



Public Hearing to Consider Adoption of Resolution of Necessity: Coyote Creek Flood Protection Project

Findings to be Made at RON Hearing

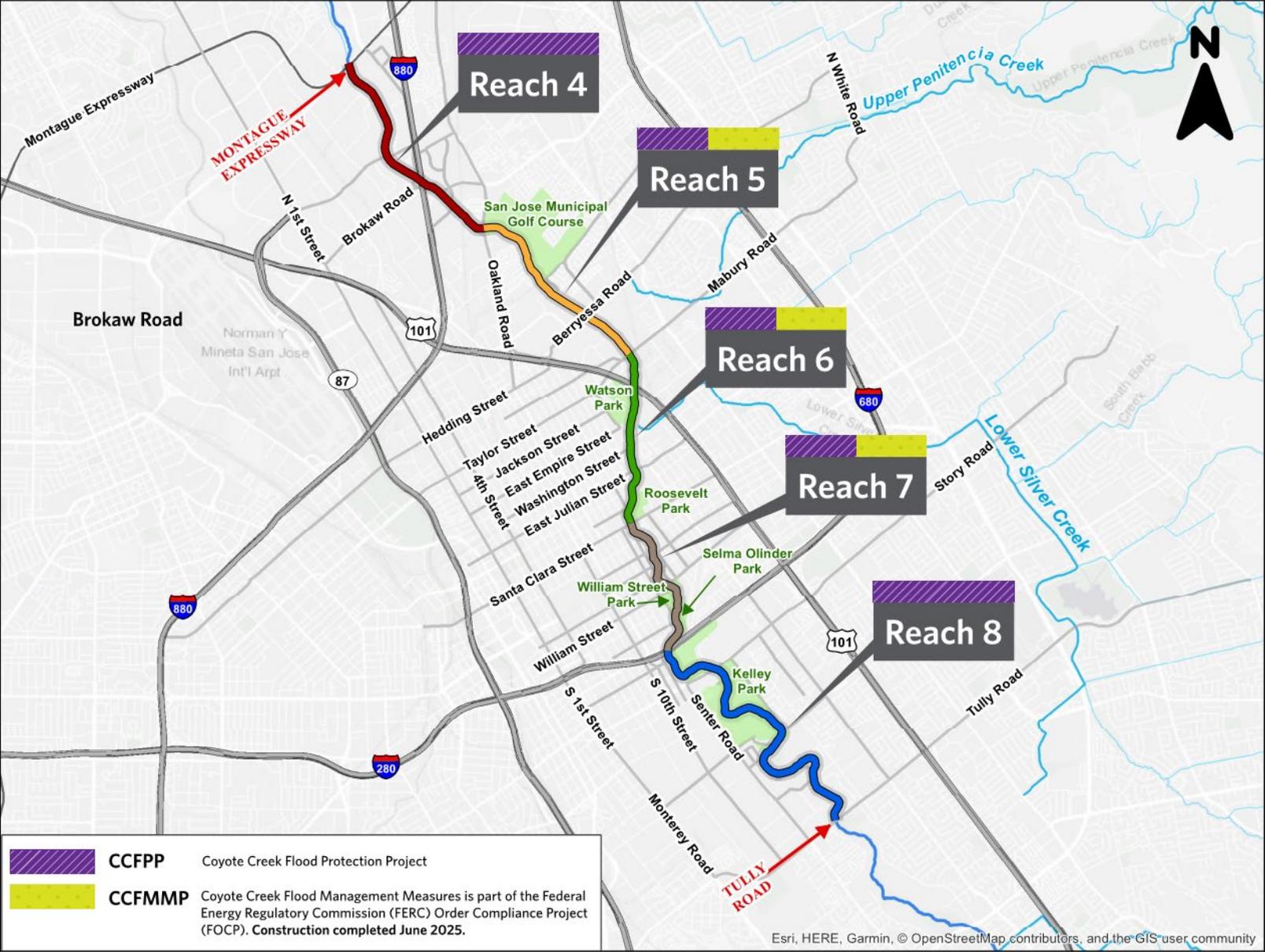
- Establish the public need for the project
- Establish that project is designed/located in a manner most compatible with greatest public good and least private injury
- Determine the property is necessary for the project
- Establish offer required by Section 7267.2 of the Government Code was made to record owner(s)

