



*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:** March 14, 2022

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**SUBJECT:**

Consideration of Resolution No. 5605-22, 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 adopt the resolution.

**EXECUTIVE SUMMARY:**

Resolution No. 5605-22 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 within 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 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 Sewer 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. A depression in the sewer line, tree root intrusion, and stormwater erosion that has exposed a portion of the sanitary line and an 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 were proposed on four properties. Three of the property acquisitions were authorized by the Council per Resolution No. 5597-22 on February 14, 2022. The fourth property owner, TMV, LLC, required additional negotiations. TMV, LLC operates a medical clinic and they were concerned with project construction limiting access for sensitive patients. The attached Obligation Agreement outlines the negotiation results. 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. as follows:

**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 square feet (sf)), and permanent utility easement (2,717 sf).
- Acquisition amount \$84,811.

**FINANCIAL IMPLICATIONS:**

The total acquisition cost is \$84,811. Clean Water Services has agreed to incur all costs associated with this sanitary sewer improvement through an Intergovernmental Agreement executed March 23, 2020.

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**ATTACHMENTS:**

- Resolution No. 5605-22
- Deeds with exhibits showing the permanent utility easement and temporary construction area to be acquired on the property
- Obligation Agreement between TMV, LLC and the City