

Council meeting agenda

Thursday, January 29, 2026

10:30 AM

Metro Regional Center, Council chamber;
<https://zoom.us/j/615079992> (Webinar ID:
615079992) or 253-205-0468 (toll free),

This Council meeting will adjourn into an executive session.

This meeting will be held electronically and in person at the Metro Regional Center Council Chamber. You can join the meeting on your computer or other device by using this link: <https://zoom.us/j/615079992> (Webinar ID: 615 079 992)

1. Call to Order and Roll Call

2. Public Communication

Public comment may be submitted in writing. It will also be heard in person and by electronic communication (video conference or telephone). Written comments should be submitted electronically by emailing legislativecoordinator@oregonmetro.gov. Written comments received by 4:00 p.m. the day before the meeting will be provided to the council prior to the meeting.

Those wishing to testify orally are encouraged to sign up in advance by either: (a) contacting the legislative coordinator by phone at 503-813-7591 and providing your name and the agenda item on which you wish to testify; or (b) registering by email by sending your name and the agenda item on which you wish to testify to legislativecoordinator@oregonmetro.gov. Those wishing to testify in person should fill out a blue card found in the back of the Council Chamber. Those requesting to comment virtually during the meeting can do so by using the "Raise Hand" feature in Zoom or emailing the legislative coordinator at legislativecoordinator@oregonmetro.gov. Individuals will have three minutes to testify unless otherwise stated at the meeting.

3. Consent Agenda

- 3.1 Resolution No. 26-5565 For the Purpose of Appointing 4 [RES 26-5565](#)
Members and Reappointing 4 Members to the Metro
Affordable Housing Bond Measure Program Community
Oversight Committee

Attachments: [Resolution No. 26-5565](#)
[Exhibit A](#)
[Staff Report](#)

- 3.2 Resolution No. 26-5549 For the Purpose of Adding or [RES 26-5549](#)
Amending Five Projects to the 2024-27 MTIP to Meet

Federal Project Delivery Requirements

Attachments: [Resolution No. 26-5549](#)
[Exhibit A](#)
[Exhibit B](#)
[Staff Report](#)

- 3.3 Resolution No. 25-5552 For The Purpose of Authorizing the Chief Operating Officer to Grant an Easement to Washington County at Wachline Property Natural Area [RES 26-5552](#)

Attachments: [Resolution No. 26-5552](#)
[Exhibit A](#)
[Exhibit B](#)
[Staff Report](#)

- 3.4 Consideration of the Council Meeting Minutes for January 8, 2026 [26-6444](#)

Attachments: [January 8, 2026 Council Meeting Minutes](#)

- 3.5 Consideration of the Council Meeting Minutes for January 15, 2026 [26-6445](#)

Attachments: [January 15, 2026 Council Meeting Minutes](#)

4. Resolutions

- 4.1 Resolution No. 26-5551 For the Purpose of Authorizing an Exemption from Competitive Bidding and Procurement of Construction Manager/General Contractor Services by Competitive Bid Request for the Blue Lake Regional Park Renovation Project [RES 26-5551](#)

Presenter(s): Deanna Podbielan, Procurement Analyst, Finance and Regulatory Services
Olena Turula, Principal Regional Planner, Parks and Nature
Brent Shelby, Senior Capital Project Manager, Capital Asset Management

Attachments: [Resolution No. 26-5551](#)
[Exhibit A](#)
[Staff report](#)

5. Ordinances (First Reading and Public Hearing)

- 5.1 Ordinance No. 26-1540 For the Purpose of Amendment Metro Code Chapter 7.05 (Income Tax Administration) [ORD 26-1540](#)

Regarding the Personal Income Interest Rate Adjustment Process, Making Conforming Amendments to Metro Code Chapter 7.06 (Personal Income Tax), and Declaring and Emergency.

Presenter(s): Justin Laubscher, Tax Compliance Program Manager

Attachments: [Ordinance No. 25-1540](#)

[Exhibit A](#)

[Exhibit B](#)

[Exhibit C](#)

[Staff Report](#)

6. Chief Operating Officer Communication

7. Councilor Communication

8. Adjourn to executive session

This executive session will be held pursuant to ORS 192.660(2)(h), to consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed.

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ការគោរពសិទ្ធិពលរដ្ឋរបស់ ។ សំរាប់ព័ត៌មានអំពីកម្មវិធីសិទ្ធិពលរដ្ឋរបស់ Metro ឬដើម្បីទទួលបានកម្មវិធីរើសអើងសូមចូលទស្សនាគេហទំព័រ www.oregonmetro.gov/civilrights។

បើលោកអ្នកត្រូវការអ្នកបកប្រែភាសានៅពេលអង្គប្រជុំសាធារណៈ សូមទូរស័ព្ទមកលេខ 503-797-1700 (ម៉ោង 8 ព្រឹកដល់ម៉ោង 5 ល្ងាច ថ្ងៃធ្វើការ) ប្រាំពីរថ្ងៃ មុនថ្ងៃប្រជុំដើម្បីអាចឱ្យគេសម្រួលតាមសំណើរបស់លោកអ្នក ។

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Metro

600 NE Grand Ave.
Portland, OR 97232-2736
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Agenda #: 3.1

File #: RES 26-5565

Agenda Date: 1/29/2026

Resolution No. 26-5565 For the Purpose of Appointing 4 Members and Reappointing 4 Members to the Metro Affordable Housing Bond Measure Program Community Oversight Committee

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF APPOINTING 4 MEMBERS	)	RESOLUTION NO. 26-5565
AND REAPPOINTING 4 MEMBERS TO THE METRO)	
AFFORDABLE HOUSING BOND MEASURE	)	Introduced by Chief Operating
PROGRAM COMMUNITY OVERSIGHT COMMITTEE	)	Officer Marissa Madrigal with the
	)	Concurrence of Metro Council
	)	President Lynn Peterson

WHEREAS, at the general election held on November 6, 2018, the Metro Area voters approved a ballot measure authorizing the issuance of general obligation bonds in an amount not to exceed \$652,800,000.00 for the purpose of funding affordable housing (the "Metro Affordable Housing Bond Measure"); and

WHEREAS, Metro Code Chapter 2.19 establishes the Metro Affordable Housing Bond Measure Program Community Oversight Committee, whose members are appointed by the Metro Council President subject to confirmation by the Metro Council; and

WHEREAS, the Metro Council President has appointed 4 members and reappointed 4 members of the Metro Affordable Housing Bond Committee Oversight Committee; and

WHEREAS, the Metro Council desires to confirm those appointments; now therefore,

BE IT RESOLVED that the Metro Council confirms the appointments to the Metro Affordable Housing Bond Community Oversight Committee as set forth on Exhibit A as attached hereto.

ADOPTED by the Metro Council this 29th day of January 2026

Lynn Peterson, Council President

Approved as to Form:

Carrie MacLaren Metro Attorney

Exhibit A to the Resolution No. 26-5565

**Affordable Housing Bond Community Oversight Committee
Committee Member Appointments and Terms**

The following 8 persons will each serve one term of two years starting February 1, 2026 and ending on January 31, 2028.

Tianna Forbes
Rebekah Morgan
Marqueesha Ollison
Lisa Steenson
Ann Leenstra
Jeffery Petrillo
Katherine Rozsa
Andrea Sanchez

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 26-5565 FOR THE PURPOSE OF APPOINTING FOUR MEMBERS AND REAPPOINTING FOUR MEMBERS TO THE METRO AFFORDABLE HOUSING BOND MEASURE PROGRAM COMMUNITY OVERSIGHT COMMITTEE

Date: Jan. 15, 2026

Department: Housing

Meeting Date: Jan. 29, 2026

Prepared by: Alison Wicks,
alison.wicks@oregonmetro.gov;
Alice Hodge,
alice.hodge@oregonmetro.gov

Presenter(s), (if applicable): n/a
Length: consent

ISSUE STATEMENT

Resolution No. 26-5565 appoints four new members and reappoints four existing members to serve two-year terms on the Metro Affordable Housing Bond Community Oversight Committee. Through adoption of this resolution, the new term for these eight members is February 1, 2026 - January 31, 2028.

New appointments

Metro staff confirmed the interest and availability of the following individuals to serve a two-year term:

1. Tianna Forbes
2. Rebekah Morgan
3. Marqueesha Ollison
4. Lisa Steenson

Re-appointments

Metro staff confirmed the interest and availability of the following individuals to serve an additional two-year term:

5. Ann Leenstra
6. Jeffery Petrillo
7. Katherine Rozsa
8. Andrea Sanchez

ACTION REQUESTED

Adopt Resolution No. 26-5565, appointing four members and reappointing four members to the Affordable Housing Bond Community Oversight Committee for a new or additional two-year term.

STAFF RECOMMENDATIONS

Adopt Resolution No. 26-5565.

STRATEGIC CONTEXT & FRAMING COUNCIL DISCUSSION

Committee vacancies

In 2025, three members stepped down from the committee (James Lee, Jesse Neilson, and Brandy Penner), and one member will leave at the end of their term (Karen Shawcross).

Recruitment and outreach

In fall 2025, staff conducted outreach and reviewed applications to fill these vacancies. Outreach efforts emphasized increasing representation of:

- Individuals with lived experience of homelessness or residing in affordable housing
- Professionals with technical expertise in housing development and affordable housing finance
- Individuals who live or work in Clackamas or Washington counties

Nearing final appointments for the Affordable Housing Bond Oversight Committee

These eight appointments will serve for the majority of the remaining life of the committee. Under the charter of the Metro Affordable Housing Bond Community Oversight Committee, the committee will dissolve on July 1, 2028, or upon issuance of its final report after all funds authorized by Affordable Housing Bond Measure 26-199 have been spent, whichever occurs first.

Staff anticipate some additional appointments or reappointments may be necessary to bridge the period between the current term's end on Jan. 31, 2028, and the committee's dissolution on July 1, 2028. Such actions will ensure that the committee maintains sufficient membership to fulfill its responsibilities through its sunset.

Legal antecedents

The proposed Resolution is based on numerous policies previously adopted by the Metro Council, including but not limited to:

- Ordinance No. 19-1430 amending Metro Code Chapter 2.19 to establish the Community Oversight Committee, and describing the committee makeup, terms and charge
- Resolution No. 19-4957 confirming 13 members and co-chairpersons initially appointed by the Council President to serve on the Affordable Housing Bond Community Oversight Committee
- Resolution No. 23-5309 appointing 2 new members and reappointing 2 members to the Affordable Housing Bond Community Oversight Committee
- Resolution No. 23-5368 reappointing 4 members to the Affordable Housing Bond Community Oversight Committee
- Resolution No. 24-5381 appointing 3 members to the Affordable Housing Bond Community Oversight Committee

- Resolution No. 25-5457 appointing 8 members to the Affordable Housing Bond Community Oversight Committee

BACKGROUND

The Affordable Housing Bond Oversight Committee performs the following duties as charged by the Metro Council:

- Reviewing local implementation strategies for alignment with the expectations set forth in the Housing Bond Program Work Plan;
- Monitoring program expenditures and outcomes and providing an annual report and presentation to Metro Council;
- Recommending changes to implementation strategies as necessary to achieve Unit Production Targets and other priority outcomes, such as advancing racial equity.

Metro Council Ordinance No. 19-1430, which established the Oversight Committee, provides that the Committee shall consist of **no fewer than seven and no more than fifteen members**, to be appointed by the Metro Council President with approval by the Metro Council.

Committee members are required to reflect a diversity of perspectives, geographic knowledge, demographics, and technical expertise, including finance, housing development, housing policy, and experience working with impacted communities. Members are appointed to serve two-year terms and may be reappointed for up to two additional two-year terms.

Below is a summary of current members and their terms. New members who are appointed and current members who are reappointed through this resolution are in bold.

Committee members	Appointment	End of term
Andrea Sanchez, Co-Chair	Appointed 2022 to a two-year term; reappointed in 2024 to a two-year term; reappointed in 2026; not eligible for additional terms.	January 2028
Jeffery Petrillo, Co-Chair	Appointed in 2024 for two-year term; reappointed in 2026 for two-year term; eligible to be reappointed for an additional two-year term.	January 2028, eligible for additional term
Ann Leenstra	Appointed 2022 to a two-year term; reappointed in 2024 to a two-year term; reappointed in 2026 to a two-year term; not eligible for additional terms.	January 2028
Katerine Rozsa	Appointed in 2024 for first two-year term; reappointed in 2026 for two-year term; eligible	January 2028, eligible for additional term

	to be reappointed for an additional two-year term.	
Noah Goldman	Appointed in 2025 for first two-year term, eligible to be reappointed for an additional two-year term.	January 2027, eligible for additional term
Theo Hathaway Saner	Appointed in 2025 for first two-year term, eligible to be reappointed for an additional two-year term.	January 2027, eligible for additional term
Maritza Kritz	Appointed in 2025 for first two-year term, eligible to be reappointed for an additional two-year term.	January 2027, eligible for additional term
Sushmita Poddar	Appointed in 2025 for first two-year term, eligible to be reappointed for an additional two-year term.	January 2027, eligible for additional term
Jay Tomlinson	Appointed in 2025 for first two-year term, eligible to be reappointed for an additional two-year term.	January 2027, eligible for additional term
Clayton Woullard	Appointed in 2025 for first two-year term, eligible to be reappointed for an additional two-year term.	January 2027, eligible for additional term
Tianna Forbes	Appointed in 2026 for first two-year term, eligible to be reappointed for two additional two year terms.	January 2028, eligible for additional term
Rebekah Morgan	Appointed in 2026 for first two-year term, eligible to be reappointed for two additional two year terms.	January 2028, eligible for additional term
Marqueesha Ollison	Appointed in 2026 for first two-year term, eligible to be reappointed for two additional two year terms.	January 2028,, eligible for additional term
Lisa Steenson	Appointed in 2026 for first two-year term, eligible to be reappointed for two additional two year terms.	January 2028, eligible for additional term

