



City of Tualatin

CITY OF TUALATIN Staff Report

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager

FROM: Casey Ferguson, Project Engineer
Heidi Springer, City Engineer

DATE: February 14, 2022

SUBJECT:

Consideration of Resolution No. 5597-22, Authorizing the City Manager to Execute Deeds Acquiring Easements for the SW 65th / Nyberg Sanitary Sewer Trunk Main Rehabilitation Project.

RECOMMENDATION:

Staff recommends the Council consider the resolution.

EXECUTIVE SUMMARY:

Resolution No 5597-22 authorizes the City Manager to execute legal documents to acquire the easements needed to construct and maintain the SW 65th / Nyberg Sanitary Sewer Trunk Main Rehabilitation Project.

The majority of the project is to be constructed with existing easements. However, in order to have space for construction, and access for future maintenance of the project, **the City must acquire easements from private property owners surrounding the project area.**

In 2011 the City experienced a SSO (Sanitary Sewer Overflow) in the Nyberg wetlands due to a blockage in this sewer line. Investigation revealed that a structural defect allowed a tree root to penetrate the line and collect F.O.G (fats-oil-and grease), resulting in the blockage. As a result, the City's Street/Sewer/Storm Division has been monitoring and maintaining this section every 6-months. Since the monitoring began, City staff has identified three separate issues with this section of sewer line: 1) A depression in the sewer line, 2) tree root intrusion, and 3) stormwater erosion that has exposed a portion of the sanitary line and adjacent manhole. The proposed easements allow permanent repair and maintenance of approximately 800 lineal feet of aging/damaged 18-inch diameter concrete sanitary sewer trunk main.

Easements are proposed on four properties. Two property owners donated the easements. A third property owner requested the City cover their attorney's review fee. The fourth property owner will encounter more disruption to their operation and the City has requested an additional permanent utility easement area. The City's offering price to the fourth property owner, TMV, LLC, was based on an appraisal performed by Oregon Valuation Group and recommendations from Universal Field Services, Inc. However, negotiation with the fourth property owner is on-going and not part of this resolution for consideration. Acquisitions on each property are as follows:

ANI-Kal, LLC (Tax Lots 1100 and 1200)

- Properties consist of parking spaces and drive isles.
- The City is requesting temporary access easements (Tax Lot 1100: 1,967 sf, Tax Lot 1200: 2,018 sf), and temporary construction easement (Tax Lot 1100: 5,683 sf).
- **Acquisition amount \$0.00**, Easement Donation.

Rolling Hills – 277, LLC (Tax Lots 700 and 800)

- Properties include drive isles, parking spaces, and multi-unit apartment complexes.
- The City is requesting temporary access easements (Tax Lot 700: 1,543 sf, Tax Lot 800: 254 sf), and a temporary construction easement (Tax Lot 700: 90 sf, Tax Lot 800: 2,138 sf), permanent utility easement (Tax Lot 800: 150 sf), and permanent access easement (Tax Lot 800: 9,669 sf).
- **Acquisition amount \$750**, Attorney's review fee only.

The Wetlands Conservancy, Inc. (Tax Lots 600 and 900)

- Properties include an existing 20-foot wide sewer easement, 20-foot wide water easement, wetland, and associated buffer.
- The City is requesting temporary construction easements (Tax Lot 600: 321 sf, Tax Lot 900: 2,230 sf), permanent utility easements (Tax Lot 600: 717 sf, Tax Lot 900: 627 sf), and permanent access easement (Tax Lot 900: 266 sf)
- **Acquisition amount \$0.00**, Easement Donation.

TMV, LLC (Tax Lot 1000)

- Property includes an existing 20-foot wide sewer easement, parking spaces, and a medical clinic.
- Additional permanent utility easement area is requested to realign, repair, and maintain the sewer line. The City is requesting a temporary construction easement (12,746 sf), and permanent utility easement (2,717 sf).
- This property is not part of this resolution for consideration, as negotiations continue.

FINANCIAL IMPLICATIONS:

The total acquisition cost is \$750.00. Clean Water Services has agreed to incur all costs associated with this sanitary sewer improvement through an Intergovernmental Agreement executed March 23, 2020.

ATTACHMENTS:

- Resolution No. 5597-22
- Deeds with exhibits showing the area to be acquired on each property