

## **Resolution 26-5545: Staff Report**

### **New Development Easements at the Metro South Transfer Station**

IN CONSIDERATION OF RESOLUTION NO. 26-5545 FOR THE PURPOSE OF APPROVING THE TRANSFER OF CERTAIN INTERESTS IN REAL PROPERTY

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Date: Monday, December 22, 2025  
Department: Capital Asset Management  
(CAM) - Construction Project Management  
Office (CPMO)  
Meeting Date: Thursday, January 8, 2026

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Presenter(s): Robin McCaffrey  
Length: 10 min

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#### **ISSUE STATEMENT**

Metro Council is asked to consider approval of Resolution 26-5545 to authorize the Metro COO to sign the stormwater and public utility easements required by Oregon City Municipal Code for construction of new administrative buildings (“Project”) on the Metro South Transfer Station property (“MSS”), located at 2001 Washington St., in the City of Oregon City (“City”). Authorization of easements by Metro Council is required by Metro Code 2.04.050(b).

The Resolution 26-5545 describes the Project and need for the easements and Exhibits A and B to that Resolution contain draft language for each of the required easements.

Attached to this staff report is an aerial overview exhibit showing the locations of the proposed stormwater and public utility easements on the site.

#### **ACTION REQUESTED**

Authorize the Metro COO to sign a public utility easement (“PUE”) and a private stormwater facility easement between Metro and City, in a form substantially similar to the Exhibits attached to Resolution 26-5545, for the Project at MSS. These two easements are requirements from the City’s land use conditions placed on the new administrative office building’s development. The City will hold the building occupancy permit for the buildings until the two easements are finalized and recorded with Clackamas County.

The easements will allow Metro to be granted occupancy of the administrative buildings.

#### **IDENTIFIED POLICY OUTCOMES**

Portions of the MSS property will be encumbered by the new easements.

The stormwater easement allows the City to enter the property and perform inspections of the private stormwater facility to ensure the facility continues to be maintained pursuant to Oregon City Municipal Code (“OCMC”) 13.12.145 and per the Operations and Maintenance Plan (O&M) that is submitted by Metro as part of the easement agreement.

The PUE is required by OCMC 16.12.085 and allows for potential future dry utilities (e.g., fiber, cable). The proposed PUE area covers a narrow portion of City right-of-way along Metro’s southern frontage. Per the City Engineer, establishing the PUE in this location will ensure space for potential future dry utilities.

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#### **OPTIONS FOR COUNCIL TO CONSIDER**

- Adopt Resolution 26-5545 authorizing the Metro COO to sign the easements described above to comply with OCMC 13.12.145 (private stormwater system operation and maintenance requirements), as well as OCMC 16.12.085 (PUE requirement), so that Metro's occupancy permit can be granted for the new administration buildings development.
- Do not adopt Resolution 26-5545, resulting in the inability for Metro to permanently occupy the new administration buildings.

#### **STAFF RECOMMENDATION**

Approval of this Resolution is recommended for Metro to meet the relevant requirements of the OCMC and for Metro's permanent occupancy of the administrative buildings. The stormwater easement and PUE are typical jurisdictional land use conditions of approval for development and redevelopment, and the approval conditions are typically required during the development and building permit stages. The easement requirements are also memorialized in the OCMC and were cited at the time of the land use application review. Metro did not take exception to the conditions and proceeded to seek land use and building permit approvals.

Additionally, the proposed easement boundaries do not impact current or foreseeable future Metro South Transfer Station operations.

#### **STRATEGIC CONTEXT & FRAMING COUNCIL DISCUSSION**

- **Known Opposition:** None
- **Legal Antecedents:** Metro Code 2.04.050(b); OCMC 13.12; OCMC 16.12.085
- **Anticipated Effects:** Metro will be granted occupancy of the newly built administrative buildings.
- **Budget Impacts:** None – unless approval is not granted.

#### **BACKGROUND**

MSS currently shares administrative office space with the site operator. Over the last 35 years, the combined staffing needs of both organizations have outgrown the site's administrative spaces. Therefore, a new MSS administrative office building for Metro employees was included in the 2019 CIP budget.

Upon completion of the design of the new Metro administrative buildings, Metro submitted a Type II Land use application to the City on March 30, 2022. The City issued a decision on September 7, 2022, which included twenty-three conditions of approval, including the PUE and private stormwater easements.

Completion of the construction of the new administrative office buildings is anticipated in early spring 2026. The City must grant occupancy approval before Metro staff can move into the new office buildings and the City per OCMC is requiring the PUE and SW easements to be submitted prior to granting the occupancy approval.

#### **ATTACHMENTS**

1. Easement Overview Image