

## Council meeting agenda

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**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?](https://www.youtube.com/watch?v=ufl2AfYDmTg)**  
**v=ufl2AfYDmTg**

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**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](mailto: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](mailto: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](mailto:legislativecoordinator@oregonmetro.gov). Individuals will have three minutes to testify unless otherwise stated at the meeting.

- 3. Consent Agenda**

- 3.1 Resolution No. 26-5560 For the Purpose of Organizing the [RES 26-5560](#)  
Metro Council and Confirming Committee Members  
Attachments: [Resolution No. 26-5560](#)  
[Exhibit A](#)

- 4. Resolutions**

- 4.1 Resolution No. 25-5540 For the Purpose of Accelerating [RES 25-5540](#)  
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](#)

- 4.2 Resolution No. 26-5545 For the Purpose of Approving the [RES 26-5545](#)  
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](#)

- 4.3 Resolution No. 26-5546 For the Purpose of Approving [RES 26-5546](#)  
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](#)

- 4.4 Resolution No. 26-5554 For the Purpose of Adopting the [RES 26-5554](#)  
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](#)

- 5. Chief Operating Officer Communication**
- 6. Councilor Communication**
- 7. Adjourn**

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### សេចក្តីជូនដំណឹងអំពីការមិនរើសអើងរបស់ Metro

ការគោរពសិទ្ធិពលរដ្ឋរបស់ ។ សំរាប់ព័ត៌មានអំពីកម្មវិធីសិទ្ធិពលរដ្ឋរបស់ Metro ឬដើម្បីទទួលបានកាតព្វកិច្ចរើសអើងសូមចូលទស្សនាគេហទំព័រ [www.oregonmetro.gov/civilrights](http://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  
oregonmetro.gov

Agenda #: 3.1

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**File #:** RES 26-5560

**Agenda Date:** 1/8/2026

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

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ORGANIZING THE	)	RESOLUTION NO. 26-5560
METRO COUNCIL AND CONFIRMING	)	
COMMITTEE MEMBERS	)	Introduced by Council President Lynn
	)	Peterson

WHEREAS, the Metro Charter, Chapter IV Section 16(5) directs the Metro Council to adopt an annual organizing resolution for the orderly conduct of Council business; and

WHEREAS, Chapter 2.01 directs the Metro Council at its first meeting after the first Monday in January to elect a Deputy Council President for the ensuing year; directs the Metro Council to establish such committees as the Council deems necessary for the orderly conduct of Council business; and provides that the Council President shall appoint certain committee members and committee chairs subject to confirmation by the Council by resolution; and

WHEREAS, the Council President has nominated Councilor Duncan Hwang to serve as the Deputy Council President for 2026; and

WHEREAS, the Council President has appointed Councilor Juan Carlos González as Chair of the Joint Policy Advisory Committee on Transportation (JPACT), Councilor Christine Lewis as Vice Chair, and Councilor Aston Simpson as a member of JPACT, and Councilor Duncan Hwang as an alternate member of JPACT; and

WHEREAS, the Council President has appointed Councilors Duncan Hwang, Mary Nolan, and Gerritt Rosenthal as members of the Metropolitan Policy Advisory Committee (MPAC); and

WHEREAS, the Council President has appointed Councilors to chair and serve as members or alternates on those committees, commissions and boards as set forth in the attached Exhibit A for 2026, and the remaining Councilors wish to confirm those appointments; and

WHEREAS, the Council President has also designated Councilors to serve as liaisons or representatives of the Council for various functions, organizations, and issues determined to be related to carrying on the orderly business of the Council as also set forth in attached Exhibit A; now therefore,

BE IT RESOLVED:

1. That the Metro Council confirms the Council President's appointment of Duncan Hwang as Deputy Council President for 2026.
2. That the Metro Council confirms the Council President's appointments of Councilors to JPACT and MPAC.

3. That the Metro Council approves the designation of Councilors to serve as liaisons or representatives of the Council as set forth in Exhibit A.

ADOPTED by the Metro Council this 8th day of January 2026.

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Lynn Peterson, Council President

Approved as to Form:

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Carrie MacLaren, Metro Attorney

COMMISSION or ADVISORY COMMITTEE	SOURCE OF REQUIREMENT	COUNCILOR(S) ASSIGNED
<b>METRO COUNCIL PRESIDENT NOMINATIONS</b>		
<i>Committee Membership</i>		
<b>Cascadia HSR Executive Committee</b>	Metro membership	<b>Simpson</b>
<b>Clackamas County Coordinating Committee (C4)</b>	Clackamas County	<b>Lewis</b> <b>Simpson</b> (Alternate)
<b>Council Work group on Economic Development</b>	Internal Committee	<b>Simpson</b> (Chair) <b>Gonzalez</b> <b>Lewis</b>
<b>Deputy Metro Council President</b>	Metro Charter, Chapter IV, Section 16(5)	<b>Hwang</b>
<b>Future Vision Commission</b>	Charter, Metro Resolution 25-5490	<b>Gonzalez</b> (Chair) <b>Peterson</b>
<b>Greater Portland Inc. (GPI)</b>	Metro membership	<b>Simpson</b> <b>Gonzalez</b> (Alternate)
<b>Interstate Bridge Replacement Executive Steering Group</b>	Interstate Bridge Replacement Program ESG Charter	<b>Peterson</b> <b>Nolan</b> (Alternate)
<b>Joint Policy Advisory Committee on Transportation (JPACT)</b>	Federally mandated MPO; Governor's Executive Order; Metro Code 2.19.090	<b>Gonzalez</b> (Chair) <b>Lewis</b> (Vice Chair) <b>Simpson</b> <b>Hwang</b> (Alternate)
<b>Land Conservation and Development Commission (LCDC) Local Officials Advisory Committee (LOAC)</b>	ORS 197.165	<b>Rosenthal</b>
<b>Locally-Administered Community Enhancement Committees</b>	Metro Code, 5.06.050(d)	Forest Grove: <b>Gonzalez</b> Gresham: <b>Simpson</b> Oregon City: <b>Lewis</b> Sherwood: <b>Rosenthal</b> Suttle Road: <b>Nolan</b> Troutdale: <b>Simpson</b> Wilsonville: <b>Rosenthal</b>
<b>Metro-Administered Community Enhancement Committees</b>	Metro Code, 2.19.120(b)	Metro Central: <b>Nolan</b>
<b>Metro Policy Advisory Committee (MPAC)</b>	Metro Charter, Chapter V, Section 26	<b>Hwang</b> <b>Nolan</b> <b>Rosenthal</b>
<b>Metro Audit Committee</b>	Metro Code, 2.19.250(d)(A)	<b>Rosenthal</b>



<b>Metropolitan Exposition-Recreation Commission (MERC)</b>	Metro Code, 6.01.030	<b>Rosenthal Simpson</b> (Alternate)
<b>ODOT Region 1 Area Commission on Transportation (ACT)</b>	ORS 184.610-184.666 OTC advisory committee	<b>Gonzalez</b>
<b>Oregon Metropolitan Planning Organization Consortium (OMPOC)</b>	Metro membership	<b>Lewis Rosenthal</b> (Alternate)
<b>Oregon Zoo Foundation (OZF) Board <i>Ex Officio</i> Members</b>	Agreement with OZF	<b>Lewis Nolan</b>
<b>Regional Disaster Preparedness Organization (RDPO)</b>	IGA	<b>Rosenthal</b>
<b>Regional Economic Associations</b>	Metro membership	Clackamas County Business Alliance: <b>Lewis</b> Columbia Corridor Association: <b>Nolan</b> Westside Economic Alliance: <b>Gonzalez</b>
<b>Regional Waste Advisory Committee</b>	Metro Code, 2.19.130	<b>Nolan</b> (Chair) <b>Lewis</b> (Vice Chair)
<b>Southwest Washington Regional Transportation Council (SWRTC)</b>	IGA	<b>Gonzalez Simpson</b> (Alternate)
<b>Supportive Housing Services Regional Policy and Oversight Committee</b>	Metro Code, 2.19.280	<b>Peterson</b> (Chair) <b>Gonzalez Lewis</b>
<b>Transit Oriented Development (TOD) Steering Committee</b>	Metro Resolution 98-2619	<b>Rosenthal Simpson</b> (Alternate)
<b>Travel Portland Board</b>	Metro membership	<b>Gonzalez</b>
<b>TriMet – State Transportation Improvement Fund (STIF) Committee</b>	ORS 184.751 (HB 2017)	<b>Peterson</b>
<b>TV Highway Transit and Safety Project – Policy and Budget Committee</b>	IGA	<b>Gonzalez Rosenthal</b> (Alternate)
<b>Urban Flood Safety and Water Quality District</b>	IGA	<b>Rosenthal</b>
<b>Visitor Development Fund (VDF) Board</b>	IGA	<b>Simpson Gonzalez</b>
<b>Workforce Development Board</b>	Metro membership	<b>Simpson Gonzalez</b> (Alternate)

<b><i>Liaison Positions</i></b>		
<b>Affordable Housing Bond Community Oversight Committee</b>	Metro Code, 2.19.260	<b>Nolan</b>
<b>Committee on Racial Equity (CORE)</b>	Metro Code, 2.19.270 (b)	<b>Peterson Hwang</b>
<b>Community Place Making Advisory Committee</b>	Metro Committee not in code	<b>Lewis</b>
<b>Legislative Liaison</b>	Metro Committee not in code	<b>Lewis Nolan Peterson</b>
<b>Natural Areas and Capital Program Performance Oversight Committee</b>	Metro Code, 2.19.220	<b>Peterson</b>
<b>Oregon Zoo Bond Oversight Committee</b>	Metro Code, 2.19.240 Metro Resolution 25-5522	<b>Hwang</b>
<b>Willamette Cove Liaison</b>	Metro Committee not in code	<b>Nolan</b>
<b>EXTERNAL APPOINTMENTS</b>		
<b>82<sup>nd</sup> Avenue Transit Corridor Committee</b>	TriMet	<b>Hwang Lewis</b>
<b>Oregon Transportation Planning (OTP) Committee</b>	Governor-appointed	<b>Gonzalez</b>
<b>Regional Solutions Advisory Committee</b>	Governor-appointed	<b>Simpson</b>
<b>Willamette Falls Locks Authority</b>	Governor-appointed	<b>Lewis</b>



## Agenda #: 4.1

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**File #:** RES 25-5540

**Agenda Date:** 1/8/2026

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

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

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ACCELERATING	)	RESOLUTION NO. 25-5540
HOUSING PRODUCTION ACROSS THE	)	
REGION	)	Introduced by Councilor Juan Carlos
	)	Gonzalez

