

2. Whether the proposed project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury;
3. Whether the property sought to be acquired by eminent domain and described in the Resolution of Necessity is necessary for the proposed project;
4. Whether you received the offer required by Government Code section 7267.2(a).

The statutes which authorize the City to acquire the property by eminent domain for this proposed project include Code of Civil Procedure sections 1240.110 and 1240.120.

In order to preserve your right to be heard at the hearing, you must file a written request to be heard within 15 days after this notice was mailed. The date of mailing appears at the top of this Notice.

Public comments may be received either via email, or telephonically, or via Zoom with a limit of 250 words, or three minutes: Written comments may be submitted to the City Council electronically via email to cityclerk@coachella.org. Transmittal prior to the start of the meeting is required. Or, you may leave a message at (760)-262-6240 before 5:30 p.m. on the day of the meeting to be added to the public comment queue and requesting a Zoom link to the meeting. If speaking via Zoom, you must dial in by 5:45 p.m. The live stream of the meeting may be viewed online by accessing the city's website at www.coachella.org, and clicking on the "Watch Council Meetings" tab located on the home page, and then clicking on the "live" button.

California Code of Civil Procedure section 1245.235(b)(3) provides that “[f]ailure to file a written request to appear and be heard within fifteen (15) days after the Notice was mailed will result in waiver of the right to appear and be heard” on the above matters and issues that are the subject of the hearing.

The amount of the compensation to be paid for the acquisition of the property is not a matter of issue being heard by the City at this time. Your nonappearance at this noticed hearing will not prevent you from claiming greater compensation in the eminent domain action in accordance with the laws of the State of California.

If you elect not to appear and not be heard, your failure to appear may be a waiver of your right to later challenge the right of the City to take the property by eminent domain.

If the City elects to adopt the Resolution of Necessity, then within six months of the adoption of the Resolution, the City will commence eminent domain proceedings in Superior Court. In that proceeding, the court will determine the amount of compensation to which you are entitled.

If you have any questions regarding this Notice, please call Bruce Beach at (619) 525-1335.

Bruce W. Beach

Bruce Beach
Best Best & Krieger LLP
Special Counsel
City of Coachella

EXHIBIT A