Public Necessity for the Proposed Project

- **Finding: The public interest and necessity require the proposed project**
 - Provide flood protection from floods up to the level that occurred in February 2017 (approximately a 20-year flood event) along portions of Coyote Creek from Montague Expressway to Tully Road
 - Preserve creek's habitat
 - Reduce long-term maintenance



Coyote Creek Flood Protection Project



Existing Constraints on Project Design

- The geography and footprint of the creek determines which properties will be impacted
 - Private property and public parks are located on both sides of the creek
 - The creek flows through private property and public parks

Project Design Serves the Greatest Public Good with the Least Private Injury

Finding: The proposed project is planned or located in a manner that will be most compatible with the greatest public good and the least private injury

- Holistic approach to project design
- Avoidance of public and private structures
 - Locating project features to minimize impacts to existing structures
- Preserve habitat
 - Minimize disturbance to native vegetation
 - Preserve aquatic habitat
- Align project features with existing creek alignment

CEQA Compliance

- An Environmental Impact Report (EIR) was prepared by Valley Water as the lead agency.
- The final EIR was certified by the Valley Water board of directors on March 11, 2025.

Property Acquisitions Necessary for Project

- Project requires acquisition of 62 Properties in Reaches 4, 5, 6, 7, & 8
- A Resolution of Necessity is proposed to acquire property interests over portions of 1 property in Reach 4 owned by the following owner of record:
 - AJS Investment Group LLC

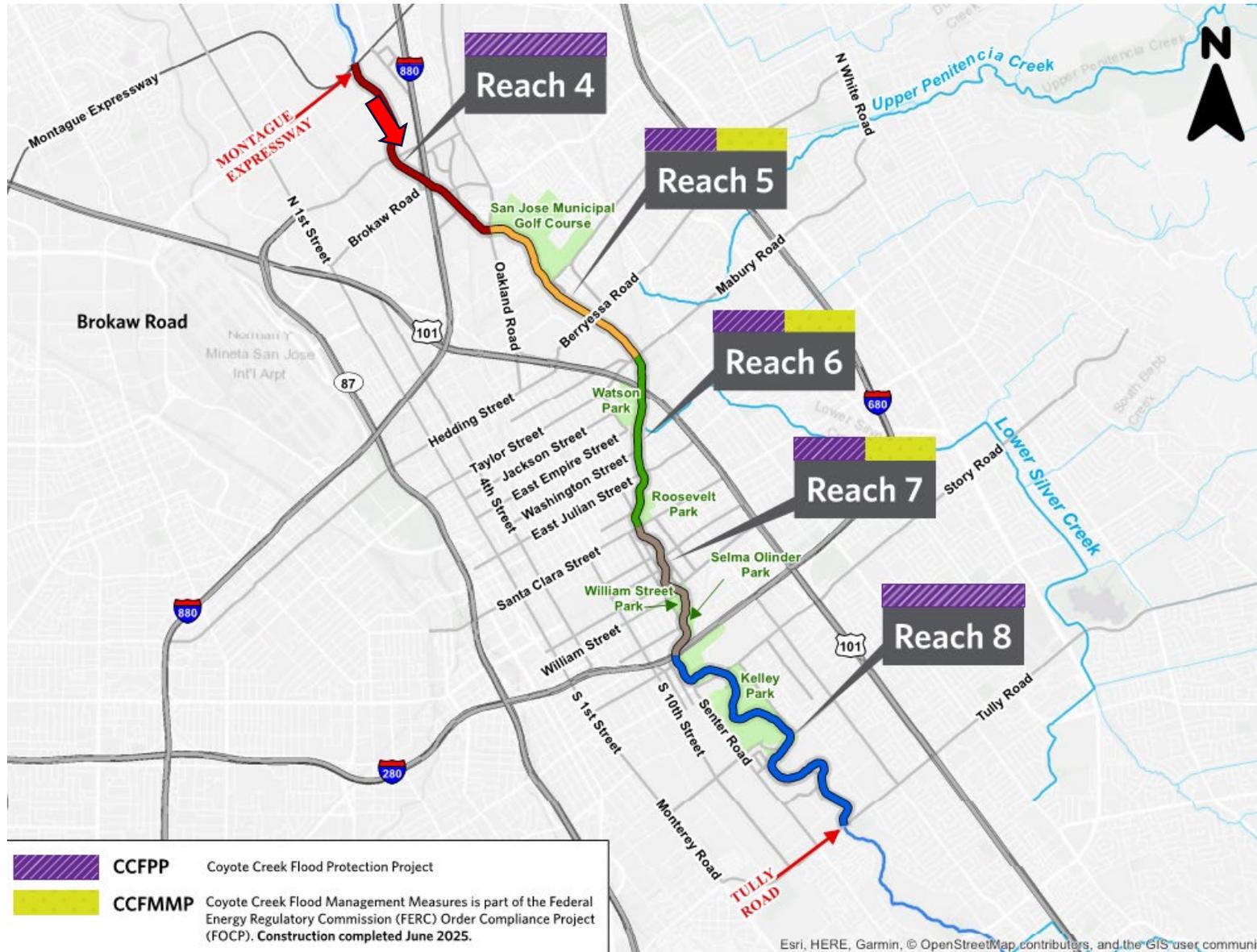
AJS Investment Group LLC Property is Necessary for the Project