WHEREAS, housing has been identified by the Metro Council as a matter of regional concern in the Regional Framework Plan and in the Urban Growth Management Functional Plan; and

WHEREAS, the Portland metropolitan area and the State of Oregon are in a housing crisis with insufficient current housing stock and an inadequate rate of production of new housing units to meet demand; and

WHEREAS, the Governor of the State of Oregon has declared a housing and homelessness crisis and set a goal of producing 36,000 new homes statewide per year through 2033; and

WHEREAS, voters in the Metro region have placed their confidence in Metro to increase the supply of affordable housing and provide supportive housing services to low income residents by approving the Affordable Housing Bond in 2018 and the Supportive Housing Services income tax in 2020; and

WHEREAS, in 2023, the Oregon Legislature adopted House Bill 2001, which included the Oregon Housing Needs Analysis (OHNA) requirements that create housing production targets for all jurisdictions with a population of 10,000 or greater; and

WHEREAS, as required by OHNA, Metro has been collaborating with cities, counties and the Oregon Department of Land Conservation and Development to create a Regional Housing Coordination Strategy to address gaps in housing production; and

WHEREAS, since 2006, Metro has been collecting a Construction Excise Tax (CET) to generate revenue to support local planning for development and redevelopment including supporting housing production; and

WHEREAS, Metro's CET has been used to provide grants to local jurisdictions to advance housing development as part of urban growth boundary expansion applications and to support additional housing development within the existing boundary; now therefore,

BE IT RESOLVED that the Metro Council:

1. Directs the Chief Operating Officer (COO) to create a Housing Production Accelerator Fund to be funded with a one-time investment of five million dollars of construction excise tax revenue to speed housing production and help address the housing crisis; and
2. Directs the COO to take necessary steps to utilize the funds for the following purposes, as further described in the December 19, 2025 Staff Report:
  - a. Supporting housing pre-development and technical assistance;

- b. Expanding Metro's brownfields grant program;
- c. Supporting local Housing Production Strategies;
- d. Providing technical assistance funding to support planning and implementation of housing production affordability and choice; and
- e. Exploring regional land bank strategies to speed up the housing production process.

ADOPTED by the Metro Council on this 8th day of January 2026.

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Lynn Peterson, Council President

Approved as to Form:

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Carrie MacLaren, Metro Attorney

IN CONSIDERATION OF RESOLUTION NO. 25-5540, FOR THE PURPOSE OF  
ACCELERATING HOUSING PRODUCTION ACROSS THE REGION

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Date: December 19, 2025  
Department: Planning, Development, and  
Research  
Meeting Date: January 8, 2026

Presenters: Malu Wilkinson, she/her,  
Deputy Director, PD&R  
Hau Hagedorn, she/her, Community  
Investment Manager, PD&R  
Length: 20 minutes

Prepared by: Hau Hagedorn,  
hau.hagedorn@oregonmetro.gov

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### **ISSUE STATEMENT**

In 2024, the Governor of the State of Oregon declared a housing and homelessness crisis and set a goal of 36,000 homes per year within the State by 2033. Metro's current estimates show that greater Portland still needs 27,000 more homes to support its existing population and an additional 151,000 homes to keep up with forecasted population growth over the next 20 years. This calls for Metro to deploy all available tools to accelerate housing production to help address the housing crisis. In Metro's recently adopted Regional Housing Coordination Strategy (RHCS), Metro identified priority actions to promote housing production in the region including actions that could be assisted with funding from Metro's Construction Excise Tax (CET). These specific actions would make up a proposed Housing Production Accelerator Fund (HPAF).

A one-time investment of \$5 million of CET reserves to accelerate housing production in the region would make funding available for regional partners to speed up housing development. This fund would provide a clear benefit to jurisdictions seeking to remove barriers to housing development, to housing developers, and to people in our region seeking housing.

### **ACTION REQUESTED**

Staff requests that Council approve Resolution No. 25-4450 to establish the Housing Production Accelerator Fund, a program designed to speed housing production across the region by providing technical assistance, local staffing capacity, and pre-development support to help address the housing crisis.

### **IDENTIFIED POLICY OUTCOMES**

#### **2040 Grant Program**

The purpose of the 2040 Planning & Development Grant program is to fund planning work in the region that supports our regional vision for growth. The grants are funded through the CET, which was established in 2006 for the purpose of funding local planning to support development readiness. The grants are intended to facilitate planning that makes

land ready for development, supports economic prosperity, and implements Metro's long-term plan for livable communities, as outlined in the 2040 Growth Concept.

### **Regional Housing Coordination Strategy**

Directed by the new requirements under the Oregon Housing Needs Analysis (OHNA) program, Metro is required to adopt a Regional Housing Coordination Strategy (RHCS) every six years. The RHCS identifies the actions Metro will take over the next six years to advance housing production, access to opportunity, affordability, and choice in greater Portland. This strategy emphasizes Metro's critical role in advancing regional solutions and supporting the efforts of cities and counties in accelerating housing production. Though Metro does not zone land or build homes, Metro plays an important part in helping to create the conditions for success, addressing the gaps in capacity and resources, and supporting coordination. The Metro Council recently adopted Metro's first RHCS in December via Resolution No. 05-5535.

### **Impact of the requested action**

Creation of the HPAF would help implement actions identified in the Regional Housing Coordination Strategy, supporting local jurisdictions in achieving their housing production targets, and removing barriers to housing development. The fund would support the following five groups of activities to accelerate housing production in the region:

- 1. Housing pre-development and technical assistance.** Fund pre-development activities necessary to unlock public properties and other properties where an owner is interested in developing affordable housing, but lacks the knowledge and expertise required. This type of technical assistance can offset costs for land use studies and other pre-development activities including site surveys, feasibility studies, area plans and other activities that prepare sites for development. In addition, this action can provide grants to local jurisdiction staff to support activities that accelerate permit reviews, provide contracted services for cities and counties to expedite permit reviews, site suitability studies to identify sites ready for housing development, and update development standards and procedural requirements to remove barriers and delays in permitting.
- 2. Expand Metro's brownfield grant program.** Expand resources available for brownfield assessment and explore grant opportunities for small scale remediation that leads to middle housing and multi-family housing development. Funding for Brownfield site assessment complements existing federal grants to support additional sites that otherwise would not be able to access Metro's current site assessment program.
- 3. Support local Housing Production Strategy implementation.** Assist cities and counties with approved Housing Production Strategies to meet their housing production targets with grants to help implement actions that are consistent with allowable uses for CET funds identified within the Metro Code.

4. **Technical assistance to support planning and implementation of housing production, affordability and choice.** Provide technical assistance through a pool of on-call experts to support local jurisdictions with non-site-specific planning and implementation activities. This could also include funding for staff that enables jurisdictions to speed up the process for issuing housing permits.
5. **Explore regional land bank strategies.** This effort will explore land banking activities in the region and develop a plan for a regional land bank that identifies the necessary legal framework, governance structures, and operational guidelines to support cross-sector collaboration and investment.

### **STAFF RECOMMENDATIONS**

Staff recommends that Council direct the Chief Operating Officer to create a Housing Production Accelerator Fund with a one-time investment of \$5 million from the construction excise tax reserves to speed up housing production and help address the housing crisis. Eligible uses may include housing pre-development and technical assistance, support for implementation of local Housing Production Strategies, a centralized and regionally accessible pool of housing professionals to supplement local staff, and on-call development services planners and building inspectors to speed up the housing production process. The COO will need to amend the CET Administrative Rules to implement the HPAF.

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

The HPAF will be created using \$5 million of the CET fund balance. The purpose of the HPAF is to remove some of the barriers to housing development. The anticipated effects include:

- Reducing and offsetting predevelopment costs to help prepare land for housing development.
- Increasing the number of housing sites cleaned or remediated.
- Expediting permit reviews and increasing the number of permits approved through funding for local permitting staff or contractors.
- Local housing production strategies supported or advanced at the local level .

### **Financial Implications**

Creating the HPAF would require staff time for implementation. Managing an effective grant program that achieves goals defined by the Council requires dedicated staff. PD&R staff would work with the COO to design and implement the grant and technical assistance programs through amending the CET Administrative Rules and determining whether any Metro Code changes might be necessary.

### **BACKGROUND**

In 2006, the Council enacted the Construction Excise Tax (CET) to generate revenue for planning work by local governments in areas where the UGB has been expanded. The CET was opposed by the Homebuilders Association, and in 2007 the HBA helped get a bill passed in Salem that prohibited local governments from adopting new CETs. Because



Metro's tax was enacted prior to the 2007 legislation, it was exempted from the statewide prohibition on new CETs.

The scope of Metro's allowable uses for CET funds has expanded over the last 20 years as regional planning needs have evolved. Today this relatively low tax provides critical program funding for Metro's 2040 Planning and Development and Community Placemaking grants. Grants and technical support go to local jurisdictions and non-profit organizations to support economic development and community stabilization.

### **CET rate**

The CET rate is 0.12% (0.12 cents per dollar) and applies to new housing construction or major renovations above \$100K. It is collected by local jurisdictions and turned over to Metro. Affordable housing projects and non-profit organizations are exempt. The program generates approximately \$3.6M annually; we do not know exactly how much of this comes from the development of housing, but we estimate about 50%. Of all jurisdictions in the region, the City of Portland produces the largest amount of CET revenue - over \$1M each year. Due to the low tax rate and \$12K maximum cap, CET collections are a very small portion of the total fees imposed on new housing development throughout the region. For example, a new single-unit home with an improvement value of \$500,000, the CET would amount to \$600.

*Table 1: CET Rates and Exemptions*

<b>Tax Rate 0.12% (.0012)</b>	<b>Exemptions</b>
<ul style="list-style-type: none"><li>• Applied to New construction or major renovations (\$100K or more)</li><li>• Maximum tax liability \$12,000</li><li>• Any project over \$10,000,000 would have a tax liability of \$12K</li></ul>	<ul style="list-style-type: none"><li>• Construction valued at less than \$100K</li><li>• Affordable housing (60% AMI)</li><li>• Any tax-exempt organization</li></ul>

### **ATTACHMENTS**

None



Metro

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

Agenda #: 4.2

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**File #:** RES 26-5545

**Agenda Date:** 1/8/2026

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

Sebrina Nelson, Waste Prevention and Environmental Services Construction Manager

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF APPROVING THE	)	RESOLUTION NO. 26-5545
TRANSFER OF CERTAIN INTERESTS IN REAL	)	
PROPERTY	)	Introduced by Chief Operating Officer
	)	Marissa Madrigal in concurrence with
	)	Council President Lynn Peterson

WHEREAS, Metro owns real property known as the Metro South Transfer Station, located at 2001 Washington Street, Oregon City, Oregon 97045, and commonly known as Tax Parcel 904 of Section 29, Township 2 South, Range 2 East of the Willamette Meridian, in the County of Clackamas and State of Oregon ("Metro Property"); and

WHEREAS, Metro is completing construction of a new administrative building at Metro South Transfer Station which was included in the 2019 Capital Improvement Plan budget; and

WHEREAS, the City of Oregon City ("City") approved Metro's Land Use Application, Nos. GLUA-22-00008/SP-22-00027/ NROD-22-00007, on September 7, 2022 which includes certain Conditions of Approval that Metro must meet to receive final occupancy permits from the City; and

WHEREAS, the City's Municipal Code Sections 13.12.145 and 16.12.085, as well as the Conditions of Approval, require Metro to provide a 10-foot-wide public utility easement and a stormwater easement to serve Metro Property and associated infrastructure; and

WHEREAS, the stormwater easement allows the City to enter Metro Property and perform inspections of the private stormwater facility to ensure it is maintained pursuant to the City's Code and Metro's approved Operations and Maintenance Plan; now therefore,

BE IT RESOLVED that the Metro Council authorizes the Metro Chief Operating Officer to execute the easements in substantially the same form as the attached Exhibits A and B, provided the easements are in a form approved by the Metro Attorney.

