

**MEMORANDUM OF UNDERSTANDING
BETWEEN THE CITY OF EVANS, CO,
WATERNOW ALLIANCE & WESTERN RESOURCE ADVOCATES**

This Memorandum of Understanding (“MOU”) is made effective as of this 18TH day of February, 2021, between the City of Evans (“City” or “Evans”), a municipal corporation located in Weld County, Colorado, WaterNow Alliance (“WaterNow”), a project of Multiplier, a California nonprofit public benefit corporation, and Western Resource Advocates (“WRA”), a Colorado nonprofit corporation, regarding development of the City’s Water Efficient Fixture Direct Installation Program for Income-Eligible Residents and Indoor Water Efficiency Audits (“Project”). The City, WaterNow, and WRA are, at times, individually referred to as a “Party” and collectively referred to as the “Parties.”

I. BACKGROUND AND PURPOSE

The City of Evans is a suburban community in the Northern Front Range of Colorado, which is home to more than 21,000 residents. Along with its neighbors in the South Platte Basin, Evans expects to see population growth that will require careful, sustainable water resource planning. To support this growth, the City recently adopted updates to its Municipal Water Efficiency Plan (MWEP), which identified numerous water efficiency activities for implementation to optimize Evans’ water resources. This includes the creation of a Water Conservation Program with multiple offerings such as direct installation of water conserving fixtures for residents that are income qualified, indoor and outdoor water efficiency audits, and a small indoor water efficiency fixture kit (the latter programs will both be open to residents of all income levels). According to Colorado’s Low-Income Energy Assistance Program (LEAP) data, approximately 1,000 households or 13% of all Evans households are eligible for LEAP and would be considered eligible for Evans’ new income qualifying direct installation program. The City is specifically dedicated to working with this population of residents to reduce the potential burden of high water bills. The City has allocated \$100,000 to implement the Water Conservation Program and expects to initiate direct installations during the Summer of 2021. The City of Evans is seeking assistance from WaterNow Alliance and Western Resource Advocates to design the conservation program, formulate an outreach strategy, design promotional materials, and identify metrics to track program success.

II. RECITALS

WHEREAS, the Parties have a common interest in promoting sustainable water solutions and water use efficiency in the City of Evans and throughout the U.S.; and

WHEREAS, the City of Evans faces a growing imperative to conserve water to support its land planning activities, future economic development, and population growth, and to achieve compliance with Colorado legislation regarding water conservation planning; and

WHEREAS, the City of Evans seeks to engage its diverse population and provide access to water conservation for residents of all income levels.

III. RESPONSIBILITIES OF THE PARTIES. A detailed work plan is set forth in Attachment A: “Evans Water Efficient Direct Installation and Indoor Water Audit Program Design Project Brief”. The Parties’ respective responsibilities are listed below.

1. As detailed in Attachment A, WaterNow and WRA will, to the best of their abilities, provide up to 250 hours of technical and program support over a 6–9-month period, free of charge, to the City of Evans in support of its efforts to implement its Water Conservation Program.
2. As detailed in Attachment A, the staff of the City will, to the best of their ability, provide staff time necessary to support, review, and provide timely feedback on all WaterNow and WRA deliverables.

IV. PRINCIPAL CONTACTS. Individuals listed below are authorized to act in their respective areas for matters related to this MOU.

Anne Best Johnson, Community Development Director, City of Evans, CO
Rick Pickard, Senior Civil Engineer, City of Evans, CO

Cynthia Koehler, Executive Director, WaterNow Alliance
John Berggren, Water Policy Analyst, Western Resource Advocates
Lindsay Rogers, Colorado Basin Program Manager, WaterNow Alliance
Georgia Beesemyer, Project Manager, WaterNow Alliance

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- V. TERMINATION AND MODIFICATION.** This MOU shall terminate 12 months after the effective date unless otherwise extended by mutual consent of the parties. Each party to this MOU may withdraw from it upon written notice to all other parties.
- VI. NO OBLIGATION OF FUNDS.** Nothing in this MOU shall obligate the Parties to any current or future expenditure of funds on any particular project or purpose, even if funds are available.
- VII. NO LEGAL RIGHTS OR OBLIGATIONS.** The Parties agree that this MOU does not constitute any legal admission or opinion as to the subject matter, nor does it create any legal rights, liabilities or obligations between the Parties or to third parties.
- VIII. CONFIDENTIALITY AND PRIVACY ISSUES.** The Parties agree and acknowledge that both the terms of this MOU and the discussions relating to the collaborative activity are confidential and neither Party will disclose them without the prior written consent of the other Party.
- IX. ENTIRE AGREEMENT.** This MOU represents the entire understanding between the Parties and supersedes any prior agreements or understandings with respect to the subject of this MOU. No changes, amendments or alterations to this MOU will be effective until in writing and signed by the Parties.

[Signatures on Following Page]

The effective date of this MOU is the date set forth above.

WATERNOW ALLIANCE

By:

Cynthia Koehler, Executive Director, WaterNow

Date

WESTERN RESOURCE ADVOCATES

By:

Richard Trilsch, Vice President of Finance and
Administration, Western Resource Advocates

Date

CITY OF EVANS

By:

Jim Becklenberg, City Manager, City of Evans

Date