ATTACHMENTS

None



Metro

600 NE Grand Ave.
Portland, OR 97232-2736
oregonmetro.gov

Agenda #: 3.2

File #: RES 26-5549

Agenda Date: 1/29/2026

Resolution No. 26-5549 For the Purpose of Adding or Amending Five Projects to the 2024-27 MTIP to Meet Federal Project Delivery Requirements

BEFORE THE METRO COUNCIL

**FOR THE PURPOSE OF ADDING OR
AMENDING FIVE PROJECTS TO THE
2024-27 MTIP TO MEET FEDERAL
PROJECT DELIVERY REQUIREMENTS**

) RESOLUTION NO. 26-5549
)
) Introduced by: Chief Operating
) Officer Marissa Madrigal in
) concurrence with Council President
) Lynn Peterson

WHEREAS, the Metropolitan Transportation Improvement Program (MTIP) prioritizes projects from the Regional Transportation Plan (RTP) to receive transportation-related funding; and

WHEREAS, the U.S. Department of Transportation (USDOT) requires federal funding for transportation projects located in a metropolitan area to be programmed in an MTIP; and

WHEREAS, in July 2023, the Joint Policy Advisory Committee on Transportation (JPACT) and the Metro Council approved Resolution No. 23-5335 to adopt the 2024-27 MTIP; and

WHEREAS, the 2024-27 MTIP includes Metro approved RTP and federal performance-based programming requirements and demonstrates compliance and further progress towards achieving the RTP and federal performance targets; and

WHEREAS, pursuant to the USDOT MTIP amendment submission rules, JPACT and the Metro Council must approve any subsequent amendments to the MTIP to add new projects or substantially modify existing projects; and

WHEREAS, the formal amendment amends the TriMet Bus Purchase (2024) project and re-purposes \$3,260,241 of TriMet's FTA 5339(a) Formula funding for replacing buses, to build a permanent off-street bus layover facility; and

WHEREAS, the formal amendment amends the NW 112th Avenue and Portland and Western Railroad (PNWR) rail crossing upgrades project to cancel the \$80,000 utility relocation phase and program those funds to the construction phase, and to program additional funding in the preliminary engineering and the construction phase; and

WHEREAS, the formal amendment programs the Boise-Eliot Planning Study project with \$1,000,000 of federally awarded 2024 Reconnecting Communities Pilot (RCP) grant funds and \$250,000 of City of Portland local funds; and

WHEREAS, the formal amendment programs the preliminary engineering phase of the Stark Street Bridge Replacement Project with \$3,500,000 of Multnomah County local funds; and

WHEREAS, in July 2024, the Metro Council approved Resolution 24-5414 directing the investment of \$13.6 million of Federal Redistribution funds to advance the region's priority goals as defined in the RTP and ensure the region continues to meet obligation targets; and

WHEREAS, \$600,000 of the Federal Redistribution funds were allocated to provide improvements to MTIP data management systems and for funding Regional Flexible Fund Allocation (RFFA) application assistance and evaluation; and

WHEREAS, the formal amendment programs \$233,004 of Federal Redistribution funds to the Other phase of the Project Funding Management Tools project; and

WHEREAS, the programming updates to the five projects are stated in Exhibit A to this resolution; and

WHEREAS, on December 5, 2025, Metro's Transportation Policy and Alternatives Committee recommended that JPACT approve this resolution; and

WHEREAS, on December 24, 2025, Metro completed a 30-day public comment period that did not receive any comments, as stated in Exhibit B to this resolution; and

WHEREAS, on January 15, 2026, JPACT approved and recommended the Metro Council adopt this resolution; now therefore

BE IT RESOLVED that the Metro Council adopts this resolution to add or amend the five projects as stated within Exhibit A to the 2024-27 Metropolitan Transportation Improvement Program to meet federal project delivery requirements.

ADOPTED by the Metro Council this 29th day of January 2026.

Lynn Peterson, Council President

Approved as to Form:

Carrie MacLaren, Metro Attorney

Exhibit A to Resolution 26-5549
2024-2027 Metropolitan Transportation Improvement Program (MTIP)
December 2025 (FFY 2026) Formal Amendment, DC26-03-DEC



Proposed Amendment 71205 - Bus Layover and Operator Facility Upgrades and Acquisition - TriMet

ODOT Key 22176	RTP ID 12081	RFFA ID -	Lead Agency TriMet
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Project Type Transit	System Investment Type Capital Project	Total Cost \$11,968,814
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Project Description

Funding to build a permanent off-street, bus layover facility, which will add up to nine 60-foot layover spaces for TriMet buses, improve operator safety, support mixed-use urban redevelopment and satisfy a 2016 City of Portland commitment related to the Powell-Division Transit & Development Project and related Locally Preferred Alternative. Funds will also be used to provide additional/improved break facilities for TriMet bus operators.

PHASE	FUND SOURCE	PRIOR	FY2024	FY2025	FY2026	FY2027	FUTURE	TOTAL
Preliminary Engineering	5339(a) Bus and Bus Facilities Formula Grant Program	-	-	-	\$1,543,183	-	-	\$1,543,183
Preliminary Engineering	TriMet Local	-	-	-	\$385,796	-	-	\$385,796
Total Preliminary Engineering		-	-	-	\$1,928,979	-	-	\$1,928,979
Right of Way	TriMet Local	-	-	-	\$7,000,000	-	-	\$7,000,000
Total Right of Way		-	-	-	\$7,000,000	-	-	\$7,000,000
Construction	5339(a) Bus and Bus Facilities Formula Grant Program	-	-	-	-	\$1,117,148	-	\$1,117,148
Construction	TriMet Local	-	-	-	-	\$279,287	-	\$279,287
Total Construction		-	-	-	-	\$1,396,435	-	\$1,396,435
Other	5339(a) Bus and Bus Facilities Formula Grant Program	-	-	-	\$599,910	-	-	\$599,910
Other	TriMet Local	-	-	-	\$1,043,490	-	-	\$1,043,490
Total Other		-	-	-	\$1,643,400	-	-	\$1,643,400
Total Programmed		-	-	-	\$10,572,379	\$1,396,435	-	\$11,968,814

Previously Approved Amendment 71205 - Bus Layover and Operator Facility Upgrades and Acquisition - TriMet

ODOT Key 22176	RTP ID 12081	RFFA ID -	Lead Agency TriMet
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Project Type Transit	System Investment Type -	Total Cost \$4,075,301
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Project Description

Funding to support the purchase of up to 58 full sized 40 foot electric replacement buses planned for federal fiscal year 2026 to be used on existing fixed routes across TriMet's 3 county service region.

PHASE	FUND SOURCE	PRIOR	FY2024	FY2025	FY2026	FY2027	FUTURE	TOTAL
Other	5339(a) Bus and Bus Facilities Formula Grant Program	-	-	-	\$3,260,241	-	-	\$3,260,241
Other	Local Match	-	-	-	\$815,060	-	-	\$815,060
Total Other		-	-	-	\$4,075,301	-	-	\$4,075,301
Total Programmed		-	-	-	\$4,075,301	-	-	\$4,075,301

Exhibit A to Resolution 26-5549
2024-2027 Metropolitan Transportation Improvement Program (MTIP)
December 2025 (FFY 2026) Formal Amendment, DC26-03-DEC



CURRENT CHANGE REASON	Schedule / Funding / Scope- Update Scope Change - Major - Cost and Funding Increase - Major
PROJECT CHANGES	<p>Title changed from "TriMet Bus Purchase (2024)" to "Bus Layover and Operator Facility Upgrades and Acquisition - TriMet"</p> <p>Description changed from "Funding to support the purchase of up to 58 full sized 40 foot electric replacement buses planned for federal fiscal year 2026 to be used on existing fixed routes across TriMet's 3 county service region." to "Funding to build a permanent off-street, bus layover facility, which will add up to nine 60-foot layover spaces for TriMet buses, improve operator safety, support mixed-use urban redevelopment and satisfy a 2016 City of Portland commitment related to the Powell-Division Transit & Development Project and related Locally Preferred Alternative. Funds will also be used to provide additional/improved break facilities for TriMet bus operators."</p> <p>Plan Revision Name changed from "AM25-29-AUG5" to "DC26-03-DEC"</p> <p>Long Description changed from "Funding to support the purchase of up to 58 full sized 40 foot electric replacement buses planned for FFY2026 to be used on existing fixed routes across TriMet's 3 county service region." to "None"</p>
FUNDING CHANGES	<p>5339(a) Bus and Bus Facilities Formula Grant Program</p> <p>+ Increase funds in FY 2026 in PE from \$0 to \$1,543,183</p> <p>- Decrease funds in FY 2026 in OT from \$3,260,241 to \$0</p> <p>+ Increase funds in FY 2026 in OT from \$0 to \$599,910</p> <p>+ Increase funds in FY 2027 in CN from \$0 to \$1,117,148</p> <p>Local Match</p> <p>- Decrease funds in FY 2026 in OT from \$815,060 to \$0</p> <p>TriMet Local</p> <p>+ Increase funds in FY 2026 in PE from \$0 to \$385,796</p> <p>+ Increase funds in FY 2026 in OT from \$0 to \$149,977</p> <p>+ Increase funds in FY 2026 in OT from \$0 to \$893,513</p> <p>+ Increase funds in FY 2026 in RW from \$0 to \$7,000,000</p> <p>+ Increase funds in FY 2027 in CN from \$0 to \$279,287</p>
FEDERAL PROJECT COST	Stays the same \$3,260,241
TOTAL PROJECT COST	Increased from \$4,075,301 to \$11,968,814 (193.69%)

Proposed Amendment 71261 - NW 112th Avenue and PNWR rail crossing upgrades

ODOT Key 22440	RTP ID 12095	RFFA ID -	Lead Agency Oregon DOT
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Project Type Highway	System Investment Type System Management & ITS	Total Cost \$4,349,000
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Project Description

Add active warning devices to the railroad-highway crossing at NW 112th Ave and Portland & Western Railroad thereby decreasing the probability of future rail crossing incidents at the crossing which is situated in an industrial tank farm area mixed with residences, truck traffic, and trains carrying hazardous liquids and gases.

PHASE	FUND SOURCE	PRIOR	FY2024	FY2025	FY2026	FY2027	FUTURE	TOTAL
Preliminary Engineering	Rail HWY Cross Hazard	\$579,600	-	-	-	-	-	\$579,600
Preliminary Engineering	State Match	\$64,400	-	-	-	-	-	\$64,400
Total Preliminary Engineering		\$644,000	-	-	-	-	-	\$644,000
Construction	Rail HWY Cross Hazard	-	-	-	\$3,334,500	-	-	\$3,334,500
Construction	State Match	-	-	-	\$370,500	-	-	\$370,500
Total Construction		-	-	-	\$3,705,000	-	-	\$3,705,000
Total Prior Costs		\$644,000	-	-	-	-	-	\$644,000
Total Programmed		\$644,000	-	-	\$3,705,000	-	-	\$4,349,000

Exhibit A to Resolution 26-5549
2024-2027 Metropolitan Transportation Improvement Program (MTIP)
December 2025 (FFY 2026) Formal Amendment, DC26-03-DEC



Previously Approved Amendment 71261 - NW 112th Avenue and PNWR rail crossing upgrades

ODOT Key 22440	RTP ID 12095	RFFA ID -	Lead Agency Oregon DOT
Project Type Highway	System Investment Type -	Total Cost \$1,620,000	

Project Description

Add active warning devices to the railroad-highway crossing at NW 112th Ave and Portland & Western Railroad thereby decreasing the probability of future rail crossing incidents at the crossing which is situated in an industrial tank farm area mixed with residences, truck traffic, and trains carrying hazardous liquids and gases.

PHASE	FUND SOURCE	PRIOR	FY2024	FY2025	FY2026	FY2027	FUTURE	TOTAL
Preliminary Engineering	Local Match	\$30,000	-	-	-	-	-	\$30,000
Preliminary Engineering	Rail HWY Cross Hazard	\$270,000	-	-	-	-	-	\$270,000
Total Preliminary Engineering		\$300,000	-	-	-	-	-	\$300,000
Construction	Local Match	-	-	-	\$124,000	-	-	\$124,000
Construction	Rail HWY Cross Hazard	-	-	-	\$1,116,000	-	-	\$1,116,000
Total Construction		-	-	-	\$1,240,000	-	-	\$1,240,000
Utilities	Local Match	-	-	-	\$8,000	-	-	\$8,000
Utilities	Rail HWY Cross Hazard	-	-	-	\$72,000	-	-	\$72,000
Total Utilities		-	-	-	\$80,000	-	-	\$80,000
Total Prior Costs		\$300,000	-	-	-	-	-	\$300,000
Total Programmed		\$300,000	-	-	\$1,320,000	-	-	\$1,620,000

Exhibit A to Resolution 26-5549
2024-2027 Metropolitan Transportation Improvement Program (MTIP)
December 2025 (FFY 2026) Formal Amendment, DC26-03-DEC



CURRENT CHANGE REASON	Schedule / Funding / Scope- Update Cancel Phase (FA) - Cost and Funding Increase - Major
PROJECT CHANGES	Plan Revision Name changed from "AM25-25-AUG1" to "DC26-03-DEC"
FUNDING CHANGES	<p>Rail HWY Cross Hazard</p> <ul style="list-style-type: none"> - Decrease funds in FY 2022 in PE from \$270,000 to \$67,500 + Increase funds in FY 2022 in PE from \$0 to \$207,634 - Decrease funds in FY 2022 in CN from \$1,116,000 to \$0 + Increase funds in FY 2022 in PE from \$0 to \$304,466 - Decrease funds in FY 2022 in UR from \$72,000 to \$0 + Increase funds in FY 2026 in CN from \$0 to \$3,334,500 <p>Local Match</p> <ul style="list-style-type: none"> - Decrease funds in FY 2022 in PE from \$30,000 to \$0 - Decrease funds in FY 2026 in CN from \$124,000 to \$0 - Decrease funds in FY 2026 in UR from \$8,000 to \$0 <p>State Match</p> <ul style="list-style-type: none"> + Increase funds in FY 2022 in PE from \$0 to \$7,500 + Increase funds in FY 2022 in PE from \$0 to \$23,070 + Increase funds in FY 2022 in PE from \$0 to \$33,830 + Increase funds in FY 2026 in CN from \$0 to \$370,500
FEDERAL PROJECT COST	Increased from \$1,458,000 to \$3,914,100 (168.46%)
TOTAL PROJECT COST	Increased from \$1,620,000 to \$4,349,000 (168.46%)



Proposed Amendment 71632 - Boise-Eliot Planning Study

ODOT Key 24425	RTP ID -	RFFA ID -	Lead Agency Portland
Project Type Planning	System Investment Type Planning	Total Cost \$1,250,000	

Project Description

Planning study to evaluate the reconfiguration of the I-405 North Kerby Avenue ramps and develop a long-term strategy for adjacent maintenance facilities in the Portland Bureau of Transportation's Albina Yard properties in order to improve neighborhood connectivity and guide future development investments.

