INTERLOCAL AGREEMENT
(Mural Painting)

THIS INTERLOCAL AGREEMENT ("Agreement") is hereby entered into this date by and between the CITY OF WENATCHEE (the "City"), and PUBLIC UTILITY DISTRICT NO. 1 OF CHELAN COUNTY, WASHINGTON (the "District"), sometimes collectively referred to as the "Parties."

RECITALS

The City’s Parks & Recreation Department (Parks & Recreation) and the Special Needs Social Program, a group of community individuals with developmental disabilities who participate in regular social activities coordinated by Parks & Recreation, desire to paint a mural (Project) on the eastern facing wall of the handball courts at Walla Walla Point Park (Park), which is owned by the District.

The District desires to cooperate with the City and its social activities, and is willing to allow the painting of the mural on the District’s handball courts at the Park.

NOW, THEREFORE, in consideration of the mutual benefits herein contained and the foregoing representations, which are incorporated by this reference into the Agreement, the Parties agree as follows:

1. Purpose. The purpose of this Agreement is to provide for cooperative and coordinated efforts related to the Project. To accomplish this purpose, this Agreement sets forth the duties and responsibilities between the Parties related to the Project.

2. Project Supervision. Parks & Recreation staff members, community volunteers, and participant care providers supervise the Project.

3. Funding. Activities of the Special Needs Social Program coordinated by Parks & Recreation are funded by a grant from Chelan Douglas Developmental Disabilities Advisory Board.

4. Timeline. The Parties will work together to schedule the painting and unveiling of the mural.

5. Design. As part of scheduling the Project, Parks & Recreation shall submit an initial mural design to the District. No painting shall be performed without District approval of the design.

6. Maintenance. Parks & Recreation shall schedule annual Social Program events at the Park to touch up any minor damage to the Project. Severely damaged areas that require immediate attention shall be dealt with by either Parks & Recreation or the
District as decided on a case-by-case basis by members from each organization. In the event the District discovers graffiti it deems offensive, District will notify Parks & Recreation and Parks & Recreation will remove that graffiti to the District’s satisfaction within 24 hours of notification. In the event the graffiti is not cleaned up within 24 hours or on the next business day after notice, the District reserves the right to paint over the offensive graffiti, at the District’s cost, with paint that matches the existing east-facing wall. Either Party may elect, based on maintenance demands and with 24-hour advance notice to the other Party, to return the east wall of the handball court back to the standard park color of the remaining walls.

7. **Mutual Indemnity.** The City shall indemnify, defend and hold harmless the District and the District shall defend and hold harmless the City, its respective officers, agents and employees, from and against any and all claims, losses or liability, or any portion thereof, arising from injury or death to persons or damage to property occasioned by any negligent act, omission or failure of the City or District, its officers, agents, contractors, and employees, in connection with the work described in this Agreement.

8. **Duration and Termination.** This Agreement is effective as of the date it is mutually executed and may be terminated any time after the first full year it is in place by either Party giving the other Party not less than fifteen (15) days written notice of termination. If the City terminates the Agreement, Parks & Recreation will return the east wall of the handball court back to the standard park color of the remaining walls.

9. **Contacts for Notices:**

   **Chelan County PUD**
   Attn: Ryan Baker
   Parks Superintendent
   PO Box 1231
   Wenatchee, WA 98807-1231
   Phone: 509-661-4495
   Email: ryan.baker@chelanpud.org

   **Wenatchee Parks & Recreation**
   Attn: Sarah Fitzgerald
   Recreation Coordinator
   1350 McKittrick St.
   Wenatchee, WA
   Phone: 509-888-3283
   Email: SFitzgerald@WenatcheeWA.gov

   Agreed to this 13th day of September, 2013.

**PUBLIC UTILITY DISTRICT NO. 1 OF CHelan COUNTY**
By: __________________________
Keith Truscott
Director – Natural Resources

**CITY OF WENATCHEE**
By: __________________________
Dave Erickson
Parks Director