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Finding: The properties described in the resolution are necessary for the proposed project

- This property is necessary for the project because the floodwall is directly adjacent to this property.
- This property will need to be accessed to construct the floodwall.
- The use of this property will not impact any buildings or displace any parking permanently.

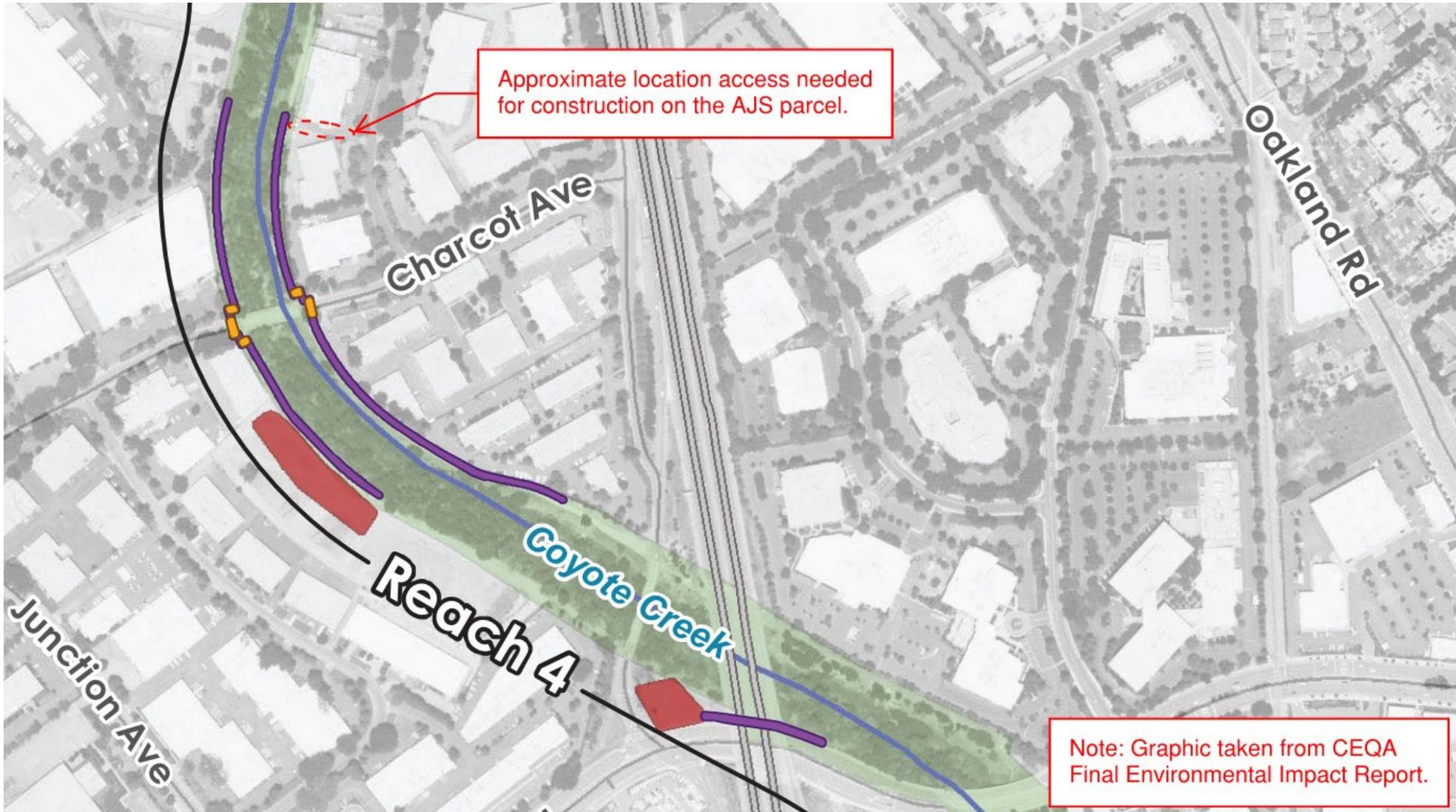
AJS Investment Group LLC Property Location



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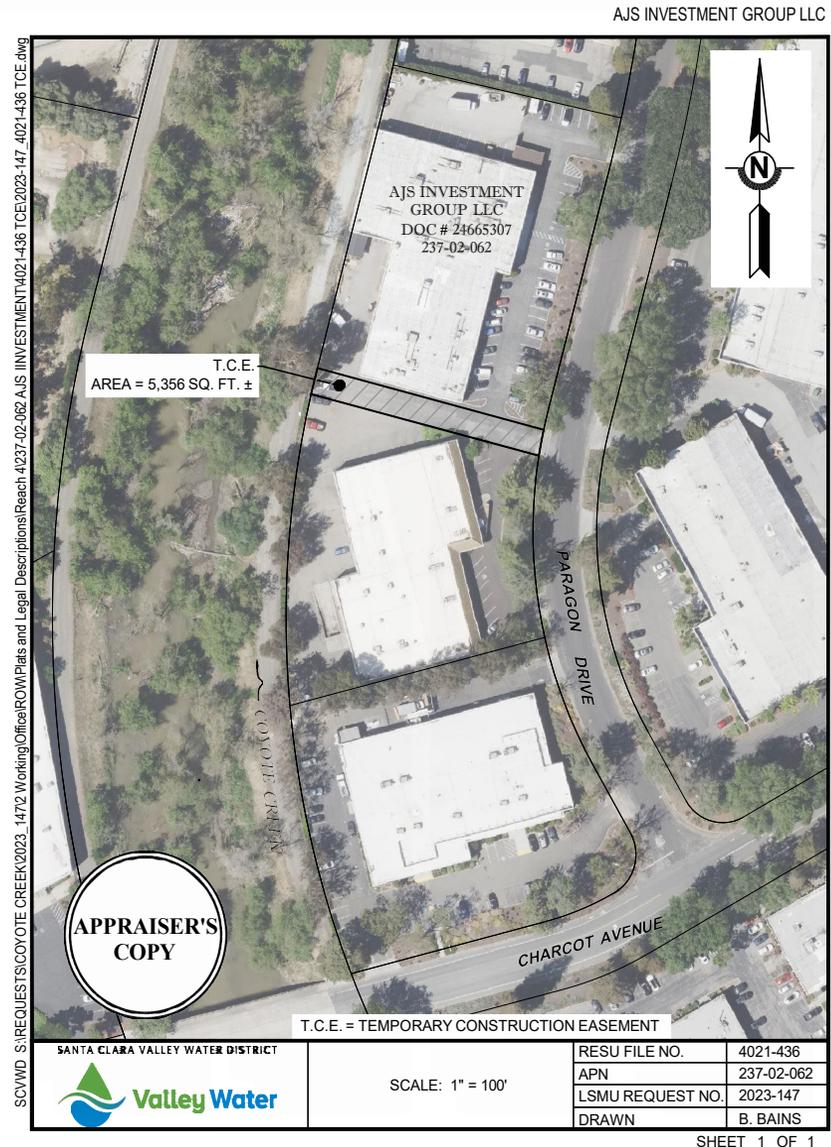
AJS Investment Group LLC Site Map



