

RESOLUTION 2009-32

*e-copy*  
**ORIGINAL**

**A RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF SUNNYSIDE, APPROVING AGREEMENT  
DESIGNATING YAKIMA COUNTY AS CERTIFIED AGENCY  
(Yakima Valley Highway – Lincoln Avenue Intersection Overlay Project)**

**WHEREAS**, the City of Sunnyside has received funding through the federal American Recovery and Reinvestment Act (ARRA) to assist with construction of the Yakima Valley Highway – Lincoln Avenue Intersection Overlay Project (“Project”); and

**WHEREAS**, as a condition for use of such funds pursuant to applicable regulations of the Federal Highway Administration (FHWA) and Washington State Department of Transportation (WSDOT), it is necessary and appropriate to enter into an agreement with a qualified agency to serve as the certified agency through the Certification Acceptance program of WSDOT for administration of such funds; and

**WHEREAS**, the City Council of the City of Sunnyside finds and determines that Yakima County is an agency qualified to serve in such capacity; and

**WHEREAS**, the City Council finds and determines that approval of the Certification Acceptance Services Agreement with Yakima County for such Project 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 for Certification Acceptance Services with Yakima County, which agreement is attached hereto as Exhibit “A” and incorporated herein by this reference, for administration of the Yakima Valley Highway – Lincoln Avenue Intersection Overlay Project, is hereby approved; and the City Manager is hereby authorized to execute and administer such agreement for and on behalf of the City of Sunnyside.

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

PASSED this 13<sup>th</sup> day of April, 2009.

  
\_\_\_\_\_  
PABLO GARCIA, MAYOR

ATTEST:

  
\_\_\_\_\_  
DEBROAH A. ESTRADA, CITY CLERK

APPROVED AS TO FORM:

  
\_\_\_\_\_  
MARK A. KUNKLER, CITY ATTORNEY

EXHIBIT "A"

**AGREEMENT FOR CERTIFICATION ACCEPTANCE SERVICES  
By and Between  
YAKIMA COUNTY  
And  
CITY OF SUNNYSIDE**

**(Yakima Valley Highway – Lincoln Avenue Intersection Overlay Project)**

THIS AGREEMENT is entered into between YAKIMA COUNTY, Washington (hereinafter the "County") through its Public Works Department whose address is Room 408, County Courthouse, 128 North 2nd Street, Yakima, Washington, 98901, and the CITY OF SUNNYSIDE (hereinafter the "City") whose address is 818 East Edison Avenue, Sunnyside, Washington 98944, pursuant to RCW 39.34.080.

WHEREAS, the Regional Transportation Planning Organization has allocated a portion of the regional American Recovery and Reinvestment Act (hereinafter "ARRA") funds to the City for the Yakima Valley Highway – Lincoln Avenue Intersection Overlay Project (hereinafter the "Project"); and,

WHEREAS, the City desires to undertake the project using ARRA Funds; and,

WHEREAS, the expenditure of ARRA funds requires that the project be designed and administered in accordance with the Washington State Department of Transportation Local Agency Guidelines, including certification by a certified acceptance agency (CA agency); and,

WHEREAS, the City is not certified to administer federal aid projects; and,

WHEREAS, the County is certified to administer federal aid projects; and,

WHEREAS, The Local Agency Guidelines provides that a noncertified local agency may enter into agreement with a CA agency to have the CA agency perform project development and/or contract administration; and,

WHEREAS, the completion of the Project is a benefit to the regional transportation system.

NOW, THEREFORE IT IS HEREBY AGREED as follows:

SECTION 1. The County will administer and certify the project for the City in accordance with the Washington State Department of Transportation Local Agency Guidelines.

EXHIBIT "A"

SECTION 2. The City will:

2.1. Prepare all of the project plans, specifications, and estimates in accordance with the Local Agency Guidelines;

2.2. Provide construction inspection services through the City's consultant in accordance with the Local Agency Guidelines; and

2.3. Reimburse the County for services provided by the County on a time and materials basis when billed by the County.

3. This Interlocal Agreement shall be in full force and effect when executed by the City and County.

CITY OF SUNNYSIDE

BOARD OF YAKIMA COUNTY  
COMMISSIONERS

\_\_\_\_\_  
Eric C. Swansen, City Manager  
Date: \_\_\_\_\_

\_\_\_\_\_  
J. Rand Elliott, Chairman

ATTEST:

\_\_\_\_\_  
Michael D. Leita, Commissioner

\_\_\_\_\_  
Deborah A. Estrada, City Clerk

\_\_\_\_\_  
Kevin J. Bouchey, Commissioner

APPROVED AS TO FORM:

*Constituting the Board of County  
Commissioners for Yakima County,  
Washington*

\_\_\_\_\_  
Mark A. Kunkler, City Attorney

Date:  
\_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Christina S. Steiner  
Clerk of the Board

Approved as to form:

\_\_\_\_\_  
Deputy Prosecuting Attorney