ADOPTED by the Metro Council this 8th day of January, 2026.

---

Lynn Peterson, Council President

Approved as to Form:

---

Carrie MacLaren, Metro Attorney

AFTER RECORDING RETURN TO:

City of Oregon City, City Recorder  
P.O. Box 3040  
Oregon City, Oregon 97045-0304

Planning File: \_\_\_\_\_

Tax Map & Lot: \_\_\_\_\_

Impervious Area Served (square feet): \_\_\_\_\_

GRANTOR: \_\_\_\_\_

**MAINTENANCE AND ACCESS EASEMENT AGREEMENT FOR PRIVATELY-OWNED  
STORMWATER MANAGEMENT FACILITIES**

This MAINTENANCE AND ACCESS EASEMENT AGREEMENT ("**Agreement**") is made between the CITY OF OREGON CITY, a municipal corporation of the State of Oregon formed pursuant to ORS Chapter 457 (the "**City**"), and \_\_\_\_\_ ("**Grantor**").

**This Agreement runs with the land and is binding on Grantor and its successors and assigns, including subsequent purchasers of property within the Development (defined below).**

**RECITALS**

A. Grantor is the owner of certain real property located in the City of Oregon City, Clackamas County, Oregon, legally described on **Exhibit A** attached hereto and commonly known as \_\_\_\_\_, the "**Development**". *Name of development, property address or tax lot*

B. The following stormwater management facilities ("**Stormwater Facilities**") were constructed or will be constructed at the Development as further described below and depicted in **Exhibit B** (Site Plan, showing and identifying storm facilities):

*Grantor's written description of each facility*

Stormwater Planter

B.1 Does this facility contain manufactured treatment technology? ☐ Yes ☐ No If yes, please complete below section.

Type of Facility: \_\_\_\_\_

Manufacturer: \_\_\_\_\_

Model Number: \_\_\_\_\_

Suppliers and/or Vendors: \_\_\_\_\_

Provide Manufacturer Maintenance Plan required as part of **Exhibit B**.

C. The City has approved construction plans submitted by Grantor for the Development, including Stormwater Facilities as described above. The Stormwater Facilities are designed by a registered professional engineer to accommodate anticipated volume of runoff and to detain and treat runoff in accordance with City's Stormwater and Grading Design Standards and its amendments. The Stormwater Facilities enable development of property while mitigating the impacts of additional surface water and pollutants associated with stormwater runoff prior to discharge from the property to the public stormwater system.

D. Failure to inspect, maintain, repair, and replace the Stormwater Facilities after they are constructed can result in an unacceptable impact to the public stormwater system. To protect the owners of property within the Development, as well as owners of neighboring property, the City requires Grantor to enter into this Agreement as a condition to the City's approval of construction plans and building permit(s) for the Development. This Agreement confirms Grantor's, and Grantor's successors and assigns', obligation to inspect, maintain, repair, and replace the Stormwater Facilities. The term "**Owner(s)**" is used herein to refer to the owner or owners of any part of the Development on which Stormwater Facilities are located. "Owner(s)" include Grantor while Grantor owns any part of the Development on which Stormwater Facilities are located and includes any homeowner's association owning common areas in the Development on which Stormwater Facilities are located.

E. In connection with its development of the Development, Grantor may divide the property within the Development into individual lots (each a "**Lot**" and collectively the "**Lots**"). The Stormwater Facilities for the Development will be maintained by the Owner(s). Therefore, although Grantor will be the sole owner responsible for constructing, inspecting, maintaining, repairing, and replacing the Stormwater Facilities while Grantor owns the entirety of the Development, upon Grantor's sale or transfer of ownership of any Lot, or part of the Development, those responsibilities will be transferred to the subsequent Owner(s).

F. The consideration for this Agreement is connection to the City's public stormwater system.

## **AGREEMENT**

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the City and Grantor agree as follows:

1. **Incorporation of Recitals.** The Recitals to this Agreement are incorporated into and made a part of this Agreement.
2. **Run with the Land.** The parties' rights and obligations contained herein shall run with the land and shall be binding upon the Grantor and its successors and assigns (including, without limitation, the Owner(s) of the Lot(s) and any homeowner's association owning common areas in the Development). Those rights and obligations shall inure to the benefit of the City, as well as its successors and assigns.
3. **Agreement to Maintain and Repair.** The Owner(s) shall, at their sole expense, themselves or through qualified independent contractors, at all times during their ownership of the property within the Development maintain the Stormwater Facilities in good working order, condition and repair, clear of all debris, and in compliance with all applicable state and local rules, regulations, and guidelines (including those adopted from time to time by the City and including the City's Stormwater and Grading Design Standards) and the Operation and Maintenance Plan attached as **Exhibit C** of this Agreement.
4. **4 Agreement to Inspect.** The Owner(s) shall perform, at a minimum, annual inspections of all Stormwater Facilities covered by this agreement, per guidelines in **Exhibit C**, attached. The annual inspection required by this Agreement shall identify work necessary to repair or maintain facilities in good working order. The Owner(s) shall provide Oregon City Public Works Department with annual maintenance inspection reports, including identification of the corrective actions taken in response to the annual inspection. If needed, inspection forms can be obtained from the Oregon City Public Works Department.
5. **Easement.** Grantor hereby grants the City, its employees, independent contractors and designees, a nonexclusive easement for ingress and egress over, across and under the Development from time to time at the City's sole discretion to inspect, sample, and monitor components of the Stormwater Facilities and discharges therefrom. Grantor hereby grants to the City permission to undertake the actions described in Sections 6 and 7 of this Agreement. Grantor understands and agrees that this easement limits the ability of Grantor, its successors and assigns, including any Owner(s), from constructing any permanent buildings, structures, landscaping or other improvements that would interfere with the functioning of the Stormwater Facilities or the City's access to perform the inspection and maintenance required under this Agreement.
6. **Failure to Perform Agreement.** If the City, in its sole discretion, determines that the Owner(s) are not in compliance with the Agreement described in Sections 3 and 4, the City or its designee shall provide the non-complying Owner(s) written notice to perform the maintenance and/or repair work specified in the notice. Provided, however, no prior written notice shall be required in the case of an emergency, which shall be governed by Section 7. If such work is not performed to the City's satisfaction within seven (7) days after the date of such notice, or such other time as the City may, in its sole discretion, determine, the City, its employees, independent contractors and designees may exercise their rights under the Easement described in Section 5 of this Agreement to enter the Development to perform any and all work required bringing the Stormwater Facilities into compliance with this Agreement.
7. **Emergency.** If the City, in its sole discretion, determines that there exists or will likely exist an emergency on or about the Development with respect to the Stormwater Facilities, the City, its employees, independent contractors and designees may immediately exercise their rights under the Easement described in Section 5 of this Agreement to immediately enter the Development to perform any and all work required to bring the Stormwater Facilities into compliance with this Agreement, and in such case the City shall use reasonable efforts to notify the affected Owner(s) prior to entering the Development. Notwithstanding the above, the work performed may consist only of avoiding or

mitigating the emergency and/or cleaning and/or repairing the Stormwater Facilities to their original condition and standards.

8. **City Under No Obligation.** The City, as well as its departments, employees, independent contractors and/or designees shall have no obligation to exercise its rights under this Agreement, including the right under Sections 6 and 7 of this Agreement, to perform the work required of the Owner(s), or to perform any other maintenance or repair of the stormwater facilities. In addition, neither the City, nor any of its departments, employees, independent contractors and/or designees shall have any liability to any Owner(s) in connection with the exercise or non-exercise of such rights, the maintenance or repair of the stormwater facilities, or the failure to perform the same.
9. **Grantor Obligations.** In addition to the agreements and easement described above, Grantor agrees to the following additional obligations:
  - a. Prior to sale of any portion of the Development, Grantor shall provide to the City's Public Works Department, a copy of the Operations and Maintenance Manual for the Stormwater Facilities, which shall include detailed diagrams and descriptions identifying the components and operations of the Stormwater Facilities.
  - b. Prior to final approval of the Development, this document shall be recorded in the deed records of Clackamas County.
  - c. Grantor shall notify the City's Public Works Director in writing of any change in ownership, and the new Owner(s) shall become the "**Grantor Designee**". The Grantor Designee, its successors and assigns shall be bound with respect to the matters described in this Agreement including Grantor's obligations.
  - d. Upon sale or transfer of the Development, or any portion thereof, Grantor shall inform the purchaser of the obligations required under this Agreement.
10. **Reimbursement.** If the City exercises its rights as described in Section 6 and Section 7 to perform compliance work and enters the Development pursuant to the Easement described in Section 5 of this Agreement, the Owner(s) shall reimburse the City for all its costs and expenses incurred in connection therewith within thirty (30) days after receipt of an invoice. If the Development is owned by more than one owner (i.e., multiple lot owners), for each property or Lot where the City exercises its rights as described in Section 6 and Section 7, the Owner(s) shall be severally liable for reimbursing the City for all its costs and expenses incurred in connection therewith within. If any of the Owner(s) fail to pay the invoiced amount within such period, such amount shall thereafter accrue interest at the statutory rate. Such amount, together with interest, shall be a lien on the Development (and each of the Lots within the Development) that may be foreclosed in accordance with ORS Chapter 88.
11. **Indemnification.** Owner(s) agrees to indemnify, defend (with legal counsel reasonably acceptable to the City), and hold harmless the City, its employees, independent contractors and designees harmless from and against any liability, losses, costs, expenses (including reasonable attorney fees), claims or suits arising from failure of the Owner(s) to perform its obligations under this Agreements or the exercise of the City's rights under this Agreement.
12. **Attorney Fees.** If legal action is commenced in connection with this Agreement, the prevailing party in such action shall be entitled to recover its reasonable attorney fees and costs incurred in the trial court and in the appeal therefrom. The term "action" shall be deemed to include action commenced in the bankruptcy courts of the United States and any other court of general or limited jurisdiction.
13. **Assignment.** The obligations of Grantor under this Agreement shall run with the land and therefore shall bind the purchasers of property within the Development without the necessity of any separate

agreement evidencing or confirming the assignment and the purchaser's assumption of the obligations. The obligations may not be otherwise assigned except that the obligations may be assigned, with the prior written consent of the City, to a homeowner's association that owns and maintains the common areas of the Development.