PHASE	FUND SOURCE	PRIOR	FY2024	FY2025	FY2026	FY2027	FUTURE	TOTAL
Planning	CITY	-	-	-	-	\$250,000	-	\$250,000
Planning	RCP	-	-	-	-	\$1,000,000	-	\$1,000,000
Total Planning		-	-	-	-	\$1,250,000	-	\$1,250,000
Total Programmed		-	-	-	-	\$1,250,000	-	\$1,250,000

CURRENT CHANGE REASON	New Project
FEDERAL PROJECT COST	\$1,000,000
TOTAL PROJECT COST	\$1,250,000



Proposed Amendment 71633 - Stark Street Bridge Replacement Project

ODOT Key 24416	RTP ID -	RFFA ID -	Lead Agency Multnomah County
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Project Type Roadway	System Investment Type Capital Project	Total Cost \$3,500,000
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Project Description

Design for future construction to replace bridge to meet current design standards, provide improved bike and pedestrian facilities, and is seismically resilient.

PHASE	FUND SOURCE	PRIOR	FY2024	FY2025	FY2026	FY2027	FUTURE	TOTAL
Preliminary Engineering	Other	-	-	-	\$3,500,000	-	-	\$3,500,000
Total Preliminary Engineering		-	-	-	\$3,500,000	-	-	\$3,500,000
Total Programmed		-	-	-	\$3,500,000	-	-	\$3,500,000

CURRENT CHANGE REASON	New Project
FEDERAL PROJECT COST	\$0
TOTAL PROJECT COST	\$3,500,000

Proposed Amendment 71634 - Project Funding Management Tools

ODOT Key TBD	RTP ID -	RFFA ID -	Lead Agency Metro
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Project Type Other	System Investment Type Other	Total Cost \$259,672
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Project Description

Metro Federal Redistribution funds to provide improvements to MTIP data management systems to track project development and progress toward obligation and implementation, and for funding Regional Flexible Fund Allocation (RFFA) application assistance and evaluation.

PHASE	FUND SOURCE	PRIOR	FY2024	FY2025	FY2026	FY2027	FUTURE	TOTAL
Other	Metro Local	-	-	-	-	\$26,668	-	\$26,668
Other	STBG - Urban	-	-	-	-	\$233,004	-	\$233,004
Total Other		-	-	-	-	\$259,672	-	\$259,672
Total Programmed		-	-	-	-	\$259,672	-	\$259,672

CURRENT CHANGE REASON	New Project
FEDERAL PROJECT COST	\$233,004
TOTAL PROJECT COST	\$259,672

Memo



Metro

600 NE Grand Ave.
Portland, OR 97232-2736

Date: January 5, 2026
To: JPACT, Metro Council, and Interested Parties
From: Gabriela Lopez, Senior Transportation Planner
Subject: **Public Comment Period Summary
December 2025 (FFY 2026) MTIP Formal Amendment (DC26-03-DEC)**

The December 2025 (FFY 2026) Metropolitan Transportation Improvement Program (MTIP) Formal Amendment contains the following programming changes:

- Amends the TriMet Bus Purchase (2024) project
- Amends the NW 112th Avenue and PNWR rail crossing upgrades project
- Adds the Boise-Eliot Planning Study project
- Adds the Stark Street Bridge Replacement project
- Adds the Project Funding Management Tools project

Public Comment Period Notice and Invitation to Participate

Between November 25, 2025 and December 24, 2025, residents of the Portland metropolitan area were invited to provide comment on the proposed MTIP formal amendment. The notice and invitation to participate was distributed via the Metro News notification service and posted on the Metro website:

<https://www.oregonmetro.gov/opportunities/public-notice-opportunity-comment-pending-amendment-metropolitan-transportation>

Comments were accepted via email to summer.blackhorse@oregonmetro.gov.

During this comment period, Metro did not receive any comments.

IN CONSIDERATION OF RESOLUTION NO. 26-5549, FOR THE PURPOSE OF ADDING OR AMENDING FIVE PROJECTS TO THE 2024-27 MTIP TO MEET FEDERAL PROJECT DELIVERY REQUIREMENTS

Date: January 5, 2026
Department: Planning, Development and Research
Meeting Date: January 29, 2025

Prepared by: Gabriela Lopez, Planning, Development and Research
Presenter: N/A
Length: N/A (Consent Agenda)

ISSUE STATEMENT

The December 2025 (FFY 2026) Metropolitan Transportation Improvement Program (MTIP) Formal Amendment proposes the following programming changes:

- Amends the TriMet Bus Purchase (2024) project
- Amends the NW 112th Avenue and PNWR rail crossing upgrades project
- Adds the Stark Street Bridge Replacement project
- Adds the Boise-Eliot Planning Study project
- Adds the Project Funding Management Tools project

Resolution No. 26-5549 authorizes the proposed MTIP Formal Amendment.

ACTION REQUESTED

Adopt Resolution 26-5549 to add or amend five projects, as stated within Exhibit A, to the 2024-27 MTIP to meet federal project delivery requirements.

IDENTIFIED POLICY OUTCOMES

Advancement of the 2023 Regional Transportation Plan (RTP) investment priorities of equitable transportation, climate action and resilience, safe system, mobility options, and thriving economy.

POLICY QUESTION(S)

- Should the Metro Council approve the resolution to move forward with proposed MTIP project amendments as recommended by JPACT?

POLICY OPTIONS FOR COUNCIL TO CONSIDER

The Joint Policy Advisory Committee on Transportation (JPACT) is scheduled to consider recommending approval of Resolution 26-5549 to the Metro Council on January 15, 2026.

Should JPACT recommend approval, the Metro Council will consider adopting Resolution 26-5549 at its meeting on January 29, 2026.

- If the Metro Council adopts the resolution, the required programming actions will be completed for the five projects in the December 2025 (FFY 2026) Formal Amendment.
- If the Metro Council does not adopt the resolution, the required programming actions will not be completed, the projects will not move forward with next steps, and the amendment will return to JPACT for further consideration.

STAFF RECOMMENDATIONS

Metro staff recommend approval of Resolution 26-5549.

STRATEGIC CONTEXT & FRAMING COUNCIL DISCUSSION

1. **Metro's Strategic Framework or Core Mission:** The 2024-2027 MTIP follows transportation policy established in the development of the 2023 RTP. Projects programmed in the MTIP must be consistent with the RTP to ensure federal requirements are met.

2. **Metro's racial equity and climate action goals:**

While the package of investments in the adopted 2024-27 MTIP make very slight progress towards the 2023 RTP goals, which include Equitable Transportation and Climate Action, the individual projects and programs within the MTIP are likely to make better progress to the local communities in which they are located. One project to highlight in this proposed amendment is the Boise Eliot Planning Study. This planning project seeks to address the legacy of the I-405 North Kerby Avenue ramps, which divide the neighborhoods of Boise and Eliot in North and Northeast Portland. This project will convene community to co-create a vision for restorative and equitable neighborhood development.

3. **Known Opposition/Support/Community Feedback:** The agencies leading the projects included in this amendment support the proposed programming changes.

Metro conducted a 30-day public comment period, which concluded on December 24, 2025. During this comment period, Metro did not receive any comments. Detailed information can be found in the Public Comment Period summary report, attached as Exhibit B.

4. **Legal Antecedents:**

- a. Amends the 2024-27 Metropolitan Transportation Improvement Program adopted by Metro Council Resolution 23-5335 on July 20, 2023 (FOR THE PURPOSE OF ADOPTING THE 2024-2027 METROPOLITAN

TRANSPORTATION IMPROVEMENT PROGRAM FOR THE PORTLAND METROPOLITAN AREA)

- b. Oregon Governor approval of the 2024-27 MTIP on September 13, 2023.
 - c. 2024-2027 Statewide Transportation Improvement Program (STIP) Approval and 2024 Federal Planning Finding on September 25, 2023.
5. **Anticipated Effects:** Enables the projects to be added or amended in the MTIP and STIP. Fund obligation and expenditure actions can then occur to meet federal delivery requirements.
 6. **Financial Implications:** If amendment is approved, the funding programmed in the Project Funding Management Tools project will be added to the Metro's budget starting in FFY 2027.

BACKGROUND

The 2024-2027 MTIP is a program implementation tool. It includes an investment profile and performance analysis of the progress expected toward the 2023 RTP's regionally significant transportation investments. The MTIP must accurately maintain project information throughout the life of a project, from initial award/allocation to funding obligation and through all phases of project delivery. If a change emerges to a project's scope, schedule or budget, the MTIP may need to be amended to reflect the change. As new federally funded and regionally significant projects emerge and are funded, the MTIP is amended to include the projects.

Category: Amending Existing MTIP/STIP Programmed Projects:

Project Number: 1	Key Number: 22176	Status: Existing Project
Project Name:	TriMet Bus Purchase (2024)	
Lead Agency:	TriMet	
Description:	Funding to build a permanent off-street, bus layover facility, which will add up to nine 60-foot layover spaces for TriMet buses, improve operator safety, support mixed-use urban redevelopment, and satisfy a 2016 City of Portland commitment related to the Powell-Division Transit & Development Project and related Locally Preferred Alternative. Funds will also be used to provide additional/improved break facilities for TriMet bus operators.	
Funding Summary:	The project is currently programmed with a total of \$4,075,301 FTA 5339 (a) funds. Total programming increases to \$11,968,814 of FTA 5339 (a) and TriMet local funds.	
Added Notes:	The formal amendment repurposes TriMet's FTA 5339(a) Formula funding for replacing buses, to purchase a permanent off-street bus layover facility. <ul style="list-style-type: none"> • Project name is amended to: Bus Layover and Operator Facility Upgrades and Acquisition – TriMet 	

	<ul style="list-style-type: none"> • Project description is amended to: Funding to build a permanent off-street, bus layover facility, which will add up to nine 60-foot layover spaces for TriMet buses, improve operator safety, support mixed-use urban redevelopment and satisfy a 2016 City of Portland commitment related to the Powell-Division Transit & Development Project and related Locally Preferred Alternative. Funds will also be used to provide additional/improved break facilities for TriMet bus operators. • Project programming is amended to: <ul style="list-style-type: none"> ○ Add Preliminary Engineering (PE) phase with \$1,543,183 of FTA 5339(a) federal funds with required match of 20% in FFY 2026 ○ Add Right of Way (RW) phase with \$7,000,000 TriMet Local funds in FFY 2026 ○ Add Construction phase with \$1,117,148 of FTA 5339(a) federal funds with required match of 20% in FFY 2027 ○ Add Other phase with \$599,910 of FTA 5339(a) federal funds with required match of 20%, and \$893,513 TriMet local funds in FFY 2026
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Project Number: 2	Key Number: 22440	Status: Existing Project
Project Name:	NW 112th Avenue and PNWR rail crossing upgrades	
Lead Agency:	Oregon DOT	
Description:	Add active warning devices to the railroad-highway crossing at NW 112th Ave and Portland & Western Railroad thereby decreasing the probability of future rail crossing incidents at the crossing which is situated in an industrial tank farm area mixed with residences, truck traffic, and trains carrying hazardous liquids and gases.	
Funding Summary:	The project is currently programmed with \$1,458,000 of Railway-Highway Crossing Hazard Elimination federal funds with \$162,000 local match. Total programming increases to \$4,349,000.	
Added Notes:	The formal amendment cancels Utility Relocation (UR) phase as no reimbursable utilities were identified. Programmed UR phase funds will be moved to Construction phase. Additionally, construction phase will be increased with \$2,385,000 of Railway-Highway Crossing Hazard Elimination funds. A technical correction was completed to ensure the PE phase in FFY 2022 is consistent with a post obligation funding increase of \$309,600 in Railway-Highway Crossing Hazard Elimination federal funds.	

Adding New MTIP/STIP Projects:

Project Number: 3	Key Number: 24425	Status: New Project
Project Name:	Boise-Eliot Planning Study	
Lead Agency:	Portland	
Description:	Planning study to evaluate the reconfiguration of the I-405 North Kerby Avenue ramps and develop a long-term strategy for adjacent maintenance facilities in the Portland Bureau of Transportation's Albina Yard properties in order to improve neighborhood connectivity and guide future development investments.	
Funding Summary:	Project funding is from the federal Reconnecting Community Pilot (RCP) FFY 2024 grant program. The federal award is \$1,000,000 with a local match of \$250,000, and is anticipated to be obligated in FFY 2027.	

Project Number: 4	Key Number: 24416	Status: New Project
Project Name:	Stark Street Bridge Replacement Project	
Lead Agency:	Multnomah County	
Description:	Design for future construction to replace bridge to meet current design standards, provide improved bike and pedestrian facilities, and is seismically resilient.	
Funding Summary:	The new project will be programmed with \$3,500,000 of Multnomah County local funds in FFY 2026.	
Added Notes:	This formal amendment adds the regionally significant and locally funded project. PE phase will be completed with the use of local funds with potential to seek federal funding for completion of the project.	

