



**ITEM ID:** 2025-281-0

**TRANSMITTAL DATE:** June 25, 2025

**MEETING DATE:** July 11, 2025

**TO:** Contracts, Operations, Maintenance, and Safety Committee

**FROM:** Justin Fornelli, Chief, Program Delivery

**SUBJECT:** Settlement Agreement with Delaware Hidden Valley Grand Apartments, LLC for the SCORE Simi Valley Double Track Project

**Issue**

Approval is needed to issue the payment to Delaware Hidden Valley Grand Apartments, LLC for property needed for the construction of the SCORE Simi Valley Double Track Project.

**Recommendation**

It is recommended that the Committee recommend the Board authorize the Chief Executive Officer to issue payment to Delaware Hidden Valley Grand Apartments, LLC for \$1,995,000 plus \$119,797.19 in statutory interest and cost for a total not-to-exceed amount of \$2,114,797.19 for 5 parcels needed for the SCORE Simi Valley Double Track Project.

**Strategic Commitment**

This report aligns with the Strategic Business Plan commitment of:

- **Advancing Key Regional Goals:** We will grow the role of regional rail in addressing climate change, air quality, and other pressing issues by advancing toward zero emissions, making rail a compelling alternative to single-occupant automobiles and advancing equity-focused opportunities for all communities throughout Southern California. The SCORE Simi Valley Double Track Project would enable additional capacity and service improvements on Metrolink’s Ventura County Line (VCL).

**Background**

The key components of the SCORE Simi Valley Double Track Project (Project) are:

- Install 2.2 miles of second mainline track immediately adjacent to the existing mainline track
- Construct a second side platform at the Simi Valley Station with a connecting pedestrian underpass
- Install pedestrian safety equipment, warning devices, and new track panels at five existing grade crossings

Construction of the project requires the acquisition of five (5) parcels from one (1) property owner: Delaware Hidden Valley Grand Apartments, LLC.

Immediately adjacent to the existing Simi Valley Station, where the new platform, pedestrian underpass, and improvements to the Hidden Ranch Drive grade crossing will be constructed, the Authority requires ROW Acquisitions for construction of the Project. The ROW Acquisitions are comprised of the following five (5) property parcels owned by Delaware Hidden Valley Grand Apartments, LLC (Delaware HVG Apts): a 4,104 square foot sub-surface Storm Drain Easement; a 1,987 square foot Temporary Construction Easement for a duration of 3 years; a 6,181 square foot Temporary Construction Easement for a duration of 3 years; a 4,762 square foot Temporary Construction Easement for a duration of 3 years; and a 55 square foot Permanent Acquisition (fee interest).

All of the property parcels are not developed, are located on the railroad side of the existing barrier wall, and as such the impacts to Delaware HVG Apts and the local residents is minimal.

## **Discussion**

In March 2023, the Authority undertook an independent appraisal of the five (5) property parcels and the total appraised value for all five (5) parcels combined was \$579,000. On May 9, 2023, the Authority, in close coordination with VCTC, submitted a formal offer to Delaware HVG Apts to acquire the five (5) parcels for the total sum of \$579,000. The owner of Delaware HVG Apts did not accept this offer and engaged legal counsel to negotiate terms of the property acquisition.

On September 26, 2023, VCTC and the Authority met with Delaware HVG Apts, along with respective legal counsel. Delaware HVG Apts legal counsel stated that they would propose a counter-offer to VCTC and the Authority for consideration. Following the meeting, VCTC and the Authority determined that condemnation would likely be required given the circumstances and thereby commenced condemnation proceedings.

On November 1, 2023, Delaware HVG Apts legal counsel formally submitted a counter-offer of \$11,900,000 to VCTC and the Authority that was significantly greater than the appraised value. On November 3, 2023, the VCTC Commission approved the filing of the Resolution of Necessity, which was subsequently filed with the Ventura County Courthouse on December 11, 2023. In May 2024 VCTC deposited the appraised value of the parcels, \$579,000, into the State Treasurer's Compensation Deposits Fund. On August 29, 2024 Authority & VCTC received the Order of Possession of the parcels.

On May 15, 2025 VCTC and the Authority reached a settlement with the Delaware HVG Apts. for a total amount of \$1,995,000 plus \$119,797.19 for statutory interest and costs, for a total not-to-exceed amount of \$2,114,797.19

### **Budget Impact**

The amount for which contract authority is requested (\$2,114,797.19) will be covered by the SCORE Program Capital Budget and funded with TIRCP funds granted by CalSTA through the SCORE Program.

Note: Because \$579,000 has already been deposited into the State Treasurer's Compensation Deposits Fund, the remaining balance of \$1,535,797.19 will be transferred from the project's available budget.

### **Next Steps**

Upon Board Authorization, a Stipulation for Entry of Final Judgment will be filed with the Court which then leads the Court to enter the Final Judgement in this case. Within 30-days of the Court's judgement, the Authority will be required to issue payment to the Delaware HVG Apts.

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