14. **Authority.** If Grantor is an entity, the individual executing this Agreement on behalf of Grantor represents and warrants to the City that he or she has the full power and authority to do so and that Grantor has full right and authority to enter into this Agreement and perform its obligations under this Agreement.



IN WITNESS WHEREOF, the GRANTOR has executed this instrument this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_. The person(s) whose name(s) is/are subscribed to the within instrument acknowledge that he/she/they executed the instrument in his/her/their legally authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

[Signature Page(s) Follow]

**GRANTOR:** \_\_\_\_\_  
*As shown on Page 1 (name of organization or individual property owner(s))*

\_\_\_\_\_  
*Signature No. 1*

\_\_\_\_\_  
*Signer's printed name*

\_\_\_\_\_  
*Title (if applicable)*

\_\_\_\_\_  
*Signature No. 2*

\_\_\_\_\_  
*Signer's printed name*

\_\_\_\_\_  
*Title (if applicable)*

STATE OF OREGON )

County of \_\_\_\_\_ )

This record was acknowledged before me on (month & day) \_\_\_\_\_, 20\_\_\_\_

by \_\_\_\_\_, as \_\_\_\_\_  
*Signer's printed name Title (write "N/A" if not applicable)*

of \_\_\_\_\_  
*Name of Corporation on whose behalf record is executed (write "N/A" if not applicable)*

*Stamp notary seal:*

WITNESS my hand and official seal.

\_\_\_\_\_  
*Signature of Notary Public*

My commission expires: \_\_\_\_\_

**Accepted on behalf of the City of Oregon City:**

\_\_\_\_\_  
By: Anthony J. Konkol III, City Manager

\_\_\_\_\_  
By: Dayna Webb, Public Works Director

\_\_\_\_\_  
Attest: Jakob Wiley, City Recorder

Insert exhibits on separate subsequent sheets.

Exhibit A is a legal description of the subject property provided by a professional land surveyor, stamped with their seal, and having a 10-point or larger font size (8.5-inch by 11-inch page).

Exhibit B is a site plan having a 10-point or larger font size (8.5-inch by 11-inch page is preferred).

Exhibit C is an operation and maintenance plan having a 10-point or larger font size (8.5-inch by 11-inch page).

**NOTE:**

**Please remit the required processing and recording fee with this document submittal.**

**Photostatic copies of reduced tax maps may not meet the above described map requirements – verify with the Clackamas County Recorder.**

**All pertinent documents must be approved and processed by the City of Oregon City prior to the recording of partition & subdivision plats by the Clackamas County Surveyors Office – allow ample time for the City to process this document.**

## Exhibit A to Resolution No. 26-5545

### Exhibit A to City of Oregon City Maintenance and Access Easement

#### Exhibit A

Metro South Transfer Station

Metro  
Tax Lot 22E29 00904

#### LEGAL DESCRIPTION

*Legal description is a transcription of the Chicago Title Company of Oregon Ownership and Encumbrances Report with General Index Liens Order No. 472521008921, with the exception of the reference of Document No. 83-2628.*

A tract of land in the Hiram Straight D.L.C. No. 42 and in Section 29, Township 2 South, Range 2 East of the Willamette Meridian, in the City of Oregon City, County of Clackamas and State of Oregon, and also being a portion of that tract described in Deed to Jack Parker, recorded August 13, 1970 as Recorder's Fee No. 70-016030, Film Records, described as follows:

All of that tract of land lying Southeasterly of the right of way line of the Southern Pacific Company as described in Deed recorded January 5, 1954 in Book 477, Page 164, Deed Records and Westerly, Northwesterly and Northerly of Parcel No. 4 in Judgment order in Suit No. 68930 in the Circuit Court of the State of Oregon for the County of Clackamas.

EXCEPTING THEREFROM that portion conveyed to the City of Oregon City for street purposes by Deed of Dedication recorded August 6, 2010 as Recorder's Fee No. 2010-047231.

TOGETHER WITH a Right of Access to relocated 82nd Avenue of a width of 35 feet on the Northerly side of said avenue opposite Highway Engineer's center line Station "E" 680+00. as set forth in paragraph II of Judgment Order filed December 21, 1970 in Suit No. 68930 in the Circuit Court of the State of Oregon for the County of Clackamas and amended by instrument recorded July 6, 1982 as Recorder's Fee No. 82-018424.

ALSO EXCEPTING THEREFROM that portion conveyed to Metropolitan Service District in that Bargain and Sale Deed recorded January 28, 1983 as Recorder's Fee No. 83-2628, Clackamas County Records.

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

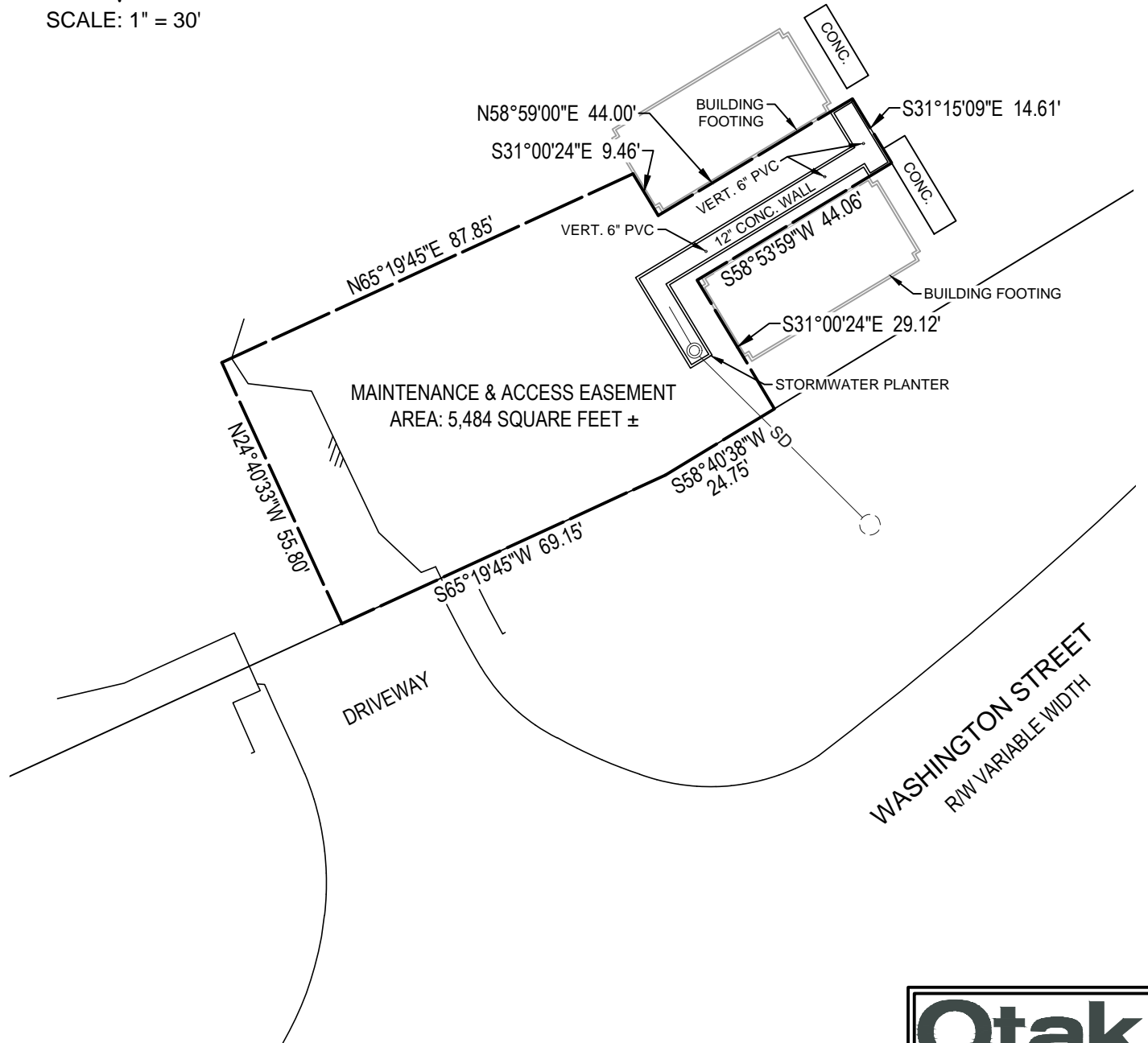
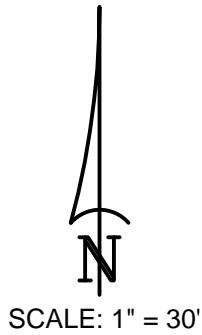
OREGON  
JULY 15, 2003  
NGO SUE TSOI  
58569LS

RENEWES: 6/30/2026

# Exhibit A to Resolution No. 26-5545

Exhibit B to City of Oregon City Maintenance and Access Easement

METRO  
DOC. NO. 77-25593



## EXHIBIT B

METRO SOUTH TRANSFER STATION  
MAINTENANCE & ACCESS EASEMENT

IN THE NE 1/4 AND NW 1/4 OF SECTION 29, TOWNSHIP 2 SOUTH, RANGE 2 EAST,  
WILLAMETTE MERIDIAN, OREGON CITY, CLACKAMAS COUNTY, OREGON  
DECEMBER 2025

# Otak

808 SW 3rd Ave., Ste. 800  
Portland, Oregon 97204  
Phone: (503) 287-6825  
www.otak.com  
project: 22246.B

AFTER RECORDING RETURN TO:  
City of Oregon City, City Recorder  
P.O. Box 3040  
Oregon City, Oregon 97045-0304

**Exhibit B to Resolution No. 26-5545**

Planning No.: \_\_\_\_\_

Tax Map & Lot: \_\_\_\_\_

GRANTOR: \_\_\_\_\_

**CITY OF OREGON CITY, OREGON  
PUBLIC UTILITY EASEMENT**

KNOW ALL BY THESE PRESENTS, THAT \_\_\_\_\_,  
hereinafter called the "**Grantor**", does hereby grant unto the City of Oregon City, hereinafter called the "**City**", its successors in interest and assigns, a permanent easement and right-of-way, including the permanent right to construct, reconstruct, operate, and maintain \_\_\_\_\_  
and appurtenances, hereinafter called the "**Infrastructure**" on the following described land:

See attached **Exhibit A** Legal Description and attached **Exhibit B** Sketch for Legal Description

TO HAVE AND TO HOLD, the above described easement unto the City, its successors in interest and assigns forever.