Project Number: 5	Key Number: TBD	Status: New Project
Project Name:	Project Funding Management Tools	
Lead Agency:	Metro	
Description:	Metro Federal Redistribution funds to provide improvements to MTIP data management systems to track project development and progress toward obligation and implementation, and for funding Regional Flexible Fund Allocation (RFFA) application assistance and evaluation.	
Funding Summary:	The new project will be programmed with \$233,004 of STBG-Urban funds with a local match of \$26,668 in FFY 2027.	
Added Notes:	The funding for this project was approved in Metro Council Resolution 24-5414. This resolution directed the investment of \$600,000 of federal redistribution funds to provide improvements to MTIP data management systems and for funding RFFA application assistance and evaluation. Of these funds \$358,920 have been programmed in Key 22312 Portland Metro Planning SFY25 and \$8,076 in Key 22839 Portland Metro Planning SFY26, remaining balance of \$233,004 will be programmed in the new Project Funding Management Tools project.	

METRO REQUIRED PROJECT AMENDMENT REVIEWS

In accordance with 23 CFR 450.316-328, Metro is responsible for reviewing and ensuring MTIP amendments comply with all federal programming requirements. Metro staff evaluate each project and its requested changes against multiple MTIP programming review factors that originate from 23 CFR 450.316-328. The evaluation process is designed to ensure the MTIP is fiscally constrained, consistent with the approved RTP, and provides transparency in its updates, changes, and/or implementation.

PROPOSED PROCESSING AND APPROVAL ACTIONS:

<u>Action</u>	<u>Target Date</u>
• TPAC agenda mailing.....	November 25, 2025
• Initiate the required public notification/comment process.....	November 25, 2025
• TPAC supplemental materials mailing.....	December 1, 2025
• TPAC action	December 5, 2025
• Completion of public notification/comment process.....	December 24, 2025
• JPACT action	January 15, 2026
• Metro Council action.....	January 29, 2025
• Final amendment package submission to ODOT & USDOT.....	February 5, 2026.
• USDOT clarification and final amendment approval.....	Early April 2026

Notes: The above dates are anticipated and could change.



Metro

600 NE Grand Ave.
Portland, OR 97232-2736
oregonmetro.gov

Agenda #: 3.3

File #: RES 26-5552

Agenda Date: 1/29/2026

Resolution No. 25-5552 For The Purpose of Authorizing the Chief Operating Officer to Grant an Easement to Washington County at Wachline Property Natural Area

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AUTHORIZING	)	RESOLUTION NO. 26-5552
THE CHIEF OPERATING OFFICER TO)	
GRANT AN EASEMENT TO WASHINGTON	)	Introduced by Chief Operating Officer
COUNTY AT WACHLINE PROPERTY	)	Marissa Madrigal in concurrence with
NATURAL AREA	)	Council President Lynn Peterson
)	
)	

WHEREAS, Metro owns the Wachline Property Natural Area along Beaverton Creek;
and

WHEREAS, the 1.9-acre property was purchased in 2003 using 1995 Open Spaces Bond funds to protect fish and wildlife habitat; and

WHEREAS, the natural area is managed by the City of Hillsboro as part of the greater Rock Creek greenway; and

WHEREAS, Washington County requested an aerial easement for public utility lines (the “Easement”), required to support a bridge replacement project (the “Project”) within the SW 205th Avenue right of way, adjacent to the natural area; and

WHEREAS, Metro Parks and Nature Department staff evaluated the Easement request according to the criteria set forth in Metro Council Resolution No. 97-2539B, “For the Purpose of Approving General Policies Related to the Review of Easements, Right of Ways, and Leases for Non-Park Uses Through Properties Managed by the Regional Parks and Greenspaces Department”, adopted on November 6, 1997 (the “Easement Policy”), as further set forth in the staff report for this resolution; and

WHEREAS, staff have recommended that the Easement request be granted as the Project minimally impacts the natural area, removes fish passage barriers and hydraulic restrictions, improves ecological conditions and the riparian corridor, restores streambank and native vegetation, promotes wildlife connectivity within a widened riparian corridor, and improves bike and pedestrian facilities along SW 205th Avenue, and the Easement will have no adverse impacts to the natural area or management operations;

WHEREAS, the Easement Policy and Metro Code requires that the Metro Council review easement requests; now therefore,

BE IT RESOLVED that the Metro Council authorizes the Chief Operating Officer to grant an aerial public utility line easement to Washington County at the Wachline Property Natural Area as described and depicted in Exhibits A and B to this resolution, on terms approved by the Office of Metro Attorney.

ADOPTED by the Metro Council this ____ day of _____ 2026.

Lynn Peterson, Council President

Approved as to Form:

Carrie MacLaren, Metro Attorney

EXHIBIT "A"

NW 205TH AVENUE
October 22, 2025

WASH. CO. PROJECT NO. 100690
FILE NO. 11
TAX MAP & LOT NO. 1N235DD00200

PARCEL 1 – PUBLIC AERIAL TRANSMISSION LINE EASEMENT

A parcel of land lying in the Southeast One-quarter of Section 35, Township 1 North, Range 2 West, W.M., Washington County, Oregon and being a portion of that property conveyed to Metro, a municipal corporation and political subdivision of the State of Oregon in a Warranty Deed, recorded on March 18, 2003, in Document number 2003-039950 in the Washington County Book of Records; said parcel being a portion of said property included in a variable width strip of land lying Westerly of the following described centerline of NW 205th Avenue:

Beginning at a 5/8 inch iron rod with a yellow plastic cap stamped "KAMPE ASSOCIATES, INC." in a monument box at the beginning point of County Road 496, as shown on Survey Number 34,513, Washington County Survey Records and being station 0+00.00 for this description;

thence along the centerline of County Road 496, N 00°24'01" W, 1489.19 feet to station 14+89.19 P.C. and the beginning of a tangent 657.00 foot radius Curve to the right;

thence leaving said County Road 496 centerline and along said Curve to the right, through a central angle of 22°51'17" (chord bears N 11°01'38" E, 260.34 feet) 262.07 feet to station 17+51.26 P.R.C. and the beginning of a tangent 400.00 foot radius reverse Curve to the left;

thence along said reverse Curve to the left, through a central angle of 36°40'45" (chord bears N 04°06'54" E, 251.72 feet) 256.07 feet to a point of tangency at station 20+07.33 P.T. (equals 5+18.55 P.T. on said Survey Number 34,513);

thence N 14°13'29" W, 127.36 feet to the beginning of a tangent 600.00 foot radius Curve to the right at station 21+34.69 P.C.;

thence along said Curve to the right, through a central angle of 13°11'22" (chord bears N 07°37'48" W, 137.81 feet) 138.12 feet to a point of tangency at station 22+72.81 P.T.;

thence N 01°02'07" W 158.99 feet to a 5/8 inch iron rod with an aluminum cap stamped "OTAK, INC." in a monument box at station 24+31.80 P.C. and the beginning of a tangent 930.00 foot radius Curve to the right;

thence along said Curve to the right, through a central angle of 15°49'58" (chord bears N 06°52'52" E, 256.17 feet) 256.99 feet to, and terminating at, a point on said Curve at station 26+88.79 P.O.C. Said point bears S 87°32'09" E, 50.01 feet from a 5/8 inch iron rod with a yellow plastic cap stamped "OTAK, INC.", being at station 11+89.85 48.92 feet left on Survey Number 34,513.

BASIS OF BEARINGS:

Held N 00°24'01" W, per Survey number 34,513, between the 5/8 inch iron rod with a yellow plastic cap stamped "KAMPE ASSOCIATES" in a monument box at station 0+00.00 (26+86.76 on Survey Number 34,513) and the 2 inch brass disk in a monument box marking the Section corner common to Sections 35 and 36, T1N, R2W and Sections 1 and 2, T1S, R2W, W.M.


The width of said strip of land with reference to the above described centerline is as follows:

Station	to	Station	Width on Westerly side of Centerline
16+58.92		18+21.67	58.75 feet left in a straight line to 74.34 feet left

Excepting therefrom that portion of said property lying within the existing rights-of-way of NW 205th Avenue.

The parcel of land to which this description applies contains 1471 square feet, more or less.

Prepared by
Washington County Surveyor's Office
1400 SW Walnut Street, MS 17
Hillsboro, Oregon 97123


John Kidd, PLS
Survey Supervisor

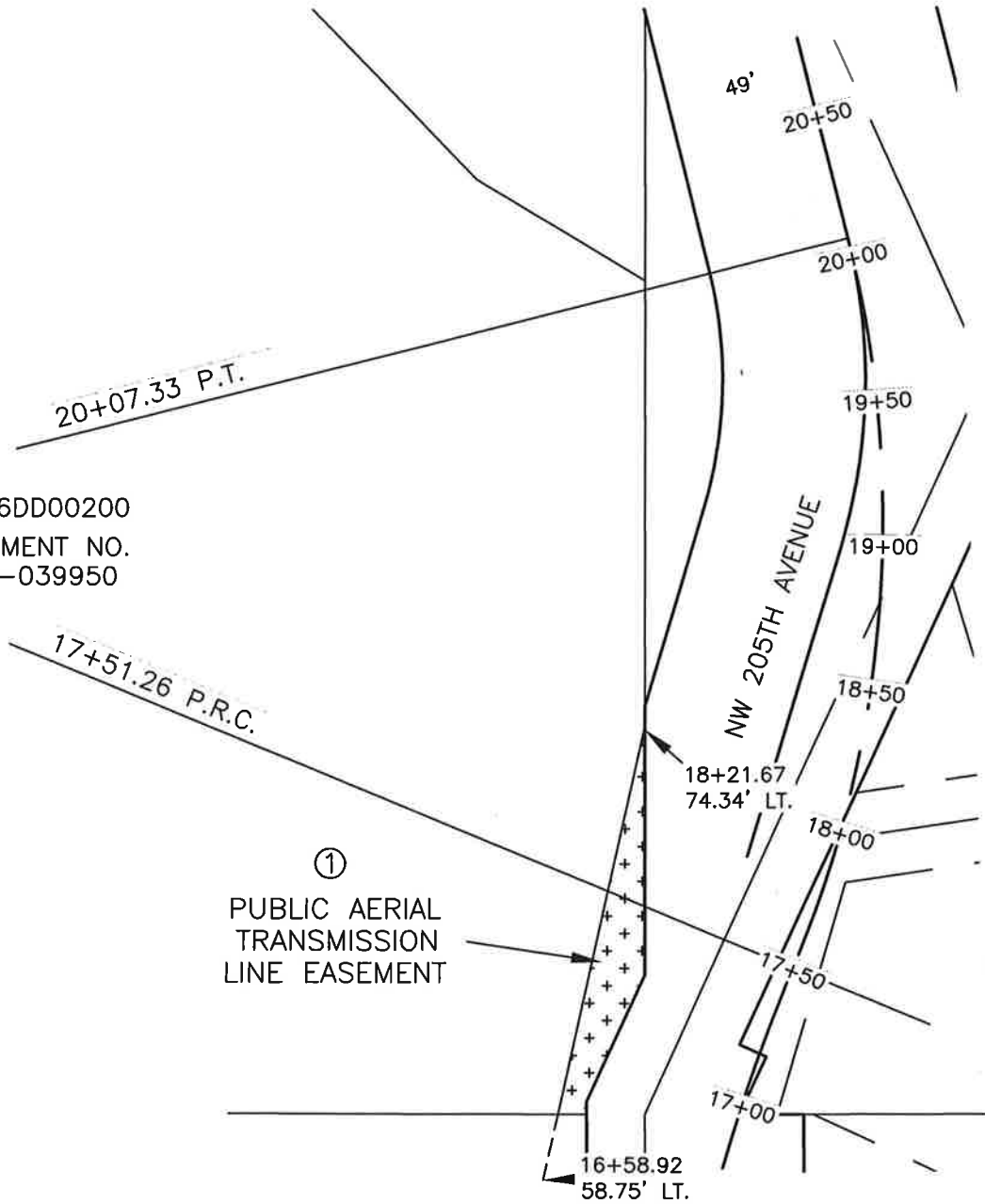
10/22/25
Date




EXHIBIT "B"



1N236DD00200
DOCUMENT NO.
2003-039950



①  PUBLIC AERIAL TRANSMISSION
LINE EASEMENT
(1471 SQ. FT., MORE OR LESS)

NW 205TH AVENUE
OCTOBER 22, 2025



WASH. CO. PROJECT NO. 100690
FILE NO. 11
TAX MAP & LOT NO. 1N236DD00200

IN CONSIDERATION OF RESOLUTION NO. 26-5552, FOR THE PURPOSE OF
AUTHORIZING THE CHIEF OPERATING OFFICER TO GRANT AN EASEMENT TO
WASHINGTON COUNTY AT WACHLINE PROPERTY NATURAL AREA

Date: January 16, 2026
Department: Parks and Nature
Meeting Date: January 29, 2026

Prepared by: Shannon Leary,
Shannon.leary@oregonmetro.gov
Presenter(s), (if applicable): n/a

ISSUE STATEMENT

Does the Metro Council wish to authorize the Chief Operating Officer to grant Washington County a permanent aerial easement of approximately 1,471 square feet at Wachline Property Natural Area, subject to terms and conditions as approved by the Office of Metro Attorney?

ACTION REQUESTED

Staff have reviewed the County's request in accordance with the Metro Council approved Reso. 97-2539B (the "Easement Policy") and recommend the Metro Council direct the Chief Operating Officer to grant Washington County an aerial easement as depicted in the Exhibit to this Resolution.

IDENTIFIED POLICY OUTCOMES

Authorizing the Chief Operating Officer to grant the Easements is consistent with Metro Council past policy direction. Staff reviewed and applied Metro Council policy direction in the Easement Policy to this request and have concluded that the project provides ecological benefits, including enhancing fish passage and riparian corridors. The project also provides access to nature benefits to the Metro natural area and therefore is excepted from Easement Policy analysis per consideration #9 in the Easement Policy (exceptions). A recommendation that the Council authorize this request is appropriate.

