

RESOLUTION NO. 2004

**A RESOLUTION OF THE GOLDEN CITY COUNCIL
AUTHORIZING A MEMORANDUM OF UNDERSTANDING WITH
THE COLORADO SCHOOL OF MINES, US DEPT OF ENERGY,
AND THE OPERATORS OF THE NATIONAL RENEWABLE
ENERGY LABORATORY**

WHEREAS, the City of Golden, the Colorado School of Mines (CSM), US Department of Energy Golden Field Office, and the National Renewable Energy laboratory (NREL) share a number of interests and goals regarding sustainability and the benefits of alternative and renewable energy research; and

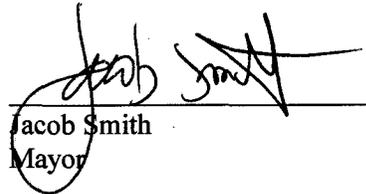
WHEREAS, representatives of the above groups have met and identified ways where the groups may benefit from increased communication and contact; and

WHEREAS, the groups have discussed and jointly developed a Memorandum of Understanding (MOU) including several areas where the parties will seek to cooperate for their mutual benefit.

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GOLDEN, COLORADO:

City Council endorses the continued co-operation among the parties and approves the MOU, substantially in the form attached hereto as Exhibit A. The Mayor is authorized to execute the Memorandum on behalf of the City.

Adopted this 5th day of November, 2009.

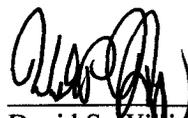


Jacob Smith
Mayor




Susan M. Brooks, MMC
City Clerk

APPROVED AS TO FORM:

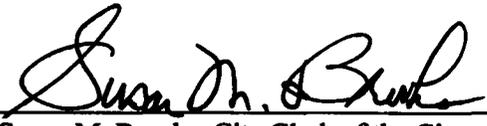


David S. Williamson
City Attorney

I, Susan M. Brooks, City Clerk of the City of Golden, Colorado, do hereby certify that the foregoing is a true copy of a certain Resolution adopted by the City Council of the City of Golden, Colorado at a rescheduled regular business meeting thereof held on the 5th day of November, A.D., 2009.



ATTEST:


Susan M. Brooks, City Clerk of the City of
Golden, Colorado

**Memorandum of Understanding Among
City of Golden, Colorado
Colorado School of Mines
United States Department of Energy Golden Field Office
Alliance for Sustainable Energy, LLC**

I. PURPOSE

This Memorandum of Understanding (MOU) is entered into in October, 2009 among the United States Department of Energy Golden Field Office (DOE), City of Golden, Colorado (Golden), the Alliance for Sustainable Energy, LLC (the Alliance), and the Colorado School of Mines (CSM) for the purposes of identifying and pursuing opportunities for cooperation and joint projects among the parties in the areas of renewable energy, resource efficiency, economic development, and sustainability. This MOU sets out guidance on protocol and obligations of cooperation between the parties.

II. RECITALS

A. United States Department of Energy (DOE) Golden Field Office's mission is to support DOE's Office of Energy Efficiency and Renewable Energy through research and development partnerships, outreach to stakeholders nationwide to further the use of energy efficiency and renewable energy technologies, and laboratory contract administration. The office supports scientists and researchers in work to accelerate scientific innovations to market-viable alternative energy solutions. A critical part of the office's mission is the transfer of government-developed technologies to renewable energy markets.

B. The City of Golden is committed to sustainability in all areas including resource conservation through increased efficiency, promotion of the use of renewable energy sources, and targeted job creation in the fields of energy efficiency and alternative and renewable energy sources. Golden is eager to attract expanding or relocating companies and to retain existing companies that will bolster and support what the State of Colorado has named the New Energy Economy

C. Alliance for Sustainable Energy, LLC (the Alliance) is the management and operating (M&O) contractor for DOE's National Renewable Energy Laboratory, the nation's primary laboratory for renewable energy and energy efficiency research and development. As such, the Alliance is accountable to DOE for NREL's performance in fulfilling its mission to advance DOE's and our nation's energy goals. A critical part of the Alliance's mission is the transfer of NREL-developed technologies to renewable energy markets.