Grantor reserves the right to use the surface of the land for walkways, plantings, parking, and related uses. Such uses undertaken by the Grantor shall not be inconsistent or interfere with the use of the subject easement area by the City. No structures or utility shall be placed upon, under, or within the permanent easement (described in Exhibits A & B), without the written permission of the City.

If the City exercises its right to construct, reconstruct, or maintain the Infrastructure, the City shall restore the surface of the property to its original condition and shall indemnify and hold the Grantor harmless against all loss, cost, or damage arising out of the exercise of the rights granted herein.

The true consideration of this conveyance is for other value given, the receipt of which is hereby acknowledged by Grantor.

And, the Grantor above named hereby covenants to and with the City, and City's successors in interest and assigns that Grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances (no exceptions) and that Grantor and their heirs and personal representatives shall warrant and forever defend the said premises and every part thereof to the City, its successors in interest and assigns against the lawful claims and demands of all persons claiming by, through, or under the Grantor.

In construing this deed and where the context so requires, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals.

IN WITNESS WHEREOF, the Permittee has executed this instrument this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_. The person(s) whose name(s) is/are subscribed to the within instrument acknowledge that he/she/they executed the instrument in his/her/their legally authorized capacity(ies), and that by his/her/their signature(s) on the instrument, the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

[Signature Page(s) Follow]

**GRANTOR:** \_\_\_\_\_  
*As shown on Page 1 (name of organization or individual property owner(s))*

\_\_\_\_\_  
*Signature No. 1*

\_\_\_\_\_  
*Signer printed name, Title (if any)*

\_\_\_\_\_  
*Signature No. 2*

\_\_\_\_\_  
*Signer printed name, Title (if any)*

STATE OF OREGON )  
 )  
County of \_\_\_\_\_ )

This record was acknowledged before me on (date) \_\_\_\_\_, 20\_\_\_\_

by \_\_\_\_\_  
*Signer's printed name*

as \_\_\_\_\_  
*Title and (if applicable) Name of Corporation or Party on whose behalf the record is executed*

*Stamp notary seal:*

WITNESS my hand and official seal.

\_\_\_\_\_  
*Signature of Notary Public*

My commission expires: \_\_\_\_\_

**Accepted on behalf of the City of Oregon City:**

\_\_\_\_\_  
By: Anthony J. Konkol III, City Manager

\_\_\_\_\_  
By: Dayna Webb, Public Works Director

\_\_\_\_\_  
Attest: Jakob Wiley, City Recorder



Insert Exhibit A and Exhibit B here.

Exhibit A is a legal description of the subject permanent easement – provided by a professional land surveyor and stamped with their seal – and having a 1/8th-inch or larger font size (8.5-inch by 11-inch page).

Exhibit B is the drawing of the legal description of the permanent easement, having a 1/8th-inch or larger font size (8.5-inch by 11-inch page is preferred).

**NOTE:**

**Please remit the required processing and recording fee with this document submittal.**

**Photostatic copies of reduced tax maps may not meet the above described map requirements – verify with the Clackamas County Recorder.**

**All pertinent documents must be approved and processed by the City of Oregon City prior to the recording of partition & subdivision plats by the Clackamas County Surveyors Office – allow ample time for the City to process this document.**

**Exhibit B to Resolution No. 26-5545**  
*Exhibit A to City of Oregon City Public Utility Easement*

**Exhibit A**

Metro South Transfer Station

Metro  
Tax Lot 22E29 00904

**PERMANENT UTILITY EASEMENT**

An easement lying in the northeast and northwest one-quarters of Section 29, Township 2 South, Range 2 East of the Willamette Meridian, Oregon City, Clackamas County, Oregon and being a portion of that property conveyed to Metropolitan Service District of Portland, an Oregon municipal corporation in that Warranty Deed- Statutory Form, recorded on June 29, 1977 as Document No. 77- 25593, Clackamas County Records, said easement being more particularly described as follows:

Beginning at a point on the westerly right-of-way line of Washington Street marked by a 5/8" iron rod with a yellow plastic cap stamped "OBEC" as shown on Survey Number 2013-044 at Station "W" 269+82.00 41.00' RT, Clackamas County Records; thence along said westerly right-of-way line South 05°52'57" West 171.91 feet; thence South 21°37'28" West 122.59 feet; thence South 24°51'18" West 120.47 feet; thence South 33°55'28" West 93.48 feet; thence South 58°40'38" West 23.88 feet; thence leaving said westerly right-of-way line North 33°55'28" East 114.37 feet; thence North 24°51'18" East 119.40 feet; thence North 21°37'28" East 120.92 feet; thence North 05°52'57" East 171.92 feet; thence North 21°43'47" East 89.96 feet to said westerly right-of-way line; thence along said westerly right-of-way line South 11°42'40" East 18.15 feet; thence South 21°43'47" West 73.43 feet to the point of beginning.

The easement to which this description applies contains 5,992 square feet, more or less.

Bearings are based on Oregon Coordinate Reference System (OCRS) Portland Zone.

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

OREGON  
JULY 15, 2003  
NGO SUE TSOI  
58569LS

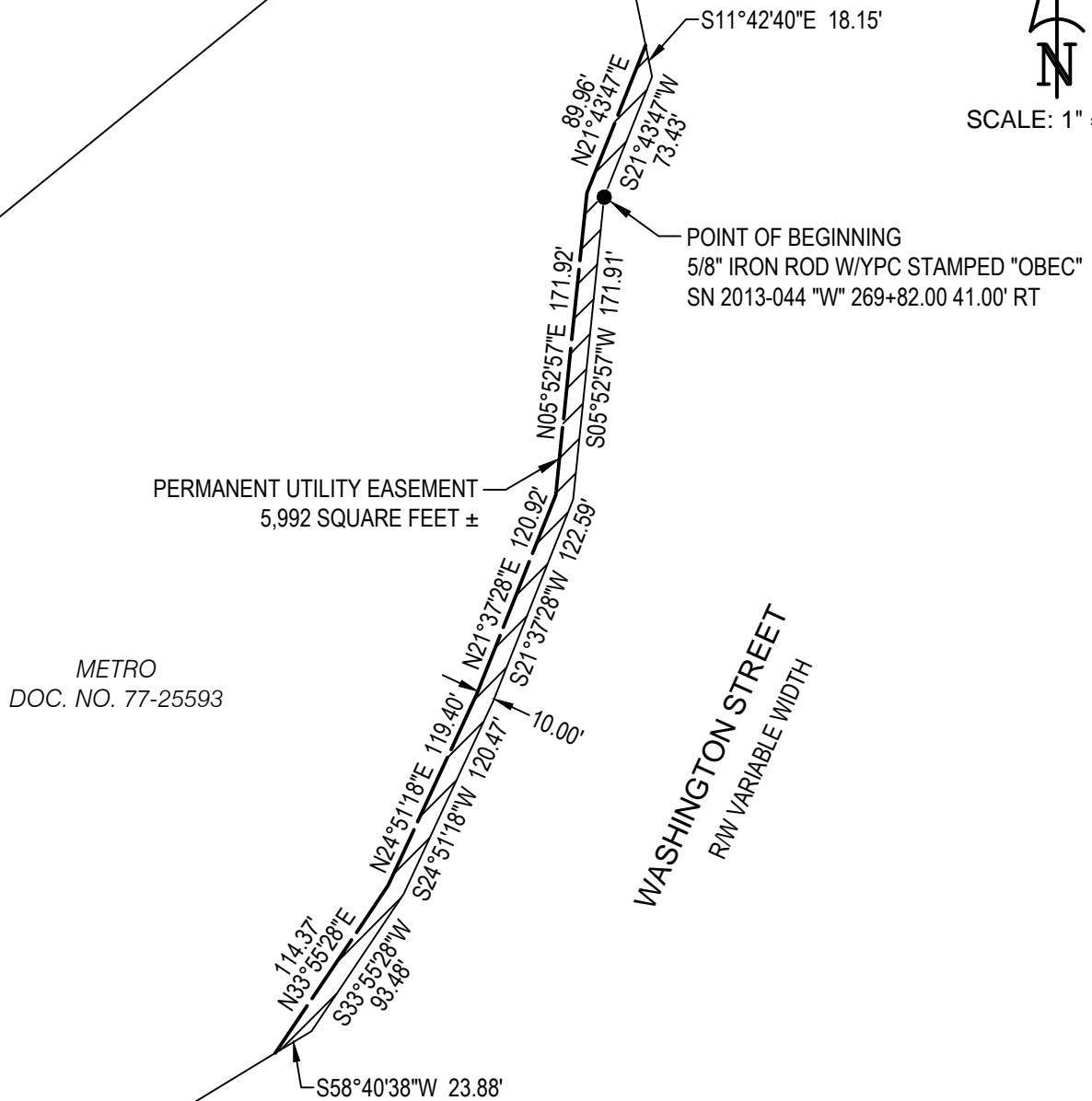
RENEWS: 6/30/2026

**Exhibit B to Resolution No. 26-5545**

Exhibit B to City of Oregon City Public Utility Easement



SCALE: 1" = 100'



**EXHIBIT B**

METRO SOUTH TRANSFER STATION  
PERMANENT UTILITY EASEMENT

IN THE NE 1/4 AND NW 1/4 OF SECTION 29, TOWNSHIP 2 SOUTH, RANGE 2 EAST,  
WILLAMETTE MERIDIAN, OREGON CITY, CLACKAMAS COUNTY, OREGON  
DECEMBER 2025

**Otak**



808 SW 3rd Ave., Ste. 800  
Portland, Oregon 97204  
Phone: (503) 287-6825  
www.otak.com  
project: 22246.B

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

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

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

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

Prepared by: Sebrina Nelson  
Sebrina.Nelson@oregonmetro.gov  
Presenter(s): Robin McCaffrey  
Length: 10 min