POLICY OPTIONS FOR COUNCIL TO CONSIDER

1. Metro Council authorize the COO to grant the Easement to the County. This would result in the Metro Council continuing to follow its guidance in the Easement Policy, and the County moving forward with the roadway improvement project, which includes wide-ranging benefits to the Metro natural area. The project will remove fish passage barriers and hydraulic restrictions, improve ecological conditions and the riparian corridor, restore streambank and native vegetation, promote wildlife connectivity within a widened riparian corridor, and improve bike and pedestrian facilities along SW 205th Avenue.

2. The Metro Council not authorize the COO to grant the easement to the County. This would limit the ability of the county to complete the bridge reconstruction project impacting safety and usability, and deviate from Council guidance to staff in the Easement Policy.

STAFF RECOMMENDATIONS

Staff recommends that the Chief Operating Officer be authorized to grant the easement. Granting the easement is consistent with Metro Council past policy direction. Staff reviewed and applied Metro Council policy direction in the Easement Policy to this request and have concluded that the project provides ecological and access to nature benefits to the Metro natural area. A recommendation that the Council authorize this request is appropriate.

STRATEGIC CONTEXT & FRAMING COUNCIL DISCUSSION

Washington County proposes to replace the existing bridge along SW 205th Avenue across Beaverton Creek, entirely within the right of way. The existing bridge is beyond its expected service life, is under capacity, and lacks dedicated pedestrian and bicycle facilities. Currently the bridge is weight restricted and requires frequent maintenance to ensure the safety of the traveling public. The proposed bridge will accommodate 4 vehicle lanes as well as enhanced pedestrian and cycling facilities designed to meet Washington County's Transportation System Plan. The existing bridge will be removed along with the roadway embankment currently supporting the bridge.

Metro's Wachline Property Natural Area is approximately 1.9 acres and lies west of SW 205th, along Beaverton Creek. The property was purchased in 2003 using 1995 Open Spaces Bond funds to protect fish and wildlife habitat and improve water quality. The property has been managed by the city of Hillsboro as part of the greater Rock Creek Greenway since purchase. Aerial utilities are currently located in the right of way adjacent to Metro property. While the new bridge will be located entirely in existing right of way, bridge design and reconstruction requires aerial utilities to be relocated. The County requests a 1,471-sf aerial easement along the boundary line of Metro's Wachline Property Natural Area, adjacent to the right of way, to accommodate this relocation. The easement will not require any permanent ground access and will not alter the existing surface conditions of the easement area. The aerial easement will have no adverse impacts to the natural area or management operations.

Legal Antecedents

- Metro Council Resolution No. 92-1637, For the Purpose of Considering Adoption of the Metropolitan Greenspaces Master Plan (July 23, 1992)
- Metro Council Resolution No. 94-2011A, For the Purpose of Submitting to the Voters a General Obligation Bond Indebtedness in the Amount of \$138.8 Million to Proceed with the Acquisition of Land for Regional System of Greenspaces (July 28, 1994)

- Metro Council Resolution No. 96-2301, For the Purpose of Approving a Refinement Plan for the Rock Creek Greenway as Outlined in the Open Space Implementation Work Plan (March 14, 1996)
- Metro Council Resolution No. 97-2539B, For the Purpose of Approving General Policies Related to the Review of Easements, Rights of Ways, and Leases for Non-Park Uses Through Properties Managed by the Regional Parks and Greenspaces Department (November 6, 1997)
- Metro Code Section 2.04.050 which requires Metro Council authorization for the Chief Operating Officer to transfer interests in real property

Anticipated Effects

The County will move forward with constructing the roadway improvement project, spanning 2026-2027.

Financial Implications (current year and ongoing)

There is no expense to Metro to grant the easement.

Known Opposition

None.

BACKGROUND

The Metro Code requires Metro Council approval of new easements over Metro property. As an owner of approximately 19,000 acres of land across the greater Portland region, Metro's Parks and Nature Department receives frequent requests for easements over Metro property for both park and non-park uses. In 1997, to ensure that the habitat and natural area purposes for which voters funded Metro's property acquisition are not eroded over time by non-park uses, the Metro Council approved Resolution 97-2539B.

The Easement Policy directs staff to make recommendations to the Metro Council on whether an easement request should be granted, and the policy provides the framework for staff to make its recommendations. Projects designed for the benefit of a Metro park or natural area (a "park use") are recommended for approval. If an easement request is for a non-park use, however, Metro staff must examine it further. Staff must first determine if there is any feasible alternative to the use of Metro's property, without taking into account the cost of any alternative. If a feasible alternative exists, the Easement Policy directs staff to recommend the request be denied. If there is no feasible alternative, then Metro staff analyzes whether any negative impacts from the non-park use on the Metro property can be mitigated. If mitigation is possible, the Easement Policy directs staff to recommend Metro Council approval of the easement.

ATTACHMENTS

n/a



Metro

600 NE Grand Ave.
Portland, OR 97232-2736
oregonmetro.gov

Agenda #: 3.4

File #: 26-6444

Agenda Date: 1/29/2026

Consideration of the Council Meeting Minutes for January 8, 2026

Metro

*600 NE Grand Ave.
Portland, OR 97232-2736
oregonmetro.gov*



Metro

Minutes

Thursday, January 8, 2026

10:30 AM

**Metro Regional Center, Council chamber;
<https://zoom.us/j/615079992> (Webinar ID: 615079992) or
253-205-0468 (toll free), [https://www.youtube.com/watch?
v=ufl2AfYDmTg](https://www.youtube.com/watch?v=ufl2AfYDmTg)**

Council meeting

1. Call to Order and Roll Call

President Peterson called the meeting to order at 10:33 am.

Present: 6 - Council President Lynn Peterson, Councilor Duncan Hwang, Councilor Gerritt Rosenthal, Councilor Juan Carlos Gonzalez, Councilor Christine Lewis, and Councilor Ashton Simpson

Excused: 1 - Councilor Mary Nolan

2. Public Communication

None.

3. Consent Agenda**3.1 Resolution No. 26-5560 For the Purpose of Organizing the Metro Council and Confirming Committee Members**

Attachments: [Resolution No. 26-5560](#)
[Exhibit A](#)

A motion was made by Councilor Lewis, seconded by Councilor Gonzalez, to adopt items on the consent agenda. The motion carried unanimously.

4. Resolutions

Present: 7 - Council President Lynn Peterson, Councilor Duncan Hwang, Councilor Mary Nolan, Councilor Gerritt Rosenthal, Councilor Juan Carlos Gonzalez, Councilor Christine Lewis, and Councilor Ashton Simpson

4.1 Resolution No. 25-5540 For the Purpose of Accelerating Housing Production Across the Region

Presenter(s): Malu Wilkinson (she/her), Deputy Director, Planning, Development and Research
Hau Hagedorn (she/her), Community Investment Manager
Eryn Kehe (she/her), Urban Policy and Development Manager

Attachments: [Resolution No. 25-5540](#)
[Staff Report](#)

Councilor Gonzalez, the sponsor of the resolution, described his desire to support housing affordability and availability in the region. Staff then reviewed the need for additional action on housing production and five strategies to develop such actions using construction excise tax revenues.

Councilor Nolan asked what measures for success would guide the program and whether partners were asked to prioritize actions based on anticipated impact. Staff referred to indicators in the Regional Housing Coordination Strategy explained their first step to develop actions that could utilize CET funds, followed by measuring progress of resource-constrained partners once they are better resourced. Staff offered to return as the program is further developed.

Councilor Hwang described the \$5 million allocation as funding to support a plan to develop efficiencies, more than a direct investment to grow production in the short term. He shared support for land banking and coordination with local agencies and partners.

Councilor González echoed Councilor Hwang's and Councilor Nolan's remarks, adding that it is important to be flexible with funding support across cities of vastly different sizes and capacities. He also said more clarity on the timeframe and anticipated new housing starts would be helpful.

Councilor Rosenthal identified that each action in the resolution has a different timeline, complicating the ability to forecast outcomes. He hoped that Transit Oriented

Development would be included in the list of actions, but staff noted that only site acquisition, and not the other aspects of Metro's TOD program would be an eligible use.

President Peterson acknowledged the current economic climate affecting local governments and the difficulty of accessing financing at all, as well as recent local ballot measures that could impact city-level planning.

A motion was made by Councilor Gonzalez, seconded by Councilor Rosenthal, that this item be approved. The motion passed by the following vote:

Aye: 6 - Council President Peterson, Councilor Hwang, Councilor Rosenthal, Councilor Gonzalez, Councilor Lewis, and Councilor Simpson

Nay: 1 - Councilor Nolan

4.2 **Resolution No. 26-5545 For the Purpose of Approving the Transfer of Certain Interests in Real Property**

Presenter(s): Sebrina Nelson, Waste Prevention and Environmental Services Construction Manager

Attachments: [Resolution No. 26-5545](#)
 [Exhibit A](#)
 [Exhibit B](#)
 [Staff Report](#)
 [Attachment 1 - Easement Overview Image](#)

Staff described two easements required as conditions of approval to obtain occupancy permits at Metro South as a new administration building nears completion. Waste Prevention and Environmental Services Director Marta McGuire invited Council to visit the new facilities.

Metro Attorney Carrie MacLaren clarified for Councilor

Hwang that the administrative issue comes before Council because the administrative requirement has not been delegated to the Chief Operating Officer. President Peterson added that staff are compiling a list of such actions for Council consideration in the future.

A motion was made by Councilor Gonzalez, seconded by Councilor Rosenthal, that this item be approved. The motion passed by the following vote:

Council President Peterson, Councilor Hwang, Councilor
Aye: 7 - Rosenthal, Councilor Gonzalez, Councilor Lewis, and
Councilor Simpson

**4.3 Resolution No. 26-5546 For the Purpose of Approving Fiscal Year
2025-26 Funding for Grants Funded with the Construction Excise Tax**

Presenter(s): Hau Hagedorn, Community Investment Manager
Serah Breakstone, 2040 Grants Program Manager

Attachments: [Resolution No. 26-5546](#)
[Exhibit A](#)
[Staff Report](#)
[Attachment 1 - 2040 Grant Application Summary for 25Q4](#)

Staff described the grant recommendation to the City of Gresham and provided a background of a previous, related grant. Staff shared that the first grant funded consideration of land uses established in the original planning document and that a second grant would fund refinement of those plans and updates to the zoning code necessary to support the effort.

Councilor Hwang asked about an overarching community

vision for the area and wondered if targeted universalism could be applied during this process, and staff noted that additional members had been added to their engagement committee to enhance representation and that the engagement process had been positive.

Councilor Rosenthal expressed interest in an area map detailing which portions are zoned industrial. Staff offered to provide that map.

A motion was made by Councilor Simpson, seconded by Councilor Hwang, that this item be approved. The motion passed by the following vote:

Aye: 7 - Council President Peterson, Councilor Hwang, Councilor Nolan, Councilor Rosenthal, Councilor Gonzalez, Councilor Lewis, and Councilor Simpson

4.4 Resolution No. 26-5554 For the Purpose of Adopting the 2026 State Legislative Agenda

Presenter(s): Anneliese Koehler, she/her, Legislative Affairs Manager
Kyung Park, he/him, State Affairs Advisor

Attachments: [Resolution 26-5554](#)
[Exhibit A](#)
[Exhibit B](#)
[Staff Report](#)

The state legislative team provided an overview of recent news regarding the state gas tax. President Peterson suggesting the agency should consider reform at the Oregon Department of Transportation and not just project delivery. Councilor Rosenthal asked for clarity about Metro's position on transportation funding in light of possible repeal; staff agreed to re-engage Council when more information about the proposal was made available.

Councilor Nolan urged caution in discussions about funding light of recent news of increased costs for the bridge.

Staff reviewed Council priorities for the 2026 session. Councilor Rosenthal suggested the agency use stronger language to frame its position on serial communications. He raised concern about land use and environmental issues, including data centers. Staff committed to tracking those issues.

Councilor Hwang asked Metro's position on any legislation related to changes in the federal income tax. Staff relayed that the agency position has been neutral.

A motion was made by Councilor Lewis, seconded by Councilor Rosenthal, that this item be approved. The motion passed by the following vote:

Aye: 7 - Council President Peterson, Councilor Hwang, Councilor Nolan, Councilor Rosenthal, Councilor Gonzalez, Councilor Lewis, and Councilor Simpson

5. Chief Operating Officer Communication

Chief Operating Officer Marissa Madrigal reminded Council that the FY26-27 budget process is underway.

6. Councilor Communication

None.

7. Adjourn

President Peterson adjourned the meeting at 12:03 p.m.



Anne Buzzini, Council Legislative Advisor

January 23, 2026



Metro

600 NE Grand Ave.
Portland, OR 97232-2736
oregonmetro.gov

Agenda #: 3.5

File #: 26-6445

Agenda Date: 1/29/2026

Consideration of the Council Meeting Minutes for January 15, 2026

Metro

*600 NE Grand Ave.
Portland, OR 97232-2736
oregonmetro.gov*



Metro

Minutes

Thursday, January 15, 2026

10:30 AM

**Metro Regional Center, Council chamber;
<https://zoom.us/j/615079992> (Webinar ID: 615079992) or
253-205-0468 (toll free),**

Council meeting

1. Call to Order and Roll Call

Deputy President Hwang called the meeting to order at 10:32 a.m.

Present: 6 - Councilor Duncan Hwang, Councilor Mary Nolan, Councilor Gerritt Rosenthal, Councilor Juan Carlos Gonzalez, Councilor Christine Lewis, and Councilor Ashton Simpson

Excused: 1 - Council President Lynn Peterson

2. Public Communication

Matt Zmuda, Mult No Mo, shared intention to file a petition to gather signatures and pursue a ballot measure, proposing to consolidate Multnomah County and the City of Portland.

3. Consent Agenda**3.1 Consideration of the December 16, 2025 Council Meeting Minutes**

Attachments: [December 16, 2025 Council Meeting Minutes](#)

3.2 Consideration of the December 18, 2025 Council Meeting Minutes

Attachments: [December 18, 2025 Council Meeting Minutes](#)

A motion was made by Councilor Nolan, seconded by Councilor Gonzalez, to adopt items on the consent agenda. The motion carried unanimously.

