

ORDINANCE NO. 155, 2025
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AUTHORIZING AN AMENDED AND RESTATED ORGANIC
CONTRACT FOR PLATTE RIVER POWER AUTHORITY

A. The City is one of four member municipalities that entered into an organic contract establishing the Platte River Power Authority (“Platte River”).

B. The first such contract was entered into in 1975, and the contract was last amended by the execution of an agreement entitled “Amended and Restated Organic Contract Establishing Platte River Power Authority As A Separate Governmental Entity” dated May 30, 2019 (the “Existing Organic Contract”), as approved by City Council on April 16, 2019, by Ordinance No. 053, 2019.

C. The Existing Organic Contract extended the operation of Platte River on behalf of its member owner cities through the date of December 31, 2060.

D. The four member municipalities recently negotiated a proposed, updated agreement entitled “Amended and Restated Organic Contract Establishing Platte River Power Authority as a Separate Governmental Entity” (the “Updated Organic Contract”), a copy of which is on file with the City Clerk, dated September 8, 2025, the purpose of which is to replace and supersede the Existing Organic Contract.

E. The Updated Organic Contract, if approved by the parties, would extend amendments to the Existing Organic Contract made in 2019, so as to:

- 1) Extend the term of the agreement,
 - The proposed contract extends the life of Platte River Power Authority through 2075, an extension of 15 years past the current contract;
- 2) Modernize and update the language of the agreement,
 - The majority of changes to the Organic Contract can be characterized as language modernization and clarify existing language to better reflect how the organization is currently structured and operated.
 - Some changes reflect changes to state law and reflect the realities of joining an organized market for power purchases and sales.
 - Board member, officer and board chair responsibilities are clarified to reflect the organization’s current structure and how business is conducted by Platte River Power Authority.
 - Additionally, a change is being made to clarify that board members should either be members of a city’s elected body or staff; and,

3) Increasing flexibility,

- The clean energy transition will require new initiatives and programs to be administered by Platte River and the owner communities, and therefore, having specified lists of exact product offerings makes less sense than in the past. The Organic Contract language has been broadened to provide flexibility into the future on what Platte River may work on and provide to owner communities as energy markets, generation resources and power delivery continue to evolve.

F. It is the understanding of City Utility Services staff that respective staff members of the electric utilities operated by the City of Loveland, the City of Longmont and the Town of Estes Park will be recommending approval of the Updated Organic Contract to their respective governing bodies as well.

In light of the foregoing recitals, which the Council hereby makes and adopts as determinations and findings, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. The City Council hereby finds that it is in the best interests of the City to replace and supersede the Existing Organic Contract with the Updated Organic Contract.

Section 2. The Updated Organic Contract is hereby approved, and the Mayor is hereby authorized and directed to execute the same on behalf of the City in substantially the form on file in the office of the City Clerk and as attached hereto as Exhibit A.

Section 3. The City Council hereby directs the Energy Board to annually review the terms and conditions of the Updated Organic Contract and suggest any revisions to the City Council by formal board action.

Introduced, considered favorably on first reading on September 16, 2025, and approved on second reading for final passage on October 7, 2025.

Mayor

ATTEST:

City Clerk

Effective Date: October 17, 2025

Approving Attorney: Yvette Lewis-Molock

Exhibit: Exhibit A – 2025 Organic Contract