



ORIGINAL

**A RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF SUNNYSIDE, WASHINGTON, AUTHORIZING  
THE AMENDMENT TO THE  
PROFESSIONAL SERVICES AGREEMENT FOR  
TOURISM PROMOTION SERVICES WITH  
AMERICAN LEGION POST #73**

**WHEREAS**, on January 26, 2015, City Council approved an agreement for tourism promotion services with the American Legion Post #73 by Resolution 2015-07; and

**WHEREAS**, the American Legion Post #73 submitted a subsequent RFP for additional funding to cover the unforeseen cost of the item originally approved for purchase (granite wall); and

**WHEREAS**, the Lodging Tax Advisory Committee reviewed said proposal on February 12, 2015 as required by RCW 67.28; and

**WHEREAS**, the City of Sunnyside and the American Legion Post #73 wish to amend the existing agreement; and

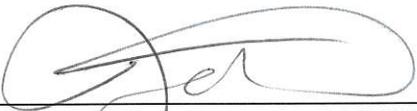
**WHEREAS**, the City Council finds and determines that approval of such agreement is in the best interests of residents of the City of Sunnyside and will promote the general health, safety and welfare.

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

**Section 1.** That the Amendment, 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 23<sup>rd</sup> day of February, 2015.



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JAMES A. RESTUCCI, MAYOR

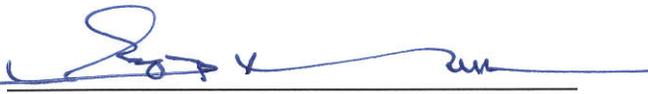
**ATTEST:**



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DELILAH SAENZ, GMC, CITY CLERK

**APPROVED AS TO FORM:**



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KERR LAW GROUP, PLLC  
Attorneys for the City of Sunnyside

## Agreement for Tourism Services

### AMENDMENT #1

**THIS AMENDMENT HEREBY MODIFIES** the contract entered into between American Legion Post #73 and the City of Sunnyside.

Part II. Agreement, Section B shall be modified as follows:

- D. Payment for Services. City agrees to pay Contractor a sum not to exceed \$16,000.00 to be used by Contractor for the purchase of a black granite wall for the Jerry Taylor Veteran's Plaza to promote tourism into the City of Sunnyside. Payment of any sum for maintenance and operation described above shall be by reimbursement of costs incurred by the Contractor for such purposes. Payment of any sum for construction shall either be by reimbursement of costs incurred by the Contractor, or by City payment upon presentation by Contractor showing a bill for construction work already completed. Any and all payments by City shall be conditioned upon the city's acceptance and/or approval of work completed. 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.

All remaining portions of the original agreement are to remain unchanged.

**WHEREFORE**, this amendment is deemed executed this \_\_\_\_\_ day of February, 2015.

**CITY OF SUNNYSIDE**

**AMERICAN LEGION POST #73**

\_\_\_\_\_  
Donald D. Day, City Manager

\_\_\_\_\_  
Troy Monholland, Post Commander

**ATTEST:**

\_\_\_\_\_  
Delilah Saenz, CMC, City Clerk