4. Presentations**Supportive Housing Services Reports: County Annual for Fiscal Year 2025 County and Quarter One Reports for Fiscal Year 2026**

Presenter(s): Yesenia Delgado (she/her), Supportive Housing Services Division Director
RJ Stangland (he/him), Finance Manager

Attachments: [Staff Report](#)
[Attachment 1](#)
[Attachment 2](#)
[Attachment 3](#)
[Attachment 4](#)
[Attachment 5](#)
[Attachment 6](#)
[Attachment 7](#)

Staff presented data regarding the supportive housing services program, including quarterly reports for the current fiscal year, as well as annual reports.

Councilor Lewis detailed issues that have affected mayors in the region about accessing information, parsing lengthy attachments, and different metrics across the three counties. Staff confirmed that future annual reports will have the ability to share more accessible and dynamic data as the program adds key performance indicators and continues to improve its reporting dashboard.

Councilor Nolan expressed concern about the per capita cost of providing services but appreciated the separation in the reporting between two populations, A and B, as defined in the original ballot measure.

Councilor Rosenthal focused questions on the spending category “safety on and off the streets” and rapid rehousing and safe rest villages. Staff delineated several types of housing in the continuum and the amenities associated with each and specified that “safety on and off the streets” only includes services, not shelter. Councilor Rosenthal also asked about the occupancy rate at units funding with Metro’s Affordable Housing Bond funds; staff noted that,

anecdotally, units serving the extremely low-income populations supported by the bond are not facing occupancy issues.

Councilor González highlighted the intersection of behavioral health and the state's responsibility for providing addiction management services. He and Councilor Rosenthal expressed support for a work session topic on the intersection. Staff notes that the oversight committee had also raised the issue.

Councilor Lewis described the flexibility in Clackamas County's homeless services system afforded by its streamlined structure. She expressed interest in better understanding the intensity of each service offered and the overall regional service level. She also raised questions about how individuals to move through the system and find success.

Councilor Nolan added to Councilor Lewis's remarks about program and placement success rates. Staff detailed the various reporting requirements before describing how clients are triaged and how their progress is measured. Staff made a point to note that triage often misses needed services which are added later.

Councilor Rosenthal shared concern for reaching youth under the age of 21. Staff explained that the data includes youth, as do various plans for spending funds.

Councilor González asked about county progress to reimburse contractors in a timely fashion. Staff referred to

oversight committee concerns and the Tri County Planning Body's employee recruitment and retention plan. Councilor González asked that Metro Council participate in joint board meetings with the counties.

Councilor Hwang highlighted that inflow for services is greater than outflow and asked the best way to communicate exceeding progress on goals at a time of increased homelessness. Staff pointed to roadblocks in specific parts of the system.

5. Chief Operating Officer Communication

Chief Operating Officer Marissa Madrigal updated Council on cities' and counties' compliance urban growth management and transportation functional plans.

6. Councilor Communication

Councilor Lewis thanked the Tri County Planning Body for their work. She asked for Council support to direct staff to develop concepts for ensuring water access on public lands. Council then discussed procedures for using staff time to support Councilor priorities.

Councilor González provided a brief summary of that morning's JPACT meeting.

7. Adjourn

Deputy President Hwang adjourned the meeting at 12:22 p.m.



Anne Buzzini, Council Legislative Advisor
January 23, 2026



Metro

600 NE Grand Ave.
Portland, OR 97232-2736
oregonmetro.gov

Agenda #: 4.1

File #: RES 26-5551

Agenda Date: 1/29/2026

Resolution No. 26-5551 For the Purpose of Authorizing an Exemption from Competitive Bidding and Procurement of Construction Manager/General Contractor Services by Competitive Bid Request for the Blue Lake Regional Park Renovation Project

Deanna Podbielan, Procurement Analyst, Finance and Regulatory Services

Olena Turula, Principal Regional Planner, Parks and Nature

Brent Shelby, Senior Capital Project Manager, Capital Asset Management

BEFORE THE METRO CONTRACT REVIEW BOARD

FOR THE PURPOSE OF AUTHORIZING AN	)	RESOLUTION NO. 26-5551
EXEMPTION FROM COMPETITIVE BIDDING)	
PROCEDURES AND AUTHORIZING	)	Introduced by Chief Operating Officer
PROCUREMENT OF CONSTRUCTION	)	Marissa Madrigal in concurrence with
MANAGER/GENERAL CONTRACTOR	)	Council President Lynn Peterson
SERVICES BY COMPETITIVE REQUEST FOR)	
PROPOSALS FOR BLUE LAKE REGIONAL)	
PARK RENOVATION PROJECT)	

WHEREAS, Metro intends to upgrade Blue Lake Regional Park; and

WHEREAS, ORS 279C.335 and Metro Local Contract Review Board Administrative Rule ("LCRB Rule") 49-0130 require that all Metro public improvement contracts be procured based on competitive bids, unless exempted by the Metro Council, sitting as the Metro Contract Review Board; and

WHEREAS, Metro's LCRB Rule 49-0620 authorizes the Metro Contract Review Board to exempt a public improvement contract from competitive bidding and direct the appropriate use of alternative contracting methods that take account of market realities and modern innovative contracting and purchasing methods, so long as they are consistent with the public policy of encouraging competition, subject to the requirements of ORS 279C.335; and

WHEREAS, ORS 279C.335(2) and (5)(a), and LCRB Rules 49-0630 through 49-0690 require that the Metro Contract Review Board hold a public hearing and adopt written findings establishing, among other things, that the exemption of a public improvement contract from competitive bidding is unlikely to encourage favoritism or substantially diminish competition for public improvement contracts; and that said exemption will likely result in substantial cost savings to Metro; NOW, THEREFORE,

BE IT RESOLVED that the Metro Contract Review Board:

1. Exempts from competitive bidding the procurement and award of a Construction Manager/General Contractor ("CM/GC") public improvement contract for the construction of the first phase of the Blue Lake Regional Park Renovation project; and
2. Adopts as its findings in support of such exemption the justification, information, and reasoning set forth on the attached Exhibit A, which is incorporated by reference as if set forth in full; and
3. Authorizes the Chief Operating Officer to prepare a form of Request for Proposals ("RFP") for CM/GC Contractor services that includes the following evaluation criteria for contractor selection:
 - a. Contractor's proposed fees for pre-construction services;
 - b. Contractor's proposed overhead and profit for construction services;

- c. Contractor's project understanding and proposed project approach;
 - d. Contractor's record of completion of projects of similar type or equivalent scale and complexity, including demonstrated public improvement CM/GC project experience and expertise;
 - e. Contractor's record of coordinating multi-disciplinary approaches to value engineering challenges;
 - f. Contractor's experience with occupied, operational sites, limited staging space and phased construction;
 - g. Contractor's proposed milestone dates, including but not limited to substantial completion;
 - h. Contractor's demonstrated quality and success with compressed schedules;
 - i. Contractor's financial capacity;
 - j. Contractor's experience in incorporating sustainability construction practices and design into projects;
 - k. Contractor's demonstrated commitment to workforce diversity and record of use of subcontractor businesses certified by the Certification Office of Business Inclusion and Diversity; and
 - l. Any other criteria that ensure a successful, timely, and quality project, in the best interest of Metro and in accord with ORS 279C.335(4)(c) and LCRB Rule 49-0640(2)(a) and (b).
4. Authorizes the Chief Operating Officer to issue the RFP form and Contract approved by the Office of Metro Attorney, and thereafter receive responsive proposals for evaluation; and
5. Following evaluation of the responses to the RFP, authorizes the Chief Operating Officer to execute a CM/GC contract with the most advantageous proposer to construct the Blue Lake Regional Park Renovation project.

ADOPTED by the Metro Council acting as the Metro Contract Review Board this 29th day of January 2026.

Lynn Peterson, Council President

Approved as to Form:

Carrie MacLaren, Metro Attorney

EXHIBIT A

Findings in Support of an Exemption from Competitive Bidding and Authorizing the Procurement by RFP of a CM/GC Contractor to Perform General Construction Services for Blue Lake Regional Park Renovation Project

Pursuant to ORS 279C.335(2) and (4), and Metro Administrative Rule LCRB 49-0620 through 49-0660 and 49-0690, the Metro Contract Review Board makes the following findings in support of exempting the procurement of the Blue Lake Regional Park Renovation from competitive bidding, and authorizing use of a Request for Proposal (RFP) solicitation for a Construction Manager General Contractor (CM/GC) public improvement construction contract:

A. The exemption is unlikely to encourage favoritism or substantially diminish competition.

The Metro Contract Review Board finds that exempting the procurement of the construction of the Blue Lake Regional Park Renovation from competitive bidding is “unlikely to encourage favoritism in the awarding of public contracts or to substantially diminish competition for public contracts” as follows: The RFP will be formally advertised with public notice and disclosure of the alternative contracting method and will be made available to all qualified contractors. Award of the contract will be based on the identified selection criteria, and dissatisfied proposers will have an opportunity to protest the award. Full and open competition based on the objective selection criteria set forth in the Metro Contract Review Board resolution will be sought, and the contract will be awarded to the most advantageous proposer. Competition for the RFP will be encouraged by: posting, public advertisements placed in the Portland Business Tribune and other minority business publications; performing outreach to local business groups representing minorities, women, and emerging small businesses, and by contacting contractors known to Metro to potentially satisfy the RFP criteria. The subcontractor selection process will be a low bid competitive method for contracts by requiring a minimum of three bids per scope, unless there is an approved exception. Competition among subcontractors will be encouraged by contacting local sub-contractors, including COBID firms, and notifying them of any opportunities within their area of expertise and by performing outreach to local small business groups.

B. The exemption will likely result in substantial cost savings to Metro.

The Metro Contract Review Board finds that exempting the procurement of the construction of the Blue Lake Regional Park Renovation from competitive bidding will likely result in substantial costs savings to Metro, considering the “type, cost and amount of the Contract,” the 14 factors required by ORS 279C.335(2)(b), and the “additional findings” per Metro Local Contract Review Board (LCRB) Administrative Rule 49-0630(3)(B) as follows:

Type, Cost and Amount of the Contract: A CM/GC contract will likely result in substantial cost savings to Metro as set forth in findings 2, 4, 7, 9 and 12 below. The current rough-order-of-magnitude estimate for the entire project is \$16.1 million.

14 Statutory Factors

- 1. Number of Entities Available to Bid:** The complex site logistics, including uncertainties involved in mobilizing work at Blue Lake Regional Park, and operational requirements on site during construction, are likely to discourage bidders from participating in a traditional design-bid-build process. Additionally, these same complex site logistics elevate risks that further discourage potential bidders. The opportunity to partner with Metro and the design consultant team and perform early investigative work prior to agreement on cost is likely to encourage more participation and less risk by contractors and subcontractors.
- 2. Construction Budget and Future Operating Costs:** Utilizing an RFP process to select a General Contractor will allow Metro and contractor to work together during pre-construction to control costs during the design phase, including a constructability review, value engineering, and other services. Involving the contractor early in the design process fosters teamwork that results in better design, fewer change orders, and faster progress with fewer unexpected delays, resulting in lower costs to Metro. The ability to have the contractor do early work prior to completion of design can shorten the overall duration of construction, resulting in less disruption for Blue Lake Regional Park staff and guests. Faster progress and an earlier completion date will also help Metro avoid the risk of inflationary increase in materials and construction labor costs.

Contractor constructability review also allows for an ongoing dialogue and review of the long-term operating costs of design options, allowing for midcourse design choices leading to a project having lower long-term operating maintenance and repair costs.

- 3. Public Benefits:** The execution of the project by using the CM/GC process, including the ability to perform early work and/or procure long lead time materials and equipment, may help address schedule concerns associated with uncertainty in the supply chain and labor market within the construction industry. In addition to the public benefits from the cost savings noted above, the procurement of a CM/GC construction contract through the RFP process will help realize Metro's goal of obtaining COBID certified business participation by enabling a qualitative review of proposers' approach to outreach and mentoring partnerships. The CM/GC process also facilitates the effective implementation of the Regional Workforce Equity Agreement (RWEA) by establishing early and frequent collaboration among the general contractor, subcontractors, labor unions, and Metro. This leads to more seamless, efficient, and successful compliance by contractors and subcontractors with the workforce diversity, apprenticeship, recruitment and retention, anti-harassment, high road and equity contracting requirements of the RWEA, and results in projects being appropriately scoped and budgeted to include the delivery of these crucial public benefits.
- 4. Value Engineering:** The process will enable the contractor to work with the design consultant team and Park staff to help reduce construction costs by providing early input and constructability review to designers, avoiding costly redesign and change orders, and providing opportunities for the design consultant team and contractor to work together on both practical and innovative solutions to complex design issues. This type of contract will allow the design consultant team to more easily explore with the contractor the feasibility of innovative design solutions and incorporate ongoing value engineering.

