

CITY OF EL MONTE CITY COUNCIL
NOTICE OF PUBLIC HEARING
(Pursuant to Govt. Code Sections 4217.12 and 4217.13)

NOTICE IS HEREBY GIVEN that the City Council of the City of El Monte ("City Council") will hold a Public Hearing at the **Council Chambers at City Hall, 11333 Valley Boulevard, El Monte, CA 91731**, on **Tuesday, February 20th 2024, at 6:00 P.M.** to receive public comment and consider approval a resolution (i) adopting findings required under Government Code Section 4217.12 to concurrently approve an energy services contract and related facility ground lease with Alliance Building Solutions Inc. for the installation and/or construction of various energy conservation improvements; and (ii) adopting findings required under Government Code Section 4217.13 to concurrently approve the terms of a facility financing contract and related contract documents. Please note that this hearing was originally scheduled for the City Council meeting to be held on the first Tuesday of February 2024 but was rescheduled to the February 20, 2024 date indicated above.

For purposes of approving any energy services contract and related facility ground lease, the City Council, Government Code Section 4217.12 must find that the terms of the instruments are in the best interest of the City and must also find that (i) the anticipated cost to the public agency for thermal or electrical energy or conservation services provided by the energy conservation facility under the contract will be less than the anticipated marginal cost to the public agency of thermal, electrical, or other energy that would have been consumed by the public agency in the absence of those purchases; and (ii) the difference, if any, between the fair rental value for the real property subject to the facility ground lease and the agreed rent, is anticipated to be offset by below-market energy purchases or other benefits provided under the energy service contract. For purposes of approving any facility financing contract and related contract documents the City must similarly find that the term of the instruments are in the best interest of the City and must also find that funds for the repayment of the financing or the cost of design, construction, and operation of the energy conservation facility, or both, as required by the contract, are projected to be available from revenues resulting from sales of electricity or thermal energy from the facility or from funding that otherwise would have been used for purchase of electrical, thermal, or other energy required by the public agency in the absence of the energy conservation facility, or both.

The staff report, resolution and underlying transactional documents shall be available for inspection by the public along with all other agenda items on the City's internet homepage located at <https://www.ci.el-monte.ca.us/AgendaCenter> no later than 72 hours prior to the date of the public hearing.

Any written comments or questions may be submitted via e-mail or in writing to the following on or before the meeting date: **GABRIEL RAMIREZ, City Clerk City Clerk Department 11333 Valley Boulevard El Monte, CA 91731**. Any individual may appear and provide testimony at the location and on the date and time indicated above.

Any issue that could have been, but was not, raised in written comment or oral testimony will be deemed waived in any subsequent administrative or legal proceeding.

BY ORDER OF CITY CLERK PUBLISHED FEBRUARY 1, 2024.