

Memorandum of Understanding Phase 1 – Plan Development

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Brighton, CO, 80601

Congratulations on being selected to participate in Xcel Energy's Partners in Energy. This offering is designed to provide the City of Brighton with the tools and resources necessary to develop and implement an energy action plan that reflects the vision the City of Brighton has for shaping energy use and supply in its future. Participation is intended to span 24 months with the initial 4-6months dedicated to developing a strategic energy action plan and the remaining time focused on implementing that plan.

The intent of this Memorandum of Understanding is to confirm the City of Brighton's intent to participate in the initial plan development phase of Partners in Energy and outline the commitment that the City of Brighton and Xcel Energy are making to this collaborative initiative. The primary objective of this phase of Partners in Energy is to develop your energy action plan.

In order to achieve this Xcel Energy will provide:

- Consulting support to assist in identifying potential community stakeholders and constructing or delivering an invitation or informational announcement regarding the planning process.
- Data analysis of the community energy use and Xcel Energy program participation to the extent that it is legally and technically prudent and feasible. The results can be used to identify potential opportunities to implement plan strategies. Xcel Energy will attempt to integrate data provided by the City of Brighton and United Power into the analysis if feasible.
- Professional facilitation of 2 plan development work sessions with the community stakeholder group to develop the energy action plan's vision, focus areas, goals and implementation strategies.
- Assistance as needed in synthesizing the community and program data collected with the vision of the community to identify attainable goals that align with suitable strategies and tactics.
- Development of the documented energy action plan that will incorporate inputs from the stakeholder planning team and will be accessible to the community.
- Commitment to delivering an actionable and complete energy action plan within 6 months of the City of Brighton and Xcel Energy signing this Memorandum of Understanding.
- Online meeting platform to host workshops if necessary.

Although participation in the Plan Development phase of Partners in Energy requires no monetary contribution, the City of Brighton does agree to provide:

- A single contact point to recruit active and engaged stakeholders, coordinate planning meeting logistics and distribute deliverables, and lead participation of the City of Brighton in the planning process.
- Identification of existing community energy plans, programs, or initiatives that could be leveraged in successful development and delivery of this plan.
- Brighton staff engagement in developing workshop agendas, participating in regular check-in meetings, and supporting follow-up work between workshops.
- Commitment to ensuring community stakeholder engagement throughout the planning workshops. This could include consultation with key community stakeholders who may be relevant to the plan but not present on the energy action planning team to gain input on proposed goals and strategies.
- In-person meeting facilities to host workshops.
- Good-faith evaluation of the recommendations and analysis provided, as well as fair consideration of the potential strategies and tactics identified to ensure alignment with the community's goals and priorities.
- Timely review of the energy action plan document, as well as shepherding the completed plan through stakeholder review process.
- Commitment to delivering an actionable and complete energy action plan within a 6-month timeframe of City of Brighton and Xcel Energy signing this Memorandum of Understanding.
- Approval to share Brighton's aggregated Xcel Energy data (processed through Partners in Energy) with the Partners in Energy Network to be used primarily as a benchmark to other communities.
- Public distribution of the work products developed with the support of Xcel Energy's Partners in Energy.

**Resource Commitment Summary
Plan Development Phase**

City of Brighton	Xcel Energy
<ul style="list-style-type: none"> • Single point of contact • Access to existing energy-related plans and programs • Support in maintaining community stakeholder engagement throughout the planning process. • Meeting facilities • Lead up to 2 targeted engagement activities • Commitment to completing the plan development and approval • Agreement to share aggregated Brighton data through the Partners in Energy Network • Agreement that the energy action plan resulting from this work will be available to the public 	<ul style="list-style-type: none"> • Assistance identifying and recruiting stakeholders • Analysis of Brighton energy use and program participation • Facilitation of planning sessions • Training and guidance developing goals and strategies • Support up to 2 targeted engagement activities • Documentation and delivery of the energy action plan • Online platform to host meetings

The Memorandum of Understanding for the Implementation Phase of Partners in Energy will be developed upon completion of the energy action plan and will outline the City of Brighton’s goals and the resource commitment from Xcel Energy and City of Brighton.

Legal Applicability and Waiver

This is a voluntary agreement and not intended to be legally binding for either party. This Memorandum of Understanding has no impact, nor does it alter or modify any existing Franchise Agreement or other existing agreements between Xcel Energy and the City of Brighton. Parties agree that this Memorandum of Understanding is to memorialize the intent of the Parties regarding Partners in Energy but does not create a legal agreement between the Parties. It is agreed by the Parties that nothing in this Memorandum of Understanding will be deemed or construed as creating a joint venture, trust, partnership, or any other legal relationship among the Parties. This Memorandum of Understanding is for the benefit of the Parties and does not create third party rights. Nothing in this Memorandum of Understanding constitutes a waiver of City of Brighton’s ordinances, the City of Brighton’s regulatory jurisdiction, or Colorado’s utility regulatory jurisdiction.

Single Points of Contact

All communications pertaining to this agreement shall be directed to Traci McLean on behalf of the City of Brighton and Sofia Troutman on behalf of Xcel Energy.

Xcel Energy is excited about this opportunity to support the City of Brighton in advancing its goals. The resources outlined above and provided through Partners in Energy are provided as a part of our commitment to the communities we serve and Xcel Energy's support of energy efficiency and renewable energy as important resources to meet your future energy needs.

Thank you again for your continued interest in Xcel Energy's Partner in Energy. We look forward to assisting the City of Brighton in developing its energy action plan.

For the City of Brighton:

Signature:



Name: Michael Martinez

Title: City Manager

Date: 02/28/2025

Approved as to Form:



James Gallagher, Assistant City Attorney

For Xcel Energy:

Signature:



Name:

Andrew Holder

Title:

Director, Community Relations

Date:

4/2/2025