5. **Specialized Expertise Required:** In addition to prior experience with complex sites and phased projects, contractor and subcontractors must be able to demonstrate in their proposal that they have worked on complex sites and understand the logistics of traffic control, access, removing demolished materials, and maintaining park or other operational requirements during construction. The selection of a contractor with such specialized expertise to construct the project will result in a substantially lower risk to Metro, because it increases the likelihood of the project being completed on or ahead of schedule, resulting in lower costs and increased benefit to the community. The ability to factor expertise and experience into contractor selection is inherent in the RFP process.
6. **Public Safety:** The work being done at Blue Lake Regional Park could impact public safety if not performed with a level of expertise that can be ensured with a qualifications-based selection.
7. **Reduces Risk to Metro and the Public:** The risks to the Park's ongoing operations and contracting posed by the inability of the contractor to meet the schedule deadlines will be reduced by the selection of the contractor based on the demonstrated ability to perform the work as specified, rather than awarding the project to the low bidder.
8. **Exemption Effect on Funding:** Does not apply.
9. **Better Control of Impact of Market Conditions on Cost and Time to Complete:** Engaging the contractor during the design and specification process will allow more nimble reaction to uncertainty in the supply chain and labor market experienced by the construction industry. Products under consideration can be evaluated based on availability and lead times. Subcontractors are more likely to bid and commit workforce to General Contractors who can demonstrate that they are already under contract for projects.
10. **Technical Complexity:** The exemption will allow the contractor to pre-qualify/select subcontractors that have demonstrated technical expertise, knowledge, and experience with the logistical challenges of demolition, construction, habitat restoration, and in water lakeshore improvements within the Park, all of which can be factored into the contractor selection in the RFP process. The selection of a contractor with demonstrated experience and success in implementing similar projects will result in a substantially lower risk to Metro, because it increases the likelihood of the project being completed on budget, with fewer construction delays and change orders, resulting in lower costs and increased benefit to the community. The RFP process will consider each contractor's past performance and technical knowledge. Based on the necessary quality of the finished project, and the technical complexity of the undertaking, the Procurement Manager believes an alternative contracting process to be necessary and in the best interest of the agency.
11. **New Construction, Renovation or Remodel:** The scope of work has the potential to impact the comfort, health and safety of Park guests and staff. Some of the design limitations and conditions are likely to be unknown until uncovered by exploratory demolition work performed under an early work amendment, which can be performed during design development to inform the design process.

12. Phased Construction Work: Contractor integration with Metro and the design consultant team during the preconstruction period to plan the optimal sequence and phasing of work is more likely to produce a project that avoids the risk of project delays.

13. Availability of Personnel, Consultant and Legal Counsel with CM/GC Expertise: The Office of Metro Attorney and Project Manager have the necessary qualifications and expertise to negotiate, administer, and enforce the terms of Metro's CM/GC public improvement contract, including prior experience governing large CM/GC projects and managing them to a successful completion.

Additional Findings:

1. Industry Practices, Surveys, Trends. The industry-accepted benefits of the CM/GC method include:

- Results in a better design that meets the owner's objectives.
- Encourages competition, especially for COBID subcontractors.
- Can be completed in a faster time frame.
- Costs less than a design-bid-build project that is designed and constructed in the traditional manner.
- Reduces the risks of delays, cost overruns, and disputes.
- Limits the number of change orders for unforeseen conditions.

2. Past Experience and Evaluation of Metro CM/GC Projects.

Recent benefits to Metro, via the 2008 Oregon Zoo Bond projects completed through the CM/GC process, include:

- Zoo obtained cost reductions through pre-construction services by the contractor during the design phase, including a constructability review (e.g., materials, phasing, layout and design) and value engineering.
- Close cooperation between the architect and contractor allowed for rapid and successful solutions to challenges proposed by prior unknown conditions.
- The bond program provided opportunities for COBID certified firms.

3. Benefits and Drawbacks of CM/GC to the Blue Lake Regional Park Renovation.

Benefits - The CM/GC method provides an invaluable means of addressing the risks to Metro presented by the project's site conditions and timeline.

- Demonstrated technical expertise, knowledge, and experience with the logistical challenges of demolition, construction, habitat restoration, and in water lakeshore improvements can be considered to ensure high quality, efficient project completion.
- Potentially unknown site conditions can be discovered and addressed in the pre-construction period, avoiding schedule delays and costly change orders.

By involving the contractor extensively during the design process, the Blue Lake Regional Park Renovation project will be able to better account for, plan around, and address the above factors prior to and during construction. This avoids project delays and expensive change orders, helps to reduce liability and other risks to the Park, and provides a foundation of cooperation upon which a high-quality

result may be achieved, on schedule and on budget. Pre-construction services provided during the process include a constructability review, value engineering, and other services during design. Involving a contractor during the design fosters teamwork that results in a better design, faster progress with fewer delays, and less costs.

Drawbacks - Given Metro's favorable experience with CM/GC, staff foresees no drawbacks to adopting the CM/GC method to implement the Blue Lake Regional Park Renovation project.

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 26-5551, FOR THE PURPOSE OF AUTHORIZING AN EXEMPTION FROM COMPETITIVE BIDDING PROCEDURES AND AUTHORIZING PROCUREMENT OF CONSTRUCTION MANAGER/GENERAL CONTRACTOR SERVICES BY COMPETITIVE REQUEST FOR PROPOSALS FOR THE BLUE LAKE REGIONAL PARK RENOVATION PROJECT.

Date: January 12, 2026
Department: Parks and Nature, Capital Asset Management
Meeting Date: January 29, 2026
Prepared by: Brent Shelby, Olena Turula

Presenters:
Deanna Podbielan, Finance and Regulatory Services
Olena Turula, Parks and Nature
Brent Shelby, Capital Asset Management
Length: 5 minutes

ISSUE STATEMENT

Metro Council, acting as the Metro Contract Review Board, is asked to consider approving the resolution to authorize an exemption to the competitive bidding procedures and authorizing procurement of a Construction Manager/ General Contractor (CM/GC) for Blue Lake Regional Park Renovation project.

Many of Blue Lake Regional Park's (BLRP) facilities were built between 1960 and the early 1980s. Since the park was transferred to Metro in 1995, funding to upgrade facilities and plan for current needs and priorities has been limited.

With funding from the 2019 bond measure, Metro has already completed several infrastructure and park operations projects to support Blue Lake Regional Park improvements. This park renovation project phase builds upon these completed projects to improve visitor amenities at the park. The project includes accessibility improvements; improvements to habitat and nature experiences; upgraded lake access facilities for boating, fishing and swimming; and improvements to play, picnicking and wayfinding in the park.

The attached resolution and findings in Exhibit A describe the specialized nature of this project. Based on these findings, the Metro procurement manager believes that the construction contractor should be selected by CM/GC RFP. The CM/GC RFP allows Metro to consider qualifications and values other than the lowest bid. Project Staff team and the Office of the Metro Attorney concur.

ACTION REQUESTED

Metro Council is asked to adopt Resolution no. 26-5551 to pursue the alternative procurement of Construction Manager/General Contractor Services by a competitive Request for Proposals, for the Blue Lake Regional Park Renovation project

IDENTIFIED POLICY OUTCOMES

A value-based selection process will enable Parks and Nature to upgrade visitor amenities at Blue Lake Regional Park in a manner that is consistent with the goals and criteria set forth in the Take Care of Metro Parks (TCMP) program area and overall 2019 parks and nature bond.

Blue Lake Regional Park is one of Metro's most visited parks. This project will complete phase 1 construction of the BLRP renovation plan. The park renovation plan was developed through extensive community engagement with communities of color, Indigenous communities, people with low incomes, and other historically marginalized communities. The phase 1 construction priorities were informed by community input. The renovation project meets TCMP program area goals of creating safe and welcoming spaces, improving the efficiency and effectiveness of operations and maintenance, providing expanded access to nature for people, providing people with access to water with scenic and recreational opportunities, increasing access for those living with disabilities, and providing opportunities for culturally responsive public improvements.

The CM/GC procurement process will support the goal of setting aspirational goals for workforce diversity, work to reduce barriers to achieving these goals, and promote accountability by tracking outcomes and reporting impacts.

POLICY QUESTION(S)

Does the outcome of the proposed resolution advance Metro's goals and needs by reducing liability and financial risks and providing a foundation of cooperation in which a high-quality result may be achieved on schedule and on budget?

POLICY OPTIONS FOR COUNCIL TO CONSIDER

There are two options for Council to consider:

- Adopt the Resolution approving the exemption from competitive bidding in favor of CM/GC project delivery method.
- Reject the Resolution and direct staff to procure contractor using the traditional ITB low-bid procurement process.

STAFF RECOMMENDATION

Staff recommends that Council, acting as the Local Contract Review Board, approve an exemption from competitive bidding for the Blue Lake Regional Park Renovation project, authorization of procurement of a Construction Manager/General Contractor by request for competitive proposals, and authorizes the execution of the resulting CM/GC contract by the Chief Operating Officer in a form to be approved by the Office of Metro Attorney.

STRATEGIC CONTEXT & FRAMING COUNCIL DISCUSSION

The resolution advances Parks and Nature's goals and needs by reducing liability and risks and providing a foundation of cooperation in which a high-quality result may be achieved on schedule and on budget.

The project supports Metro's Strategic Framework and Core Mission by contributing to a thriving, equitable regional park and natural area system. It has been guided by community voice and equitable outcomes. It contributes to natural resource protection and enhancement and will improve an important regional park destination.

The CM/GC procurement process advances Metro's equity goals by setting aspirational goals for workforce diversity and the use of COBID certified contractors, reducing barriers, and ensuring accountability by tracking outcomes and reporting impacts.

The project contributes to the region's climate action goals and climate resilience by incorporating the sustainable SITES policy goals and clean air standards into construction, and by providing shady places and access to water to mitigate impacts of extreme heat.

Anticipated Effects

If legislation is adopted, Metro will issue a request for proposals to hire a CM/GC contractor for the project.

Financial Implications (current year and ongoing)

This Blue Lake Regional Park renovation project is in Metro's capital improvement plan, funded by the 2019 parks and nature bond.

BACKGROUND

Metro has done extensive community engagement to develop a long-term renovation plan for BLRP and to prioritize phase 1 improvements to be constructed by this proposed CM/GC process. Throughout the project, councilors have been individually briefed about the project progress.

Staff plan to request Metro Council adoption of the Blue Lake Regional Park renovation plan this spring.

ATTACHMENTS

EXHIBIT A: Findings in Support of an Exemption from Competitive Bidding and Authorizing the Procurement by RFP of General Construction Services for Blue Lake Regional Park Renovation Project



Metro

600 NE Grand Ave.
Portland, OR 97232-2736
oregonmetro.gov

Agenda #:

File #: ORD 26-1540

Agenda Date: 1/29/2026

Ordinance No. 26-1540 For the Purpose of Amendment Metro Code Chapter 7.05 (Income Tax Administration) Regarding the Personal Income Interest Rate Adjustment Process, Making Conforming Amendments to Metro Code Chapter 7.06 (Personal Income Tax), and Declaring and Emergency.

Justin Laubscher, Tax Compliance Program Manager

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING METRO	)	ORDINANCE NO. 26-1540
CODE CHAPTER 7.05 (INCOME TAX)	
ADMINISTRATION) REGARDING THE	)	Introduced by Chief Operating Officer
PERSONAL INCOME INTEREST RATE	)	Marissa Madrigal in concurrence with
ADJUSTMENT PROCESS, MAKING	)	Council President Lynn Peterson
CONFORMING AMENDMENTS TO METRO)	
CODE CHAPTER 7.06 (PERSONAL INCOME)	
TAX), AND DECLARING AN EMERGENCY)	

WHEREAS, Metro Code Chapter 7.05 (Income Tax Administration for Personal Income and Business Taxes) administers Metro's Supportive Housing Services (SHS) business and personal income taxes; and

WHEREAS, when the Supportive Housing Services income taxes took effect, Metro Code originally established a ten percent per annum interest rate for tax deficiencies and refunds. However, the Metro Code authorized a discretionary change of the interest rate by administrative rule if Metro's interest rate differed by more than one percentage point from the Oregon Department of Revenue's interest rate in effect on January 1; and

WHEREAS, with respect to the SHS Personal Income Tax Law, Metro has adjusted the original ten percent per annum rate to lower interest rates during the last few years to match the Oregon Department of Revenue interest rates (which in turn are guided by federal interest rates); and

WHEREAS, changing the Metro SHS Personal Income Tax interest rate to match the Oregon Department of Revenue interest rate requires a revised and updated administrative rule each year; and

WHEREAS, this process requires coordination with Metro's tax administrator, imposes uncertainty on taxpayers and tax preparers until the rate is officially adjusted, and requires staff time from two jurisdictions to draft, administer, and implement; and

WHEREAS, amending the Metro Income Tax Code to codify the previous interest rate adjustments and automatically adjust Metro's future SHS Personal Income Tax interest rates to match the Oregon Department of Revenue's interest rate (as it exists on January 1 of any given year) would provide greater certainty to taxpayers, streamline the interest rate adjustment process, and essentially automate the more cumbersome two-step process currently in place; and

WHEREAS, to provide taxpayer relief, in June 2025 the Metro Council amended the Metro Income Tax Code to index the personal income tax thresholds to inflation, and Council also increased the required payment threshold of estimated taxes from \$1000 to \$5000 (Ordinance No. 25-1531); and

WHEREAS, the 2025 inflation and estimated tax code amendments require technical conforming Code updates to further clarify the amounts and tax years to which those changes apply and to update certain code section cross-references; and

WHEREAS, the Metro Council has previously acknowledged that externally facing regulatory Metro Code chapters—primarily the solid waste and income tax code chapters—require more frequent code updates to ensure ongoing regulatory clarity, align with state and federal law changes, and maintain best practices (Resolution No. 22-5293); and

WHEREAS, pursuant to Resolution No. 22-5293, the Office of Metro Attorney reviewed Metro Code Sections 7.05.280, 7.05.300, and 7.06.070 to consider whether any plain language best practices changes were necessary and determined that no additional changes were needed; now therefore,

THE METRO COUNCIL ORDAINS AS FOLLOWS:

1. Metro Code Section 7.05.280 (Interest) is amended as set forth in the attached as Exhibit A, with inserted language in underlined text and deleted language in strikethrough text.
2. Metro Code Section 7.05.300 (Interest on Refunds) is amended as set forth in the attached as Exhibit B, with inserted language in underlined text and deleted language in strikethrough text.
3. Metro Administrative Rule No. AR-7.05-1005 (Personal Income Tax Interest Rates on Tax Due and Refunds) is repealed. The interest rates and refund rates established by that administrative rule are codified in the new Metro Code Subsection 7.05.280(c) and Metro Code Section 7.05.300 as set forth in the attached Exhibits A and B.
4. Metro Code Section 7.06.070 (Individuals Required to File a Tax Return) is amended as set forth in the attached Exhibit C, with inserted language in underlined text and deleted language in strikethrough text.
5. The Chief Operating Officer may, if necessary, adopt new administrative rules or amend existing income tax administrative rules without a public comment process to ensure conformity with the Metro Code amendments adopted by this ordinance.
6. That this ordinance being necessary for the immediate preservation of public health, safety or welfare, an emergency is declared to exist, and this ordinance takes effect immediately upon adoption pursuant to Metro Charter Section 38(1). The Council finds that an immediate ordinance effective date is necessary to prevent taxpayer confusion and filing errors (thus saving taxpayer money to administer the program), maintain alignment with the Oregon Department of Revenue, avoid administrative disruption and duplicative rulemaking, and ensure consistent tax code enforcement.
7. If a court of competent jurisdiction finds that any portion of this ordinance is invalid or unenforceable as a matter of law, that finding does not invalidate or render unenforceable any other provisions of this ordinance.

