



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

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, an additional RFP was submitted after the deadline date; and

WHEREAS, the Lodging Tax Advisory Committee reviewed said proposal on April 9, 2015 as required by RCW 67.28; and

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

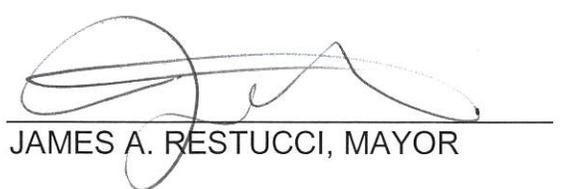
WHEREAS, the City Council finds and determines that approval of such agreement is in the best interests of residents of the City of Sunnyside and will promote the general health, safety and welfare.

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 27th day of April, 2015.



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
SUNNYSIDE DAYBREAK ROTARY

THIS AGREEMENT is made and entered into this _____ day of April, 2015, by and between the CITY OF SUNNYSIDE, a municipal corporation, and SUNNYSIDE DAYBREAK ROTARY, 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. SUNNYSIDE DAYBREAK ROTARY, hereafter called "Rotary," is a non-profit corporation of the State of Washington, serving the citizens of the City of Sunnyside with promotion of events within the City of Sunnyside, to include the Summer Ale Festival.

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. Rotary is able to provide advertising and other services allowed by statutes governing the use of proceeds from the tax, to promote and encourage tourism within the City.

E. The parties desire to enter into this Agreement to state their mutual goals and obligations to accomplish such purposes.

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

EXHIBIT "A"

of state statutes and City codes governing use of Transient Occupancy Tax proceeds, by the Contractor for and on behalf of the City of Sunnyside. Rotary 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 Rotary for tourism-related advertising costs incurred by Rotary in providing the services associated with the Summer Ale Festival in the amount not to exceed \$3,500.

Payment of any such amount is conditioned upon the following:

- 1) Each Rotary request for reimbursement shall be accompanied by a copy of the itemized invoice(s) or bill(s) for materials, supplies or advertising services purchased (invoices received that are not itemized will NOT be reimbursed); and
- 2) One copy of the advertisement(s) or other media copy acceptable to City, purchased by Contractor for which reimbursement of costs is requested.

C. Restriction on Expenditures. Rotary 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. Rotary further understands that all expenditures shall be for the purpose of promoting tourism into the City of Sunnyside. Rotary shall provide documentation in support of its efforts. Rotary 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. Rotary shall report on the status of project, fund-raising efforts, tourism promotion programs or campaigns, and any other information or reports deemed necessary or appropriate by the City.

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

F. Term of Agreement – Effective Date of Amendment. This Agreement shall commence on April 28, 2015 and terminate on December 31, 2015, unless sooner terminated by either party as described in section G below.

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 Rotary 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 mediation. 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

SUNNYSIDE DAYBREAK ROTARY

By: _____
Donald D. Day, City Manager

By: _____
Curtis Campbell, President

ATTEST:

By: _____
Delilah Saenz, CMC, City Clerk



Request for Proposals
2014 Lodging Tax Funding Application
DUE – Friday, October 17, 2014 by 4:30 p.m.

RFP Purpose

Each year the City of Sunnyside receives funds from the lodging tax imposed upon hotels and motels located within the City, as provided by Ordinance No. 1973. Proposals for use of a portion of these funds are now being solicited by the City.

All proposals that comply with the guidelines established herein will be evaluated by the Lodging Tax Advisory Committee (LTAC) as defined by Sunnyside Municipal Code, Chapter 2.50.120, and the Revised Code of Washington, Chapter 67.28. LTAC will then submit its funding recommendations to the Sunnyside City Council for final review and adoption.

Project Description

Activities eligible for assistance include, but are not limited to, those that: increase tourism by advertising, publicizing, and distributing information for the purpose of attracting and welcoming tourists; develop strategies to expand tourism; operate tourism promotion agencies; construct tourism-related facilities, and fund and market events and festivals designed to attract tourists.

The expected outcome of such activity will accomplish one or more of the following:

- Increase hotel occupancy in Sunnyside by extending length and frequency of overnight stays.
- Increase overnight stays during the off season (October - April).
- Provide visitor attractions and/or promote the area's existing attractions.
- Attract more businesses to Sunnyside and thereby generate additional business for hotels and motels.
- Improve the City's overall image to stimulate positive customer awareness.

Each project should be submitted as a separate document, thereby allowing for a clear understanding of each project. The specific amount of the applicant's proposal is open, to be defined by the applicant. As a recommendation, the applicant may wish to define alternate levels of funding, indicating as their first priority the maximum amount desired and, as a second priority, the minimum acceptable amount. Some definition of the differences in the level of services to be provided under the two priorities should be included. The establishment of alternate funding levels will allow the City some latitude in approving projects reviewed and recommended by LTAC without the necessity of rejecting one or more projects due to a potential lack of funds.

