



TO: Hyun Kim, City Manager
FROM: Joseph Romero, Senior Real Estate Specialist, Public Works
Ramiro A. Chavez, P.E. PgMP, Director, Environment & Public Works
COPY: City Council and City Clerk
SUBJECT: Ordinance – Condemnation Authorization – Puyallup Avenue Sewer Utility Replacement Project – August 18, 2026
DATE: July 21, 2026

Initial Initial
RAL CEN

SUMMARY AND PURPOSE:

An ordinance authorizing the use of eminent domain as may be required for the acquisition of easement rights for a portion of the City's stormwater trunk main and associated facilities within a vacated alleyway located between Puyallup Avenue and East 25th Street adjacent to the east side of A Street, to repair, replace, maintain, and/or construct said trunk main.

BACKGROUND:

This Department's Recommendation is Based On:

The City of Tacoma's Environmental Services Department's Puyallup Avenue Sewer Utility Replacement Project involves the replacement, rerouting, and rehabilitation of essential wastewater and stormwater trunk mains. These trunk mains play a critical role in transporting millions of gallons of wastewater to our Central Wastewater Treatment Plant and preventing localized flooding by conveying stormwater to the Thea Foss Waterway. The project scope encompasses the intersection of Pacific Avenue and South Tacoma Way/26th Street, which is subject to flooding during severe storm events. In addition, portions of the storm, wastewater, and water systems in the project vicinity are aging and require replacement. The project is intended to mitigate flooding in the project area and rehabilitate, replace and upgrade approximately 4,700 linear feet of large (up to 72-inch diameter) sewer pipes.

The work involves a stormwater trunk main and associated facilities that lie within an alleyway that was vacated via Ordinance No. 25059 passed City Council on April 14, 1992. An easement was not reserved within the Ordinance. Attempts to negotiate with the property owner began in May of 2025, with subsequent offers being provided multiple times in 2026 without successful resolution. The easement is necessary to allow the project to proceed. This project is delivered using a design-build contract, and the initial construction is planned to begin in the area in the first half of 2027. Negotiations will continue with the property owner up until trial or final settlement. If the property owner settles, the condemnation action will cease.

COMMUNITY ENGAGEMENT/ CUSTOMER RESEARCH:

Environmental Services and the project consultant have engaged with property owners, community members, affected service providers, and various governmental agencies within the project area and Dome District regarding the upcoming work.

2025 STRATEGIC PRIORITIES:

Equity and Accessibility:

The project addresses safety and accessibility to major areas within the downtown core. These areas are serviced by public transportation through Pierce Transit and the T-Link serviced by Sound Transit.

Economy/Workforce: *Equity Index Score: Moderate Opportunity*

Increase the number of infrastructure projects and improvements that support existing and new business developments.



Livability: *Equity Index Score:* Moderate Opportunity

Improve access and proximity by residents to diverse income levels and race/ethnicity to community facilities, services, infrastructure, and employment.

Explain how your legislation will affect the selected indicator(s).

Authorization to use eminent domain will allow the project to proceed with construction so that the community and area are safe from flooding concerns. Authorization for use of eminent domain will assure the public that the City is maintaining good stewardship of taxpayer dollars by using fair market value as the basis for compensation to individual property owners so that all property owners are treated consistently and equitably.

ALTERNATIVES:

Alternative(s)	Positive Impact(s)	Negative Impact(s)
1. Council could deny the use of eminent domain.	None.	1. The City would have to pay, using City funds, in excess of fair market value in order to obtain necessary property rights and would thereby create inherent inequity in compensation paid to property owners. 2. The City would stop the project and attempt to design a build-around option which would be costly in terms of both time and money and may not be feasible.

EVALUATION AND FOLLOW UP:

N/A

STAFF/SPONSOR RECOMMENDATION:

Staff recommends authorization for use of eminent domain when (1) property owners cannot be identified or located, (2) property owners are non-responsive to repeated requests for contact, or (3) no agreement concerning compensation can be reached within sixty (60) days of receipt of offer packages by property owners.

FISCAL IMPACT:

This action is requested for authorization to use the legislative powers of eminent domain. There is no fiscal impact directly associated with this request.

Fund Number & Name	COST OBJECT (CC/WBS/ORDER)	Cost Element	Total Amount
N/A – seeking authority to use eminent domain			
TOTAL			



City of Tacoma

City Council Action Memorandum

What Funding is being used to support the expense?

N/A

Are the expenditures and revenues planned and budgeted in this biennium's current budget?

N/A

Are there financial costs or other impacts of not implementing the legislation?

Yes, inability to assemble the necessary property rights up to and including the use of eminent domain will likely result in cost escalations for delays and redesign. If eminent domain is not authorized the project cannot be constructed.

Will the legislation have an ongoing/recurring fiscal impact?

No

Will the legislation change the City's FTE/personnel counts?

No

ATTACHMENTS:

- Aerial Map