ADOPTED by the Metro Council this 5th day of February 2026.

Lynn Peterson, Council President

Attest:

Approved as to Form:

Georgia Langer, Recording Secretary

Carrie MacLaren, Metro Attorney

Metro Code Subsections 7.05.280(c), (d), and (e) are amended as follows, with underlined text representing inserted text and ~~strike through~~ representing deleted text.

All other subsections in Metro Code 7.05.280 (Interest) remain the same and are unchanged by this Ordinance.

7.05.280 Interest

(c) ~~Unless specifically provided otherwise by administrative rule as provided in subsection (d), the interest rate is 0.833% simple interest per month or fraction thereof (ten percent per annum)~~The interest rate for the Business Income Tax Law is 0.833% simple interest per month or fraction thereof (ten percent per annum). The interest rate for the Personal Income Tax Law is as follows for the listed time periods:

1. For January 1, 2021 to April 17, 2023, the interest rate is 0.833% simple interest per month or fraction thereof (ten percent per annum).
2. For April 18, 2023 to April 15, 2024, the interest rate is 0.5% simple interest per month or fraction thereof (six percent per annum).
3. For April 16, 2024 to April 15, 2025, the interest rate is 0.667% simple interest per month or fraction thereof (eight percent per annum).
4. For April 16, 2025 to April 15, 2026, the interest rate is 0.75% simple interest per month or fraction thereof (nine percent per annum).
5. For April 16, 2026 and beyond, the interest rate is as determined by subsection (d) below.

(d) Beginning on April 16, 2026, and for all subsequent time periods, the interest rate for the Personal Income Tax Law is the same interest rate established by Oregon Revised Statute 305.220, as periodically adjusted by the Oregon Department of Revenue. The adjusted rate is effective on April 15 of each year. If April 15 falls on a weekend or federal holiday, the interest rate change is effective the first business day following the weekend or holiday. If the Administrator determines that the interest rate provided in subsection (c) is at least one percentage point more or less than the effective interest rate on January 1 charged by the State of Oregon Department of Revenue, the Administrator may adjust the interest rate by administrative rule to match the State of Oregon Department of Revenue interest rate. The Administrator may not adjust the interest rate more than once in a calendar year. The adjusted interest rate applies to unpaid tax or underpaid estimated payments outstanding on or after the effective date of the adjusted interest rate.

(e) Notwithstanding subsection (b), there is no interest on underpayment of quarterly estimated payments if:

1. The total tax liability of the prior tax year was less than \$1,000 for tax years 2021-2025 or less than \$5,000 for tax years 2026-2030;

2. An amount equal to at least ninety percent of the total tax liability for the current tax year was paid in accordance with Section 7.05.190; or
3. An amount equal to at least one hundred percent of the prior year's total tax liability was paid in accordance with Section 7.05.190.

Metro Code Section 7.05.300 (Interest on Refunds) is amended as follows, with underlined text representing inserted text and ~~striketrough~~ representing deleted text.

7.05.300 Interest on Refunds

When a taxfiler is entitled to a refund of a portion or all of a tax paid to the Administrator, the ~~taxfiler will receive simple interest on that amount at the rate specified in Section 7.05.280(c), subject to the following:~~ interest rate for the Business Income Tax Law is 0.833% simple interest per month or fraction thereof (ten percent per annum). The interest rate for the Personal Income Tax Law is as follows for the listed periods:

1. For January 1, 2021 to April 15, 2025, the interest rate is 0.833% simple interest per month or fraction thereof (ten percent per annum).
 2. For April 16, 2025 to April 15, 2026, the interest rate is 0.75% simple interest per month or fraction thereof (nine percent per annum).
 3. For April 16, 2026 and beyond, the interest rate is as determined by Metro Code Subsection 7.05.280 (d).
- (a) Any overpayments will be refunded with interest for each month or fraction thereof for a period beginning four months after the later of:
1. The due date of the tax return;
 2. The date the tax return was filed or the refund was otherwise requested; or
 3. The date the tax was paid, to the date of the refund.
- (b) Any overpayments of taxes that are the result of an amended return being filed will be refunded with interest for each month or fraction thereof for the period beginning four months after the date the taxfiler filed the amended return. This subsection applies to tax returns that are amended due to a change to any relevant Federal, State or local income tax return.

Metro Code Subsections 7.06.070(a) and (b) are amended as follows, with underlined text representing inserted text and ~~striketrough~~ representing deleted text.

All other subsections in Metro Code 7.06.070 (Individuals Required to File a Tax Return) remain the same and are unchanged by this Ordinance.

7.06.070 Individuals Required to File a Tax Return

(a) For Tax Years 2021-2025, every resident of the District who is required to file an Oregon income tax return for the taxable year and who reports Oregon Taxable Income over \$200,000 using Oregon filing status married filing jointly, head of household or qualifying widow(er), or over \$125,000 using Oregon filing status single or married filing separately is required to file a Metro Personal Income Tax return. For Tax Years 2026-2030, the requirement to file a Metro tax return applies to a District resident who is otherwise required to file an Oregon income tax return and whose income is ~~equal to or above~~ over the exemption amounts as determined in Section 7.06.040(a) for single and joint filers after indexing for inflation.

(b) For Tax Years 2021-2025, every nonresident of the District who is required to file an Oregon income tax return for the taxable year and who reports Metro Taxable Income over \$200,000 using Oregon filing status married filing jointly, head of household or qualifying widow(er), or over \$125,000 using Oregon filing status single or married filing separately is required to file a Metro Personal Income Tax return. For Tax Years 2026-2030, the requirement to file a Metro tax return applies to a nonresident of the District who is otherwise required to file an Oregon income tax return and whose income is ~~equal to or above~~ over the exemption amounts as determined in Section 7.06.040(b) for single and joint filers after indexing for inflation

STAFF REPORT

IN CONSIDERATION OF ORDINANCE NO. 26-1540, FOR THE PURPOSE OF AMENDING METRO CODE CHAPTER 7.05 (INCOME TAX ADMINISTRATION) REGARDING THE INTEREST RATE ADJUSTMENT PROCESS, MAKING CONFORMING AMENDMENTS TO METRO CODE CHAPTER 7.06 (PERSONAL INCOME TAX), AND DECLARING AN EMERGENCY

Date: January 29, 2026

Departments: Council Office,
Revenue and Analytics Division
Meeting Date: January 29, 2026

Presenter: Justin Laubscher, Tax
Compliance Program Manager
justin.laubscher@oregonmetro.gov
Length: 15 min

Prepared by: Justin Laubscher

ISSUE STATEMENT

Council will consider an ordinance making four limited technical amendments to Metro Code Chapters 7.05 and 7.06 governing the administration of the Supportive Housing Services (SHS) personal income tax, repealing an associated administrative rule, and declaring an emergency. These amendments:

1. **Revise and clarify interest rate provisions in Metro Code 7.05.280(c) and (d)** by distinguishing between business and personal income tax interest rates, codifying historical personal income tax interest rates by time period, and aligning the personal income tax interest rate with the Oregon Department of Revenue (DOR) rate under ORS 305.220 beginning April 16, 2026.
2. **Update Metro Code 7.05.300 (Interest on Refunds)** to accurately reflect the interest rates applicable to SHS personal income tax refunds and to clarify the relationship between refund interest and deficiency interest.
3. **Update the estimated payment safe harbor threshold** in Metro Code 7.05.280(e)(1) to reflect the revised \$5,000 estimated payment threshold beginning in Tax Year 2026.
4. **Correct filing threshold language** in Metro Code 7.06.070 for Tax Years 2026–2030 to ensure the filing requirement continues to apply only to taxpayers with income over the exemption threshold, consistent with 2021–2025 policy and the indexing ordinance adopted by Council in June 2025.

These amendments improve clarity for taxpayers, ensure consistent treatment across tax years, and reduce long-term administrative burden.

ACTION REQUESTED

Hear comments and discuss potential adoption of Ordinance No. 26-1540 at an expected second read on February 5, 2026.

IDENTIFIED POLICY OUTCOMES

Identified policy outcomes include:

- Ensures the SHS personal income tax filing requirement remains focused on taxpayers with income **above** exemption thresholds, consistent with Council direction and voter expectations under Measure 26-210.
- Providing transparency and clarity regarding interest rates applicable to business income tax and personal income tax liabilities across different tax periods.
- Aligning Metro's SHS personal income tax interest rate with the State of Oregon's interest rate beginning April 16, 2026, while preserving a fixed interest rate for the business income tax.
- Ensuring estimated payment safe harbor protections reflect the updated \$5,000 threshold beginning in TY 2026.
- Reducing taxpayer confusion and prevents inconsistent application of interest on deficiencies and refunds

POLICY OPTIONS FOR COUNCIL TO CONSIDER

- **Adopt Ordinance No. 26-1540 as proposed.** Provides clarity for Tax Year 2026 filings and ensures accurate administration of interest on both deficiencies and refunds.
- **Amend Ordinance No. 26-1540** to refine timing or language
- **Postpone adoption**, which would require additional administrative interpretation and increase the risk of inconsistent interest calculations.

STAFF RECOMMENDATION

Staff recommends adoption of the ordinance as drafted.

These amendments are technical, necessary to implement previously adopted Council policy, and prevent administrative disruption as taxpayers begin filing TY 2025 returns and preparing for TY 2026.

STRATEGIC CONTEXT & FRAMING COUNCIL DISCUSSION

Exhibit A — Interest Rate Clarification and Alignment (7.05.280)

This ordinance revises Metro Code 7.05.280(c) to clearly distinguish between business income tax interest, which remains fixed at ten percent per annum, and personal income tax interest, which has varied by time period. The amendment codifies the personal income tax interest rates that applied during prior periods, providing transparency and legal clarity. Beginning April 16, 2026, Metro Code 7.05.280(d) aligns the personal income tax interest rate with the Oregon Department of Revenue's interest rate under ORS 305.220. Under the amended code, the applicable rate will automatically adjust each year, with changes effective April 15 (or the next business day), eliminating the need for future administrative rulemaking while preserving continuity for prior tax periods.

The ordinance also updates Metro Code 7.05.280(e)(1) to reflect Council's prior action increasing the estimated payment threshold from \$1,000 to \$5,000 beginning in TY 2026.

Exhibit B — Interest on Refunds Clarification (7.05.300)

Metro Code 7.05.300 is amended to ensure the interest rate paid on SHS personal income tax refunds accurately reflects the rates applicable during each time period and remains distinct from deficiency interest where appropriate. This amendment resolves ambiguity

created by prior cross references and ensures accurate calculations, transparency for taxpayers, and consistent administration.

Exhibit C — Correction to Filing Threshold Language (7.06.070)

When Council adopted income exemption indexing in June 2025, filing thresholds for TY 2026–2030 were intended to mirror the existing filing rule for TY 2021–2025: taxpayers must file only if their income is over the threshold. The code language adopted in 2025 unintentionally used “equal to or above,” which could obligate taxpayers to file even when no tax is due. This amendment restores the intended standard and ensures administrative consistency.

Repeal of Administrative Rule

The ordinance repeals **Metro Administrative Rule AR 7.05-1005**, as its provisions are now fully codified in Metro Code Sections 7.05.280 and 7.05.300. This eliminates duplicative regulation and reduces ongoing administrative workload.

Emergency Clause

The ordinance includes an emergency clause to ensure immediate effectiveness upon adoption. Immediate implementation is necessary to prevent taxpayer confusion and filing errors, maintain alignment with the Oregon Department of Revenue, avoid administrative disruption and duplicative rulemaking, and ensure consistent enforcement during the upcoming filing season.

Known Opposition/Support/Community Feedback

Stakeholders, including business groups, accounting firms, and the City of Portland Revenue Division, support these clarifying amendments to reduce filing confusion and ensure predictable administration. No organized opposition is known currently.

Legal Antecedents

- Measure 26-210 (2020) established the Supportive Housing Services personal and business income taxes.
 - Metro Code Chapters 7.05 and 7.06 were adopted by Council to implement the tax.
 - Ordinance No. 25-1531 (June 2025) established income exemption indexing and a revised estimated payment threshold beginning in TY 2026.
- This ordinance clarifies and completes those policy actions.

Anticipated Effects

If adopted:

- Filing instructions, forms, and tax software for TY 2026 will accurately reflect the intended filing standard.
- The City of Portland Revenue Division will apply the updated safe harbor thresholds when assessing underpayment interest beginning in TY 2026.
- Metro will transition seamlessly to the DOR interest rate beginning April 16, 2026.
- Interest rates applicable to prior periods will be clearly codified in Metro Code.

Financial Implications

- The filing threshold correction has no measurable revenue impact.
- The updated safe harbor threshold affects the timing, but not the amount, of estimated payments.
- The interest rate clarification and alignment have neutral revenue effects and reduce

administrative overhead and risk of error.

BACKGROUND

These amendments directly implement and clarify actions adopted by Council in June 2025 and respond to operational review of interest rate administration. Codifying historical rates and clearly distinguishing between business and personal income tax interest supports transparency, consistency, and best practices in tax administration.

ATTACHMENTS

Exhibit A – Amendments to Metro Code 7.05.280

Exhibit B – Amendments to Metro Code 7.05.300

Exhibit C – Amendments to Metro Code 7.06.070