RFP Schedule

(With the exception of the RFP due date, dates may be adjusted to meet unexpected circumstances.)

Publication and Due Date

Public notice advertised – Daily Sun News	September 26, October 3 & 10, 2014
RFP package available for pickup	September 26
RFP responses due	October 17, 2014 by 4:30 p.m. NO EXCEPTIONS

Review Process

LTAC review of proposals	October 2014
Recommendation to City Council	October/November 2014

Funding Notification

Award notices mailed	November/December 2014
Contracts issued (if required)	January 2015

Term

Project funding available	January 1, 2015 through December 31, 2015
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Funds not expended by December 31, 2015 will be forfeited. NO EXCEPTIONS.

Project Management

The City Clerk's Office will coordinate the RFP process, publicize, and receive the RFP in accordance with the advertised timeline, and respond to applicant questions as appropriate. The City Clerk's Office will then issue contracts for approved projects, and monitor contract compliance. All contracts will require the submission of appropriate written reports regarding the use of allocated funds. The City Clerk's office, in cooperation with the Finance Department, will process bills, reimburse expenses, and insure that proper measures are taken to insure compliance with the Washington State Auditor's Office.

Selection Process

Each application will be reviewed by LTAC based upon several criteria; eligible activities, effectiveness of proposed project in meeting the expected outcomes, need, and funding requirements. Upon completion of LTAC's review of the written applications, LTAC may request that the applicants make an oral presentation in order to more fully understand the proposed project. The attached Evaluation form (page 9) will be used as a scoring guide in assisting LTAC members in their evaluation of the individual proposals. However, regardless of the methods employed by LTAC, their recommendations will not be subject to review or challenge by the applicant. Once reviewed by LTAC, those recommendations will be forwarded to the City Council for final decision.

Other Information

Contract: The City will utilize its standard contract for City-funded activities.

Payment: Payment will be provided in accordance with the contract.

Legibility and Additional Materials: Only two (2) additional pages of materials in addition to the RFP package are allowed. Any additional materials will be disregarded. All information provided should be legible and typed in a 10 or 12 point type.

Performance: ***IMPORTANT NOTICE*** Washington State law (RCW 67.28.1816(2), amended 2008) requires that the City of Sunnyside submit an annual report detailing, by event, lodging tax revenue expended, the estimated number of tourists that attended, and estimated lodging stays (heads in beds). Recipients of lodging tax revenue will be required to collect and provide timely submission of this information.

Future allocations of Tourism Funds to agencies that have received funds previously will be subject to an evaluation of past performance.

Proposal Submittal

Please deliver **seven (7) copies** of the proposal response (Pages 4 through 8 of this RFP) and the required documentation identified on page 9 (Attachments) in a sealed envelope and any additional information (not to exceed two (2) single pages) to:

Delilah Saenz, CMC, City Clerk
City of Sunnyside
818 E. Edison Avenue
Sunnyside, WA 98944

SUBMISSION DEADLINE - NO LATER THAN 4:30 PM, OCTOBER 17, 2014.

Proposals received after that time, even if mailed earlier, will NOT be accepted.

PROJECT PROPOSAL

(Only two (2) additional pages of materials will be accepted with each application.)

PROPOSALS MUST BE TYPED

Project Title and Type

Project Title *Summer Ale Festival*

Type of Project:

Note - Marketing efforts must target tourists from a different town, city, county, state, or country. The City's lodging tax fund exists because visitors stay overnight in a Sunnyside lodging establishment and pay the tax.

- Tourism Promotion:**
- Advertising, publicizing, information distribution
 - Develop strategy to expand tourism
 - Operate tourism promotion agency
 - Fund a special event or festival (marketing and/or operations)

"Tourism promotion" means activities, operations, and expenditures designed to increase tourism, including but not limited to advertising, publicizing, or otherwise distributing information for the purpose of attracting and welcoming tourists; developing strategies to expand tourism; operating tourism promotion agencies; and funding the marketing of or the operation of special events and festivals designed to attract tourists. (RCW 67.28.080 (6))

"Tourist" means a person who travels from a place of residence to a different town, city, county, state, or country, for purposes of business, pleasure, recreation, education, arts, heritage, or culture. (RCW 67.28.080 (8))

- Tourism-related Facility** (must be owned by a public entity, or by a nonprofit organized under section 501(c)(3) or owned by a 501(c)(6))