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#### **ISSUE STATEMENT**

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

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

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

#### **ACTION REQUESTED**

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

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

#### **IDENTIFIED POLICY OUTCOMES**

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

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

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

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

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

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

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

#### **STAFF RECOMMENDATION**

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

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

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

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

#### **BACKGROUND**

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

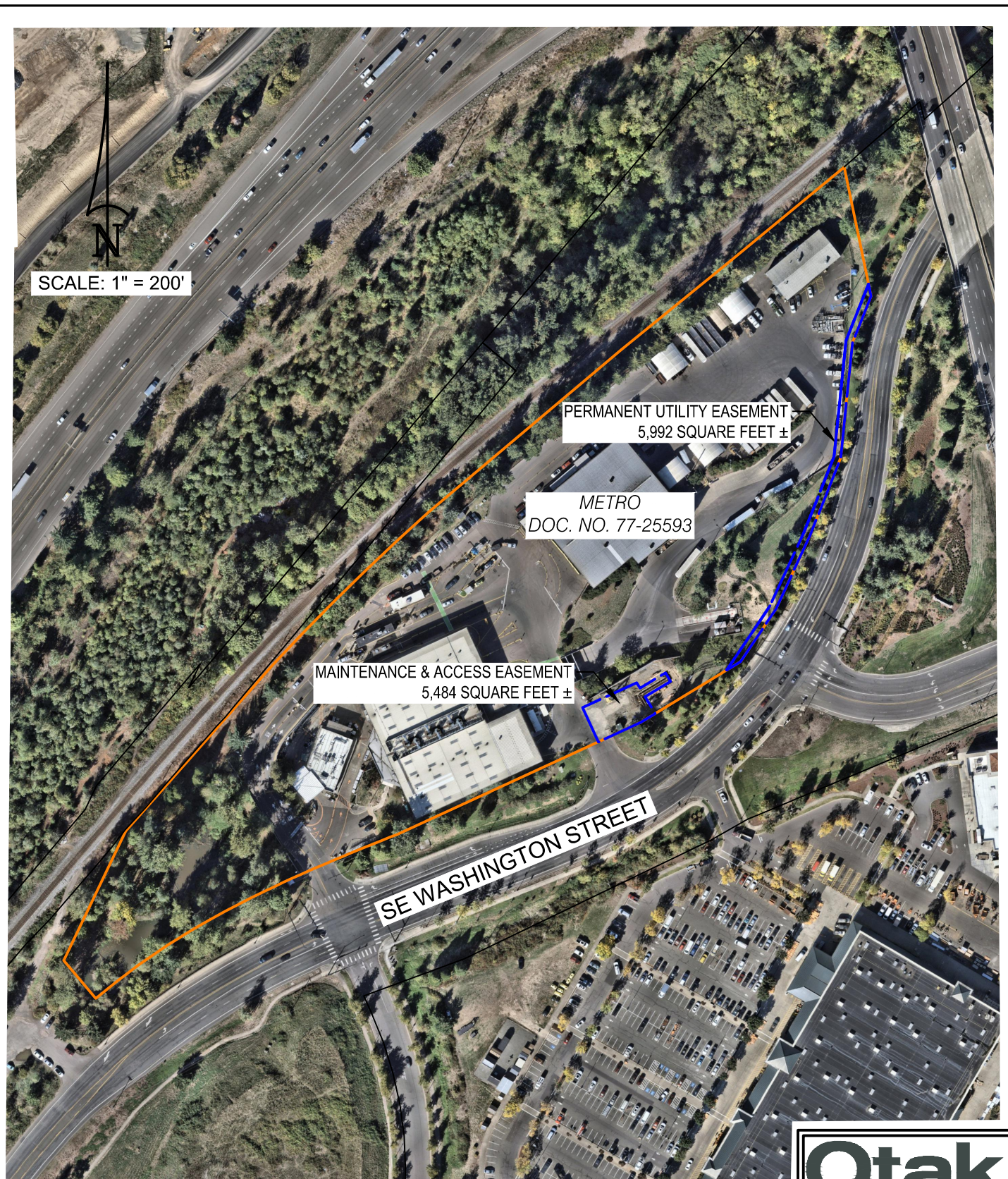
Upon completion of the design of the new Metro administrative buildings, Metro submitted a Type II Land use application to the City on March 30, 2022. The City issued a decision on September 7, 2022, which included twenty-three conditions of approval, including the PUE and private stormwater easements.

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

#### **ATTACHMENTS**

1. Easement Overview Image





## METRO SOUTH TRANSFER STATION

IN THE NE 1/4 AND NW 1/4 OF SECTION 29, TOWNSHIP 2 SOUTH, RANGE 2 EAST,  
WILLAMETTE MERIDIAN, OREGON CITY, CLACKAMAS COUNTY, OREGON  
DECEMBER 2025

**Otak**

808 SW 3rd Ave., Ste. 800  
Portland, Oregon 97204  
Phone: (503) 287-6825  
www.otak.com  
project: 22246.B





Metro

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

Agenda #: 4.3

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**File #:** RES 26-5546

**Agenda Date:** 1/8/2026

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

Hau Hagedorn, Community Investment Manager  
Serah Breakstone, 2040 Grants Program Manager

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF APPROVING FISCAL	)	RESOLUTION NO. 26-5546
YEAR 2025-26 FUNDING FOR A GRANT	)	
FUNDED WITH THE CONSTRUCTION EXCISE	)	Introduced by Chief Operating Officer
TAX	)	Marissa Madrigal in concurrence with
	)	Council President Lynn Peterson

WHEREAS, in 2006, Metro adopted Ordinance No. 06-1115, establishing a construction excise tax (CET) to generate revenue for providing grants to local governments for regional and local planning; and

WHEREAS, on April 12, 2018, the Metro Council adopted Resolution No. 18-4882, which approved additional refinements to the Administrative Rules, providing for the creation of a technical assistance component of the program to facilitate successful implementation of 2040 Planning and Development Grants by providing additional professional expertise as needed to successfully accomplish grant objectives; and

WHEREAS, on December 6, 2018, the Metro Council adopted Ordinance No. 18-1425 which amended Metro Code chapter 7.04 to remove the provision that the CET sunset in 2020 and implemented additional refinements to the code to more clearly reflect current program policies and facilitate program and CET administration; and

WHEREAS, on April 11, 2024, the Metro Council adopted Ordinance No. 24-1509 which amended Metro Code chapter 7.04 to expand the availability of 2040 Planning and Development Grants to include federally recognized Tribes and certain community groups inside unincorporated urban areas; and

WHEREAS, on May 2, 2024, the Metro Chief Operating Officer (COO) approved amendments to the Administrative Rules that govern 2040 Planning and Development Grants to implement the changes to the Metro Code, improve program flexibility, effectiveness, and efficiency, and change the grant cycle from annually to quarterly; and

WHEREAS, on June 26, 2024, the COO established a 2040 Planning and Development Grant Screening Committee (Grant Screening Committee) consisting of eight members with broad expertise in planning and development to provide the COO an assessment of the strength of each grant application in accordance with the criteria set forth in Metro Code Chapter 7.04 and the Administrative Rules; and

WHEREAS, in accordance with Metro Code Chapter 7.04 and the Administrative Rules, the COO reviewed the recommendations of staff and the Grant Screening Committee, and presented to the Metro Council the COO's recommendations for grant funding for the fourth quarter cycle of 2025 at a Metro Council meeting on January 8, 2026; and

WHEREAS, the Metro Council has reviewed the recommendation of the COO and the comments provided by the Grant Screening Committee; and

WHEREAS, the Metro Council accepts the COO's recommendation to award funds as described in Exhibit A; now therefore,



BE IT RESOLVED that the Metro Council hereby:

1. Awards the grant for the 25Q4 grant cycle totaling \$360,680, as set forth in the attached Exhibit A, to the identified grant recipient for the project and amount listed in Exhibit A; and
2. Authorizes and directs the Metro COO and staff, and the Office of Metro Attorney, to finalize project scoping and a grant agreement with the grant recipient, which must set forth milestones and funding disbursement dates that comply with the Metro Code Construction Excise Tax Chapter 7.04, the CET Administrative Rules, this Resolution No. 26-5546 and Exhibit A attached hereto.

ADOPTED by the Metro Council this 8th day of January 2026.

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Lynn Peterson, Council President

Approved as to Form:

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Carrie MacLaren, Metro Attorney

**EXHIBIT A  
RESOLUTION 26-5546**

**2040 Planning & Development Grant Award**

**Cycle 25Q4 – January 8, 2026**

<b>Applicant</b>	<b>Project</b>	<b>Award Amount</b>
1. City of Gresham	Springwater Planning Project	\$ 360,680
<b>Total</b>		<b>\$360,680</b>

## STAFF REPORT FOR COUNCIL MEETING

IN CONSIDERATION OF RESOLUTION NO. 26-5546, FOR THE PURPOSE OF  
APPROVING FISCAL YEAR 2025-26 FUNDING FOR A GRANT FUNDED WITH  
THE CONSTRUCTION EXCISE TAX

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Date: December 16, 2025  
Department: Community Investments  
Meeting Date: January 8, 2026

Presenters:  
Hau Hagedorn, Community Investment  
Manager, PD&R  
Serah Breakstone, 2040 Grants Program  
Manager, PD&R

Prepared by: Serah Breakstone, 2040  
Grants Program Manager

Length: 15 minutes

---

### ISSUE STATEMENT

This report provides a summary of recommendations for 2040 Planning & Development Grant awards for the fourth quarter cycle of 2025. The process for this cycle included:

- Reminder email sent to 2040 Grants interested parties/stakeholders
- Applicant letters of interest and optional meetings with Metro staff
- Final applications due (Oct. 10)
- Staff and screening committee evaluations
- Screening committee meeting (Nov. 5) to develop recommendations for Metro COO
- Metro COO review of committee recommendations and development of recommendation to Metro Council (Dec. 4)

Metro received one complete application from the City of Gresham to prepare Comprehensive Plan map and zoning code amendments for the Springwater Plan District. This work will implement strategies identified in the Springwater Plan District Relook study, funded by a 2040 grant in 2023.

The Grants Screening Committee recommended funding for the Gresham proposal at the amount requested. The Metro COO endorsed this recommendation without any changes at a review meeting on December 4, 2025.

More details about the grant proposal are provided in Attachment 1.

### ACTION REQUESTED

Staff requests that Council consider approving Resolution No. 26-5546 to award a 2040 Planning and Development Grant as listed below. This action would authorize expenditure of CET funds and allow staff to work with the grantee to develop a final project scope and execute an intergovernmental agreement (IGA).

<b>Applicant</b>	<b>Project</b>	<b>Award Amount</b>
1. City of Gresham	Springwater Planning Project	\$ 360,680

Total recommended funding for this cycle is \$360,680. If the funding for this cycle is approved, the total awards for the 2025 calendar year will be \$2,466,680.

