media Relations

Please provide responses to the following points:

- of overnight stays in paid accommodations: 7,212 #
- of overnight stays in unpaid accommodations traveling more than 50 miles: unknown #
- of visitors staying for the day only and traveling more than 50 miles: unknown #

ESTIMATED NUMBER OF PARTICIPANTS

Activity or Service listed on page 1 of Proposal	Overnight stays in paid accommodations:	Overnight stays in unpaid accommodations traveling more than 50 miles:	Staying for the day only and traveling more than 50 miles:
a. Visitor Guide ad	600	Unknown	Unknown
b. Regional Marketing/ Media Relations	5,232	Unknown	Unknown
TOTAL:	7,212	Unknown	Unknown

We used data and research collected through sources noted to project the overnight stays, attendance and potential economic impact from the proposed projects.

METHODOLOGY TO DETERMINE ATTENDANCE/ROOM NIGHTS

a. Visitor Guide Ad: Very conservatively, if 10% of the guides printed in 2015 result in an overnight stay in a hotel/motel, at least **600 room nights will result for Sunnyside** (100,000 printed x 10% staying one extra night= 10,000 room nights. As Sunnyside has 6% of the hotel rooms in the county, we conservatively project that at least 600 room nights would result). Given the high tourism volume that Sunnyside receives and the exposure the community would get from the guide, we believe that the actual number would be higher. Furthermore, **these 600 room nights could result in \$188,400 in new visitor spending for Sunnyside** (\$314 is spent per hotel/motel overnight party in Yakima County (\$314 x 400 = **\$88,400**). Source: Dean Runyan Associates March 2014).

b. Regional Marketing/ Media Relations: These efforts help to sustain written, phone and email inquiries plus the growing visits to our websites and marketing promotions, resulting in increased leisure travel. Our surveys indicate that leisure travel accounts for up to 50% of our lodging demand. According to Dean Runyan and Associates, 872,000 visitors to Yakima County stayed in a hotel in 2013. Conservatively if 10% of those resulted from our regional marketing and media efforts (87,200 visitors staying in a hotel) and 6% of the hotel/motel room inventory in Yakima County is in Sunnyside, then it would reason **that at least 5,232 room nights would occur in Sunnyside from this regional marketing effort.**

EXHIBIT "A"
CITY OF SUNNYSIDE 2015 SUPPLEMENTAL TOURISM FUND PROPOSAL

The following details the \$4,350 leisure marketing package proposed.

Targeted Website Advertisements: These websites include dynamic photography, editorial highlights, giveaways, event information and more. The websites will be advertised on sites such as Sunset.com, SeattleTimes.com, OregonLive.com and in print publications such as the WA ST Visitors Guide, the Wine Commissions Wine Tour Guide, WA Tasting Room magazine, Seattle Met, and more. To date, these sites have generated more than 140,000 impressions to targeted audiences. The ad includes: 40 word description, video or slide show, link to your website, phone number.



- Wine Country (www.YakimaValleyWineCountry.com)
- Farm Fresh Fun (www.VisitFarmFreshFun.com)
- Wine Doggies (www.WineDoggies.com)
- Spirits & Hops (www.SpiritsandHopsTrail.com)
- Yakima Valley Made (www.YakimaValleyMade.com)

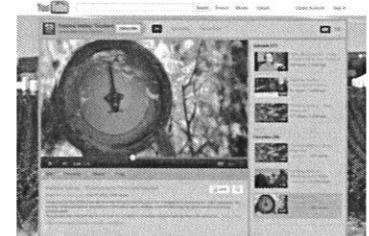
Mobile Website Advertisements: YVT has a very successful mobile platform with mobile advertisements. We have seen more than 40,000 visits to the mobile platform so far this year.



Facebook: We will build an app on the Yakima Valley Facebook page that features Sunnyside. Currently our Facebook page has **20,517 likes (September 2014)**.



You Tube: We will upload a video (that you produce or have already produced) about Sunnyside directly to our YouTube.com Channel. www.youtube.com/yakimavalleywine We will feature your video on the VisitYakimaValley.org home page (which received more than 300,000 impressions/year) for 10 days in 2015.



Media Relations: Heather Decker, Travel Media & Trade Relations Manager for YVT, will push story lines to our PR Firm, GreenRubino, about Sunnyside. Heather will expose various Sunnyside tourism to visiting journalists. In addition, when utilizing a slide show or photo binder at trade shows, Heather will include a slide/photo dedicated to Sunnyside.



2015 Shows:

Definite

- Go West Summit (group tour trade industry)
- The Seattle Wine and Food Experience

Proposed:

- Two Nation Vacation Seattle & Portland Show
- US Travel Assn Pow Wow (int'l tour operators convention)
- Pacific Northwest Travel Writers Conference