"Tourism-related facility" means real or tangible personal property with a usable life of three or more years, or constructed with volunteer labor that is: (a)(i) Owned by a public entity; (ii) owned by a nonprofit organization described under section 501(c)(3) of the federal internal revenue code of 1986, as amended; or (iii) owned by a nonprofit organization described under section 501(c)(6) of the federal internal revenue code of 1986, as amended, a business organization, destination marketing organization, main street organization, lodging association, or chamber of commerce and (b) used to support tourism, performing arts, or to accommodate tourist activities. (RCW 67.28.080 (7))

Organization (check one) Non-profit Public Agency For Profit

Name - Daybreak Rotary Club Sunnyside

Address - PO Box 301

City - Sunnyside

State - WA

Zip - 98944

Phone - 509-391-0804

Website

Contact Person

Name – Jay Hester

Title – Daybreak Rotary past president

Phone – 50-391-0804

Fax _____

E-mail – jay@portofsunnyside.com

New or Continuing Activity/Service

Is this a new or continuing activity/service?

Was this project previously funded by lodging tax funds?
If yes,

Yes

No

How much? _____ How long? _____ (years)

Do you expect this project to be an annual activity/service that will require continued lodging tax funds?

Yes

No

If yes, what is your anticipated time frame for accomplishing this activity/service?

Short Term (1 Yr) Intermediate Term (2 to 3 Yrs) Long Term 4+ (Yrs)

Scope of Project

Please be specific in describing details of the proposed project and how it benefits Sunnyside tourism and/or economic development.

Date/Time of event: June 27, 2015

Does this event conflict with another event? If so, which one? No

Does this event compliment another project? If so which one? No

How does this project attract, serve, and facilitate overnight tourism in the City of Sunnyside?

We will host a Brewers' Tasting Dinner at the Yakima Chief warehouse and processing facility in Sunnyside on Friday, June 26, 2015, which is the evening before the Summer Ale Festival. Two or three of the regional craft brewing companies will need lodging while in Sunnyside. Many of brewing industry visitor who will be in attendance will need lodging for the possibly both nights. The Sunnyside Summer Ale Festival itself will be held on Saturday, June 27, 2015 from 4:00-9:30 p.m. Because the event will end late in the evening, we anticipate many of the attendees visiting from outside the area will utilize local hotels. We have a "Hotels" section on our website www.summeralefest.org that lists local lodging options and contact information. We also plan to reach out to local hotels to encourage them to help advertise the event and offer special lodging packages for visitors attending the weekend's events. We will also target event advertising to outlets in the Seattle, Spokane, and Portland areas to encourage overnight visitors. Our Facebook page: www.facebook.com/summeralefest is only three weeks old and has amassed 600 followers. Based on the site's analytic reports, over 300 of those followers are from outside the Sunnyside, Grandview, and Prosser region.

EXHIBIT "A"

Project Budget

SUBMISSION DEADLINE
October 17, 2014 at 4:30 p.m.

Does it lodge or feed tourists? If yes, please provide detail: *The event will include food vendors from Sunnyside and neighboring communities, such as Yakima and the Tri Cities.*

Does it promote tourism? If yes, please provide detail: *The event will bring two or more breweries from outside the 50 mile minimum distance. The event should bring a crowd of faithful craft brewery followers, as well as music enthusiasts from the events headlining music groups. This event will be advertised in Seattle, Portland, and Spokane craft brew advertising materials and targeted Facebook advertising to social media users who live in those areas. We believe this event will have a good mixture and balance of tourist and locals enjoying this festive summer event.*

Does it provide for the sale of gifts, souvenirs, or other items? If yes, please provide detail: *This event starts with us providing a commemorative pint glass and additional T-shirt for purchase. Hops Direct will also be a vendor at the event selling many of their hop-themed products, such as hop soaps, hop teas, and pickled hop shoots. We have also invited our local wineries Cote Bonneville and Upland Vineyards for tasting and this will also have a commemorative wine tumbler for purchase.*

Will it provide programs/entertainment for tourism? If yes, what type(s)?

Does it provide other short or long range economic benefits? *Both. Short term benefits of bringing a large group of people who will patronize downtown local businesses, hotels and restaurants before and after the event. Long term benefits include showing residents and business owners of other communities that we are interested in supporting new entrepreneurs and business development within our newly remodeled downtown. This event will allow tourists and potential businesses to see that we have open storefronts that are eager for development.*

Please provide responses to the following bullet points:

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

*Responses **MUST** be specific; proposals with vague unclear responses will be reviewed last and possibly not funded at all.*

PROJECT BUDGET

(Note – This budget should represent the proposal and not the entire agency budget.)

PROPOSALS MUST BE TYPED

Funding Request

Amount Requested \$ 3,500.00

Can you operate this activity/service with reduced funding? Yes No
If yes, list priorities below:

Reduced Amount - partial funding (no less than) \$

Income

If you are anticipating receiving partial funding for this activity from others sources, please list the approximate amounts, sources, and status of funding.