### **IDENTIFIED POLICY OUTCOMES**

The purpose of the 2040 Planning & Development Grants program is to fund planning work in the region that supports Metro's regional vision for growth. The grants are funded through the construction excise tax (CET) which was established in 2006 with the purpose of funding regional and local planning. The grants are intended to facilitate planning that makes land ready for development, supports economic prosperity, and implements Metro's long-term plan for livable communities, as outlined in the 2040 Growth Concept. Council's award of these 2040 grants will facilitate much-needed planning projects across the region.

### **STAFF RECOMMENDATIONS**

Staff recommends that Council approve Resolution No. 26-5546 to award the 2040 grant identified herein.

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

The proposals recommended for funding support Metro's goals and strategic priorities in the following ways:

- This work will help implement strategies and priorities established as part of the Springwater Plan District Relook effort, which was funding through the 2040 grant program in 2023.
- This work will also implement Gresham's economic opportunity analysis (ongoing) and associated updates to Goal 9 of their Comprehensive Plan, aligning efforts to meet local and regional business and housing needs.
- The outcome of this project will remove barriers to development by responding to site conditions, market conditions, and projected employment and housing needs.

### **ATTACHMENTS**

1. 2040 grant application summary for 25Q4

ATTACHMENT 1  
25Q4 GRANT APPLICATIONS SUMMARY & RECOMMENDATION

Applicant	Project	District	Category	Amount
City of Gresham	Springwater Planning Project	1	Planning Inside UGB	\$360,680
<p><b>Summary:</b></p> <ul style="list-style-type: none"><li>– Project will update the comprehensive plan and zoning code designations for land inside the Springwater District with the intent of removing barriers to development and refining approach to infrastructure delivery in the district.</li><li>– Project is designed to implement the Springwater Plan Relook (funded by Metro 2040 grant), the Gresham Economic Opportunities Analysis (currently underway), and an associated update to Gresham’s Comprehensive Plan Goal 9 (Economic Development).</li><li>– Work includes community engagement, infrastructure evaluation, and plan map and zoning code amendments that will be adopted by Gresham City Council.</li><li>– Work will be coordinated with ODOT and Multnomah County.</li></ul> <p><b>Recommendation:</b> Recommended for funding at requested amount.</p>				



Metro

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

Agenda #: 4.4

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**File #:** RES 26-5554

**Agenda Date:** 1/8/2026

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

Anneliese Koehler, she/her, Legislative Affairs Manager  
Kyung Park, he/him, State Affairs Advisor

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ADOPTING THE 2026 ) RESOLUTION NO. 26-5554  
STATE LEGISLATIVE AGENDA )  
) Introduced by Council President Lynn  
Peterson

WHEREAS, Metro has an interest in the bills, policies, and discussions before the 2026 Oregon Legislature; and

WHEREAS, the Metro Council and Metro staff will represent Metro's interest during the upcoming legislative session; and

WHEREAS, the Metro Council wishes to establish a united position on important legislative proposals and provide direction to its staff to represent the will of the agency; and

WHEREAS, the 2026 Metro Council Legislative Priorities attached as Exhibit A of this resolution lists specific expected and potential issues that are of concern to Metro and the metropolitan region, and gives guidance to staff on the Metro Council's position on these issues; and

WHEREAS, the 2026 Legislative Principles attached as Exhibit B state the Metro Council's principles regarding categories of potential legislation in order to provide guidance to staff in representing Metro; now therefore,

BE IT RESOLVED that the Metro Council directs the Metro Chief Operating Officer, the Metro Attorney, and Metro staff to communicate the agency's position on a variety of legislative proposals to the 2026 Oregon Legislature consistent with Exhibits A and B attached hereto.

ADOPTED by the Metro Council this \_\_\_\_\_ day of January 2026.

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Lynn Peterson, Council President

Approved as to Form:

---

Carrie MacLaren, Metro Attorney

**METRO COUNCIL LEGISLATIVE PRIORITIES**  
**2026 Legislative Session**



**GENERAL GOVERNMENT**

- **Serial communications:** Support changes to the public meetings law to clarify prohibited serial communications and serial meetings. Reduce confusion for elected officials regarding compliance while ensuring transparency in decision making by governing bodies.
- **Food and Beverage:** Support exceptions to requirements that food and beverage offerings be formally included as part of official compensation packages. The current requirements prohibit members of some advisory committees and commissions from accepting food and beverage during meetings that can occur during regular meal times. Support legislation that allows reasonable food and beverage offerings by the public body during these meetings and other official events.
- **Protecting Critical Services:** To ensure a prosperous economy, a clean and healthy environment, and a high quality of life for all their constituents, the state, Metro, and the region's counties, cities, and other service providers must have the financial resources to provide sustainable, quality public services. Accordingly, when dealing with financially constrained budgets, the Legislature should avoid cutting critical services.

**HOUSING AND HOMELESSNESS**

- **Housing and Homelessness Response Stability:** Support legislation that protects the stability of regional and local housing and homelessness systems. Support efforts that offer permanent, affordable housing for individuals and families experiencing or at risk of homelessness and provide supportive services and community-based support people need to keep their housing. Additionally, support ways to stabilize and preserve the affordable housing stock.

**LAND USE**

- **Urban Growth Management:** Ensure that the Legislature establishes the policy framework and process for local land use decisions and respects the authority of local governments, including Metro, to make specific decisions on local land use matters. Oppose efforts to legislatively determine specific land use designations in the region or to distort the process of assessing land need by mandating inaccurate analysis.

**TRANSPORTATION**

- **Transportation Package:** Support efforts that build on the 2025 Transportation Funding Bill, lay the groundwork for a 2027 transportation package, and advance the 2025 JPACT priorities: addressing short-term funding solutions, long-term sustainable funding, finishing what we started, safe urban arterials and streets, transit investments, and resiliency.



## **WASTE MANAGEMENT AND WASTE REDUCTION**

- **Battery Extended Producer Responsibility:** Support legislation that creates a battery extended producer responsibility program in Oregon.

## **VENUES**

- **Speculative Ticketing:** Support legislation that bans speculative ticketing, protecting consumers and artists from deceptive ticketing practices.

## METRO COUNCIL 2026 LEGISLATIVE PRINCIPLES<sup>1</sup>



### GENERAL PRINCIPLES:

1. **Successful Communities:** Metro supports policy and funding solutions that facilitate the achievement of the six desired outcomes for successful communities that have been agreed upon by the region: vibrant, walkable communities; economic competitiveness and prosperity; safe and reliable transportation choices; leadership in minimizing contributions to climate change; clean air, clean water and healthy ecosystems; and equitable distribution of the burdens and benefits of growth and change.<sup>2</sup>
2. **Racial Diversity, Equity and Inclusion:** Metro envisions a region and state where a person's race, ethnicity or zip code does not predict their future prospects and where all residents can enjoy economic opportunity and quality of life. Metro therefore supports legislation that acknowledges past discrimination, addresses current disparities and promotes inclusion in public programs, services, facilities and policies.<sup>3</sup>
3. **Tribal Sovereignty:** Metro seeks to support tribal sovereignty through government-to-government relations and coordination with Tribes, exploring opportunities to incorporate tribal interests and priorities into Metro's work and ensuring agency compliance with pertinent cultural, historic and natural resource protection laws. Metro will not supplant any Tribe or tribal organization's efforts on legislative priorities and will strive to coordinate with legislative and policy representatives of Tribes, Tribal organizations and Indigenous legislators to determine if Metro's involvement on any legislative priorities is appropriate.
4. **Climate Justice:** Metro supports efforts to combat and adapt to climate change and to meet the state's goals for reducing greenhouse gas emissions. To this end, Metro supports state policy and funding solutions that can help to reduce emissions in all of its main lines of business: land use and transportation planning and investment, housing and homeless services, consumption, waste management and solid waste management, parks and natural areas, and operation of visitor venues.
5. **Vibrant Sustainable Workforce.** Metro supports a thriving and equitable regional economy that creates job and career opportunities for all people. To this end, Metro supports state policy and investments that create new career opportunities and remove barriers to career opportunities to meet the demand for a skilled and diverse workforce in Metro's lines of business and in the region, including initiatives that promote quality training, family sustaining wages, access to career ladders and the provision of workforce wraparound services, and incentives to promote economic adaptability and mobility.
6. **Preemption:** With respect to issues related to matters of regional concern, Metro's policy and funding authority should not be preempted or eroded.

7. **Funding:** To ensure a prosperous economy, a clean and healthy environment, and a high quality of life for all of their citizens, Metro and the region's counties, cities, and other service providers must have the financial resources to provide sustainable, quality public services. Accordingly, the Legislature should remove existing restrictions on local and regional revenue-raising authority and avoid enacting new limitations or pre-emptions, and all state mandates should be accompanied by funding.

## **SPECIFIC PRINCIPLES:**

### **HOUSING:**

8. **Affordable Housing and Homelessness:** Metro supports efforts to ensure that housing choices are available to people of all incomes in every community in our region; to reduce the number of households that are burdened by the combined costs of housing and transportation; to support people experiencing homelessness or at risk of losing housing; and to increase affordable opportunities for home ownership.<sup>4</sup> To achieve these outcomes, Metro supports legislative actions consistent with Oregon's land use laws that increase the supply of both regulated affordable housing and market-rate housing; provide funding for both housing development and services that support lower-income renters and people experiencing homelessness; and provide reasonable protections for renters against arbitrary and unfair actions.

### **LAND USE AND URBAN GROWTH MANAGEMENT:**

9. **Oregon's Land Use System:** Oregon's land use planning system provides an important foundation for the prosperity, sustainability and livability of our region; this system reflects the values of Oregonians and enjoys strong public support. The Legislature should exercise restraint and care when considering changes to Oregon's land use system.
10. **Local Land Use Decisions:** Management of the urban growth boundary is a complex undertaking that involves extensive analysis, public input, and a balancing of many factors. Urban growth management decisions have profound impacts not just on land at the boundary, but on communities within the boundary and on farms and other rural lands outside the boundary. For these reasons, the Legislature should establish the process and policy framework for local land use decisions and should affirm the authority of local governments, including Metro, to make specific decisions on local land use matters.
11. **Efficient Use of Existing Urban Land:** Land within the urban growth boundary should be used efficiently before the boundary is expanded.<sup>5</sup> Metro supports policy and funding strategies to facilitate efficient use of existing urban land, including investments in brownfield cleanup and industrial site readiness, as well as policy and zoning reforms that authorize and/or encourage more efficient development in residential and commercial areas.
12. **Need:** The UGB should not be expanded in the absence of demonstrated need.<sup>6</sup>

- 13. Integration of Land Use and Transportation:** Land use and transportation planning should be coordinated so land uses do not undermine the efficiency and reliability of the transportation system and transportation investments do not lead to unintended or inefficient land uses.<sup>7</sup>
- 14. Annexation:** Cities are the preferred governing structure for providing public services to urban areas, and Metro supports reforms that will facilitate, or reduce barriers to, orderly annexation and incorporation.
- 15. Fiscal Responsibility:** Funding to support urban development should be generated at least in part by fees on those who directly benefit from that development.