AJS Investment Group LLC Property Exhibit

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CCFPP on AJS Investment Group LLC Property:

- The floodwall is located directly adjacent to the property.
- The TCE area to be acquired is for temporary access to construct the project features.
- The project features maintain access and minimize impacts to existing structures.
- After project is constructed, the area will be returned to its existing use.

Gov. Code Section 7267.2(a) Offer

Finding: The Offer of Just Compensation as Required by Section 7267.2(a) of the Gov. Code in an amount not less than the appraised value of the interest to be acquired has been made to the owners of record

- On July 23, 2025, the Valley Water presented a first written offer to the Owner in person for the Full Amount established as Just Compensation.
- The amount of Just Compensation was not less than fair market value established by an approved appraisal.

AJS Investment Group LLC - Acquisition Chronology

DATE	DISTRICT ACTIVITIES
July 23, 2025	Valley Water has in person appointment with Owner to present First Written Offer* (FWO)
July 30, 2025	Valley Water responded by email to Owner with answers to his questions about FWO*
August 7, 2025	Owner emailed counteroffer to Valley Water
August 13, 2025	Valley Water emailed revised negotiated offer to Owner
August 15, 2025	Owner emailed acceptance of Valley Water revised negotiated offer
August 25, 2025	Valley Water met in person with Owner to execute ROW Agreement, but Owner refused to sign and wanted to discuss closing terms
August 26, 2025	Valley Water negotiated closing terms and Owner verbally agreed for a second time to sign revised offer
August 27, 2025	Valley Water emailed revised ROW Agreement to Owner with instructions for execution
Sept. 2, 2025	Valley Water sent email to Owner, no response
Sept. 8, 2025	Valley Water sent email to Owner, no response
Sept. 16, 2025	Valley Water sent email to Owner, no response
Sept. 24, 2025	Valley Water made visit to see Owner at on-site address, Owner not present
October 15, 2025	Valley Water sent email to Owner, no response
November 7, 2025	Valley Water sent Notice of Intent letter to Owner



*Item is not to be distributed to the public for protection of Owner's privacy. Just compensation is not part of this RON hearing.

Discussion and Decision

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- This completes the Valley Water's presentation regarding acquisition of the AJS Investment Group LLC's Property Interest.
- After the Board receives comments from the property owner and public, staff is ready to answer questions.

Close the Public Hearing

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- After receiving comments/questions from the Owner and/or public, the Public Hearing can be closed.



Valley Water

Clean Water • Healthy Environment • Flood Protection