Amount	Source	Projected or Confirmed
\$ 1,500	Daybreak Rotary Club	Confirmed
\$ 7,650	Sponsorship packages	Projected
\$ 2,500	Brew er dinner sales	Projected
\$ -		
\$ -		
\$ -		
TOTAL \$	11,650	

Expenses

Activity	Total
Park Reservation fee	\$ 650
Special Occasion License	\$ 60
Online payment fees	\$ 475
Catering Dinner(Friday night event at Yakima Chief)	\$ 1,250
Five Breweries @ 3 kegs each, Wine,	\$ 4,500
Pint Glasses, Wine tumblers, T-shirts	\$ 3,300
Tents, Bistro Tables	\$ 770
Marketing materials and printing	\$ 2,500
Musicians- Wayman Chapman, Ruben & Robbie	\$ 800
Security	\$ 500
Other Activities:	\$ -
TOTAL	\$ 14,805

Other Budget Items

Describe and explain the differences in Amount Requested and Reduced Amount.

What percentage of your budget does your request for lodging funds represent? 30%

How will you fund this project if the City of Sunnyside's lodging funds are not available?

Our group will need to find more support through sponsors if possible, or make a request to Sunnyside Noon Rotary Club for financial support.

PROPOSAL CERTIFICATION

The applicant organization hereby certifies and affirms the following:

- The governing body of the applicant organization has approved this application.
- The undersigned is authorized to sign this application on behalf of the applicant organization.
- The information contained in this application is true, correct, and complete and the applicant organization understands and will comply with all provisions thereof.
- That applicant organization will abide by all relevant local, state, and federal laws and regulations.
- That it does not now, nor will it during the performance of any contract arising from this application, unlawfully discriminate against any employee, applicant for employment, client, customer, or other person who might benefit from said contract, by reason of age, race, color, ethnicity, sex, religion, creed, place of birth, or degree of handicap, and

Certified by:



(Signature)

Jay Hester

(Print Name)

Past President

Title

4-9-2015

Date

Attachments

Required information must be submitted with proposal.

Non-Profits

- Copy of state certificate of non-profit incorporation and/or federal copy of 501(c)(3) - **REQUIRED**
- IRS Tax ID number - **REQUIRED**
- Copy of articles of incorporation
- Copy of most recent approved and proposed budgets of the overall organization - **REQUIRED**
- List of members of the organization's board of directors and principal staff
- Proof of insurance - **REQUIRED**

Public Agencies

- Copy of meeting minutes approving project and authorization of application or a letter or resolution indicating official approval of project and application - **REQUIRED**
- Proof of insurance - **REQUIRED**

For Profit

- Articles of incorporation
- Ownership statement
- Current business license - **REQUIRED**
- IRS Tax ID number - **REQUIRED**
- State UBI number - **REQUIRED**
- Proof of insurance - **REQUIRED**
- List of managers or principal officers/directors

Lodging Tax Advisory Committee EVALUATION

Project Title _____

Project Description _____

- A. Application Complete:** Is the application complete and addresses all pertinent issues and questions identified in the RFP package? Yes No

(If the answer is no, the application will not be considered).

- B. Application Review:** Score each application based on its responses to the specific questions set forth in the application. Circle the appropriate score and total the score at the bottom.

1. **Does the activity/service serve Community needs?**

0 4
No Yes

2. **Will the activity/service attract, serve, and facilitate overnight tourists?**

0 1 2 3 4
No Minimally Average Good Excellent

3. **Proposed use of funds is cost effective?**

0 1 2 3 4
No Minimally Average Good Excellent

4. **Does the proposal provide for adequate evaluation?**

0 1 2 3 4
No Minimally Average Good Excellent

5. **Proposal demonstrates benefit to tourism?**

0 1 2 3 4
No Minimally Average Good Excellent

6. **Proposal is clear and specific?**

0 1 2 3 4
No Minimally Average Good Excellent

7. **Activities/services are likely to be accomplished within the year?**

0 1 2 3 4
No Minimally Average Good Excellent

8. **Does project meet the vision on LTAC?**

0 1 2 3 4
No Minimally Average Good Excellent

Total Score: _____

Are there any questions or recommendations you have for this applicant?

UNITED STATES OF AMERICA

The State of  Washington
Secretary of State

I, **KIM WYMAN**, Secretary of State of the State of Washington and custodian of its seal, hereby issue this

CERTIFICATE OF INCORPORATION

to

SUNNYSIDE DAYBREAK ROTARY

a/an WA Non-Profit Corporation. Charter documents are effective on the date indicated below.

Date: 4/3/2015

UBI Number: 603-493-737



Given under my hand and the Seal of the State of Washington at Olympia, the State Capital

Handwritten signature of Kim Wyman in cursive.

Kim Wyman, Secretary of State

Date Issued: 4/3/2015