

**MEMORANDUM**

DATE: May 2, 2025  
TO: Minturn Town Council  
FROM: Karp Neu Hanlon, P.C.  
RE: Amending the Franchise Agreement Between the Town of Minturn and Xcel Energy of Colorado

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On June 1, 2005, the Town Council executed a franchise agreement between the Town of Minturn and Xcel Energy of Colorado (the “Company”), as set forth in Ordinance No. 11 – Series of 2005 (the “Agreement”). The Agreement grants the Company a non-exclusive right to use Town streets and property to provide gas and electricity service to the Town and the Town’s residents (the “Utility Service”).

The term of the Agreement is set to expire on June 1, 2025. Town staff is currently negotiating with the Company regarding a new franchise agreement between the Town and the Company for a renewed term. While negotiations over the final draft and approval of the Agreement are ongoing, the Town wishes to amend the Agreement with a temporary extension of ninety (90) days to allow for uninterrupted Utility Service to the Town and its residents until the new franchise agreement is completed and executed.

The proposed Ordinance would approve an amendment to the Agreement to provide for this temporary ninety-day extension of the Agreement.

Town staff recommends adopting the Ordinance as set forth below.