D. Colorado School of Mines is a globally recognized research university specializing in engineering and applied sciences. The nexus between the Earth, the environment, and society's need to generate and distribute energy in an economical and

sustainable way is central to Mines' specialized mission. Partnerships with industry, national laboratories, other universities, governments, and funding agencies enable Mines faculty and students to maintain cutting edge research programs that have significant impact on real world problems and generate economic development opportunities.

III. AGREEMENT

THEREFORE in recognition of the above recitals and mutual and compatible goals and programs, DOE, Golden, the Alliance, and CSM (the Parties) hereby agree to consult and work together, to the extent practicable and authorized by law, by endorsing and abiding by the below listed business and operational practices:

- A. Golden will work with the Alliance, CSM and DOE to identify possible sites or opportunities to implement technology field tests, pilot projects, or demonstrations that will further research and technology transfer in the fields of renewable energy, energy efficiency, and clean energy technology in the Golden area.**

- B. Where ever feasible and practicable, Golden will work with CSM and DOE to host pilot projects, technology field tests or demonstrations that will further research and technology transfer in the fields of energy efficiency, renewable energy or clean energy technology.**

- C. DOE, Golden, the Alliance, and CSM will work together to pursue opportunities for development of renewable energy, energy efficiency and or clean energy technology incubator facilities in the Golden area.**

- D. DOE, Golden, the Alliance, and CSM staff and representatives will maintain contact and share information, as appropriate, regarding opportunities to attract expanding or relocating companies and to retain existing companies involved in what the State of Colorado has named the New Energy Economy.**

- E. DOE, Golden, the Alliance, and CSM, each provide a standing invitation to each other to tour projects and facilities that might be of interest to the Parties.**

- F. As available, select Alliance, CSM, and DOE staff may provide information and advice to Golden with respect to the city's Sustainability Initiative goals, including such issues as acquiring baseline data regarding practical, operational steps regarding community-wide energy consumption patterns, as a fundamental step in working toward the City's sustainability goals.**

- G. In order to assure that the partnerships envisioned by this MOU result in specific tangible efforts and projects, the parties agree to establish a monitoring and coordinating committee to meet at least quarterly to pursue the mutual advancement of the common goals contained herein, including joint planning for the projected NREL campus expansion.**

IV. GENERAL

A. This MOU is neither a fiscal nor a funds obligation document. Any endeavor involving reimbursement or contribution of funds among or between parties to this MOU will be handled in accordance with applicable laws, regulations, and procedures, and will be subject to separate agreements hereunder that shall be executed in writing by authorized representatives of the parties.

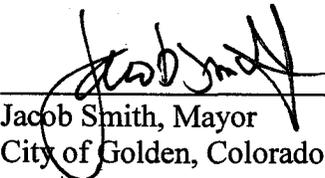
B. This MOU in no way restricts the Parties from participating in similar activities or arrangements with other entities.

D. Nothing in this MOU shall obligate DOE to expend appropriations or to enter into any contract or other obligations.

E. This MOU is not intended to, and does not create any right, benefit or trust responsibility, substantive or procedural, enforceable at law or equity, by any person not a Party to this MOU.

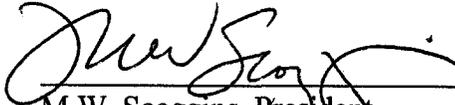
F. This MOU may only be modified or amended in writing and by mutual agreement of the parties.

Signed and agreed to:



Jacob Smith, Mayor
City of Golden, Colorado

11/05/09
Date



M.W. Scoggins, President
Colorado School of Mines

10/30/2009
Date

Christine A. Phoebe
Deputy Manager
United States Department of Energy

Date

Dan E. Arvizu, Director
National Renewable Energy Laboratory
Alliance for Sustainable Energy, LLC

Date

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Colorado School of Mines
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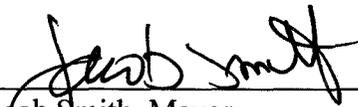
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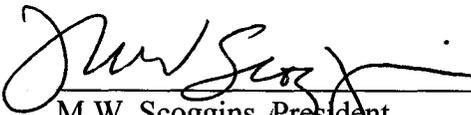
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City of Golden, Colorado

11/5/09
Date



M.W. Scoggins, President
Colorado School of Mines

10/30/2009
Date



Christine A. Phoebe
Deputy Manager
United States Department of Energy

11/18/2009
Date



Dan E. Arvizu, Director
National Renewable Energy Laboratory
Alliance for Sustainable Energy, LLC

11/23/2009
Date