#### **SOLID WASTE:**

- 16. Life Cycle Approach:** Metro supports efforts to minimize the health, safety, environmental, economic and social impacts associated with consumer products and packaging throughout all stages of a product's life cycle, beginning with resource extraction and continuing through design, manufacturing, consumption and disposal.<sup>8</sup>
- 17. Product Stewardship/Producer Responsibility:** Metro supports legislation providing that whoever designs, produces, sells or uses a product bears responsibility for minimizing the product's environmental impact throughout all stages of the product's life cycle. Under this market-based approach, the life-cycle costs of a product are internalized into its price rather than being forced onto the general public. This approach also provides an incentive for manufacturers to design and produce their goods in a way that minimizes waste, environmental impact and management costs.
- 18. Equity in the Solid Waste System:** The Regional Waste Plan aims to eliminate disparities experienced by people of color and historically marginalized communities from the full life cycle of products and packaging used and disposed in the region. Metro supports legislation that achieves this by advancing: community restoration, community partnerships and community investment; access to recycling, waste and reuse services and information; good jobs with improved worker health and safety, compensation and career pathways; business opportunities in the local economy; and community health through minimized impacts from system operations - locally and in end markets - and from toxic chemicals in products and packaging. Legislation should require the establishment of targets, standards and compliance processes, as appropriate, to ensure progress toward equity goals.

#### **TRANSPORTATION:**

- 19. Transportation Funding:** Providing adequate funding for all transportation modes that move people and freight supports economic prosperity, community livability, public health and environmental quality. For these reasons, Metro supports an increase in overall transportation funding, investments in a safe and balanced multimodal transportation system that addresses the needs of all users, and flexibility in the system to provide for local solutions to transportation problems.

**20. Climate Justice:** Metro and its regional partners are committed to the Climate Smart Strategy, which includes actions needed to achieve state targets for reducing greenhouse gas emissions from transportation. The state should provide financial support for implementation of the Climate Smart Strategy.

**21. Safe and Equitable Transportation:** Our region has adopted policies and developed programs to make it safer to walk and bike to school and other destinations, reduce serious traffic crashes and deaths, and reduce the disproportionate impact of traffic crashes and traffic enforcement in low income communities and communities of color.<sup>9</sup> Metro supports legislation that advances safe and equitable transportation, including more effective and equitable enforcement of speed limits and other safety regulations, greater investment in infrastructure that improves safety (especially in disadvantaged communities), and greater authority for local governments to safely manage their transportation networks.

#### **PARKS, NATURE AND CONSERVATION:**

**22. Parks and Natural Areas:** Our region has invested heavily in protecting water quality and fish and wildlife habitat and providing residents with access to nature and outdoor activity. Parks and natural areas are regional assets that support public health, environmental quality, strong property values and economic prosperity. For these reasons, Metro supports measures to increase local and regional authority to raise revenues to support parks and natural areas and to increase the level of state funding distributed to local governments for acquisition, capital improvements, and park operations.

**23. Species Conservation:** Metro supports efforts to protect and restore fish and wildlife habitat, to recover threatened and endangered species, and to create a better future for fish and wildlife, both in Oregon and globally.

**24. Conservation Education:** Metro supports efforts to provide stable and reliable funding to conservation education.

#### **ECONOMIC PROSPERITY:**

**25. Metro Venues:** Because the Oregon Convention Center, Expo Center, Portland's Centers for the Arts and Oregon Zoo contribute millions of dollars to the state and regional economies, Metro supports policy and funding solutions that facilitate the success of these venues in attracting visitors and enhancing the quality of their experiences.

#### **AGENCY OPERATIONS:**

**26. Firearms and Public Facilities:** Metro supports legislation that increases Metro's authority to regulate the carrying of firearms on Metro properties and public venues, and opposes legislation that limits or reduces that authority.

**27. Disaster Resilience:** Metro supports legislative efforts to improve community disaster preparedness and resilience, with the goal of enabling the Portland region to provide for the

immediate needs of its residents and businesses after a catastrophic event and facilitating the region's short- and long-term recovery.

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<sup>1</sup> Unless otherwise noted, endnotes refer to applicable policy statements in Metro's [Regional Framework Plan](#) (RFP).

<sup>2</sup> RFP Chapter 1 (Land Use).

<sup>3</sup> [Strategic plan to advance racial equity, diversity and inclusion](#).

<sup>4</sup> RFP Policy 1.3 (Housing Choices and Opportunities).

<sup>5</sup> RFP Policy 1.1 (Compact Urban Form).

<sup>6</sup> RFP Policy 1.9 (Urban Growth Boundary).

<sup>7</sup> RFP Policy 1.3.13 (Housing Choices and Opportunities); Transportation Goal 1 (Foster Vibrant Communities and Efficient Urban Form).

<sup>8</sup> [2030 Regional Waste Plan](#), page 11.

<sup>9</sup> [2018 Regional Transportation Plan, Chapter 3](#), Safety and Security Policies 1-9 and Transportation Equity Policies 1-7.

## 2026 STATE LEGISLATIVE AGENDA

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Date: December 22, 2025

Department: GAPD

Meeting Date: January 8, 2026

Prepared by: Kyung Park, State Affairs  
Advisor

Presenters: Anneliese Koehler, Legislative  
Affairs Manager; Kyung Park, State Affairs  
Advisor

Length: 30 minutes

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### **ISSUE STATEMENT**

This Council meeting is for Council to adopt the 2026 State Legislative Priorities and 2026 State Legislative Principles. Proposed legislative priorities and principles will be discussed.

### **ACTION REQUESTED**

The Council may adopt its state legislative agenda for 2026.

### **IDENTIFIED POLICY OUTCOMES**

Support Metro's policy goals through engagement with the Oregon State Legislature in 2026.

### **POLICY QUESTION(S)**

Does Council wish to approve the 2026 State Legislative Priorities and Principles, updated in Council discussions in October and December?

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

See attachments for State Legislative Principles and State Legislative Priorities. These are final drafts and are here for final adoption. Discussions with Council in October and December are reflected in the final document.

### **STAFF RECOMMENDATIONS**

Approve Council's 2026 state legislative agenda.

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

Over the course of the last six months, we met with Metro Departmental leadership, community organizations, jurisdictional partners and legislators to discuss possible state legislative priorities. In addition, Metro Council had work sessions in October and December to discuss the initial drafts of the state legislative agenda. We have incorporated all this feedback into our presentation to you today and are here seeking final adoption of the state legislative agenda for 2026.

### *2026 session*

The 2026 Legislative session is a short session lasting roughly a month. Unlike long sessions, short sessions focus on necessary budgetary tweaks, passing technical fixes and a few pieces of policy legislation. It is uncommon for large, controversial pieces of legislation

or significant budget changes to occur. Many parties approach the short session with only one or two minor bills. The session is also deliberately structured to be limited as legislators are only allowed to file a small number of bills.

### *Elections*

The 2026 election will impact the 2026 legislative session as legislators begin to seriously contemplate running again, seeking other offices, or retiring from the Legislature. There are some changes that we are aware of already. There will be additional changes in the Senate stemming from the 2023 walkout. As a result of the walkout, ten Senate Republicans were ineligible for reelection. Six senators were replaced in 2024 and the remaining four will be replaced in the 2026 election. Of the remaining four, two are considered competitive districts. In addition, one of those four, Senator Bonham, announced his resignation effective October 5. County commissioners appointed Rep. Christine Drazan to fill the vacancy. Additionally, Rep. Anessa Hartman, Rep. Ken Helm, and Rep. John Lively will not be seeking re-election in 2026. As we approach the 2026 session, we anticipate additional retirements from the Legislature.

The Governor and Oregon Bureau of Labor and Industries Commissioner are also up for re-election in 2026. Those seats are both held by incumbents that staff anticipate will run again.

### *Legislature overview*

The Legislature continues to experience turnover in leadership with a newly elected Senate Minority Leader and House Minority Leader. After Senator Bonham announced his resignation, the caucus elected Senator Bruce Starr as the new Senate Minority Leader. Then House Minority Leader Christine Drazan was appointed to Senator Bonham's seat, creating a vacancy in House Republican leadership. Rep. Lucetta Elmer from McMinnville is the new House Minority Leader.

The Metro region is well represented in legislative leadership. Senate President Wagner, Senate Majority Leader Jama and House Majority Leader Bowman all reside in our region. Both co-chairs of ways and means are also from our region.

The Metro region will also have two new Representatives for the short session. Rep. Hoa Nguyen passed away this fall and is replaced by Lamar Wise. Rep. Christine Drazan moved over to the Senate and Rep. Matt Bunch was appointed to the House.

Until September of 2025, the Democrats held an exact three-fifths super majority in both chambers. This is threshold for revenue raising votes but falls shy of the two-thirds necessary to achieve quorum. In September, Rep. Javadi switched his party affiliation from Republican to Democrat. This increases the margins in the House for Democrats.

The Oregon State Capital building is still under construction and but some portions of the building have reopened. The rotunda, café, and additional hearings rooms should be accessible in the 2026 session.



### *Revenue Forecast*

The September 2025 revenue forecast projected a shortfall of approximately \$888 million dollars in revenue for the current 2025-2027 fiscal year. This is due to federal tax code changes from H.R. 1. Oregon has a rolling connect policy that ties Oregon's tax code to the federal tax code. Legislators had set aside \$472 million at the end of the 2025 session, but this buffer quickly evaporated and left a deficit of \$373 million for legislators to tackle during the 2026 session. In mid-September, Governor Kotek directed all state agencies to slow all spending by holding vacant positions open longer, reducing spending on supplies and services, slowing down implementation of new programs, and reducing all out of state travel costs for conferences and trainings. In addition, all state agencies have been asked to present 5 percent budget cut scenarios.

The December 2025 revenue forecast closed the deficit to \$63 million due to an unexpected increase in corporate tax receipts. The increase in corporate tax revenue was a one-time event and not an indication of future economic conditions. There will be one more revenue forecast released in February of 2026 which will dictate the final budget decisions.

### *Legislative session priorities*

Staff anticipate that revenue and budget conversations will dominate the 2026 short session. The cuts to federal programs and revenue shortfall will lead to difficult conversations and budget cuts across the board.

### **BACKGROUND**

Council adopts a State Legislative Priorities and State Legislative Principles annually. This meeting follows two Council work sessions to discuss the 2026 legislative principles and priorities.

### **ATTACHMENTS**

None