

Metro | Agenda

Meeting: Metro Council
Date: Thursday, Oct. 27, 2011
Time: 2 p.m.
Place: Metro Council Chambers

CALL TO ORDER AND ROLL CALL

1. INTRODUCTIONS
2. CITIZEN COMMUNICATIONS
3. **AWARD PRESENTATION: "OUTSTANDING ACHIEVEMENT AWARD FOR THE EXCELLENCE IN ENVIRONMENTAL DOCUMENTATION PREPARATION, PORTLAND-MILWAUKIE LIGHT RAIL PROJECT ENVIRONMENTAL IMPACT STATEMENT"** **Wieghart**
4. **CONSENT AGENDA**
 - 4.1 Consideration of the Minutes for Oct. 20, 2011
 - 4.2 **Resolution No. 11-4303**, For the Purpose of Authorizing the Chief Executive Officer to Grant an Easement Relating to the Expo Center Conditional Use Master Plan.
5. **RESOLUTIONS**
 - 5.1 **Resolution No. 11-4302**, For the Purpose of Adopting Amendments to the 1998 "Green Corridor" Intergovernmental Agreement Among Metro, Clackamas County and the City of Sandy and Authorizing the Council President to Sign the Amended Agreement. **Craddick**
6. **CHIEF OPERATING OFFICER COMMUNICATION**
7. **COUNCILOR COMMUNICATION**

ADJOURN

Television schedule for Oct. 27, 2011 Metro Council meeting

<p>Clackamas, Multnomah and Washington counties, and Vancouver, WA Channel 11 – Community Access Network <i>Web site:</i> www.tvctv.org <i>Ph:</i> 503-629-8534 <i>Date:</i> Thursday, Oct. 27</p>	<p>Portland Channel 11 – Portland Community Media <i>Web site:</i> www.pcmtv.org <i>Ph:</i> 503-288-1515 <i>Date:</i> 8:30 p.m. Sunday, Oct. 30 <i>Date:</i> 2 p.m. Monday, Oct. 31</p>
<p>Gresham Channel 30 - MCTV <i>Web site:</i> www.metroeast.org <i>Ph:</i> 503-491-7636 <i>Date:</i> 2 p.m. Monday, Oct. 31</p>	<p>Washington County Channel 30– TVC TV <i>Web site:</i> www.tvctv.org <i>Ph:</i> 503-629-8534 <i>Date:</i> 11 p.m. Saturday, Oct. 29 <i>Date:</i> 11 p.m. Sunday, Oct. 30 <i>Date:</i> 6 a.m. Tuesday, Nov. 1 <i>Date:</i> 4 p.m. Wednesday, Nov. 2</p>
<p>Oregon City, Gladstone Channel 28 – Willamette Falls Television <i>Web site:</i> http://www.wftvmedia.org/ <i>Ph:</i> 503-650-0275 Call or visit web site for program times.</p>	<p>West Linn Channel 30 – Willamette Falls Television <i>Web site:</i> http://www.wftvmedia.org/ <i>Ph:</i> 503-650-0275 Call or visit web site for program times.</p>

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Agenda Item Number 3.0

**Award Presentation: “Outstanding Achievement Award for
the Excellence in Environmental Documentation
Preparation, Portland-Milwaukie Light Rail Project
Environmental Impact Statement”**

Metro Council Meeting
Thursday, Oct. 27, 2011
Metro Council Chamber

Agenda Item Number 4.1

Consideration of the Minutes for Oct. 20, 2011

Consent Agenda

Metro Council Meeting
Thursday, Oct. 27, 2011
Metro Council Chamber

Agenda Item Number 4.2

Resolution No. 11-4303, For the Purpose of Authorizing the
Chief Executive Officer to Grant an Easement Relating to the
Expo Center Conditional Use Master Plan.

Consent Agenda

Metro Council Meeting
Thursday, Oct. 27, 2011
Metro Council Chamber

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AUTHORIZING THE) RESOLUTION NO. 11-4303
CHIEF OPERATING OFFICER TO GRANT AN)
EASEMENT RELATING TO THE EXPO) Introduced by
CENTER CONDITIONAL USE MASTER PLAN)

WHEREAS, on February 8, 2011, the MERC Commission approved a Expo Center Conditional Use Master Plan (the “CUMP”) by Resolution No. 11-04 and authorized staff to forward the plan to Metro Council for their consideration, review and approval;

WHEREAS, on March 3, 2011, the Metro Council approved the CUMP and authorized staff to take actions necessary for approval of the CUMP with the City of Portland, Bureau of Development Services;

WHEREAS, the CUMP was approved by the City of Portland, Bureau of Development Services subject to certain conditions, one of which requires that Metro grant a public access easement over the existing South Access Road to the City of Portland, Bureau of Transportation.

BE IT RESOLVED that the Metro Council hereby authorizes the Chief Operating Officer to grant a public access easement over the existing South Access Road to the City of Portland, Bureau of Transportation, as set forth in the attached Exhibit A or in a form otherwise approved by the Office of the Metro Attorney.

ADOPTED by the Metro Council this _____ day of October, 2011.

Tom Hughes, Council President

Approved as to Form:

Alison Kean Campbell, Acting Metro Attorney

Exhibit A

PUBLIC ACCESS EASEMENT

KNOW ALL PERSONS BY THESE PRESENTS, that **Metro**, an Oregon municipal corporation (“Metro”), in consideration of the sum of One and no/100 Dollars (\$1.00), and other good and valuable consideration, to it paid by the City of Portland, a municipal corporation of the State of Oregon, the receipt whereof is hereby acknowledged, does hereby grant unto said City of Portland (the "City"), a perpetual access easement for public use for the purpose of ingress and egress through, over and across a portion of Expo property described as follows ("Easement Area"):

As described on Exhibit A and depicted on Exhibit B attached hereto and by this reference made a part hereof.

IT IS UNDERSTOOD:

- A. Metro permits public rights of access and movement for vehicles, bicycles, and pedestrians within and through the Easement Area as though said access and movement existed within a public right-of-way.
- B. No building shall be erected within the Easement Area without the prior written consent of the City Engineer or designee.
- C. Metro represents and warrants that it has the authority to grant the easement..
- D. Metro agrees that the consideration recited herein is just compensation for the property or property rights conveyed, which includes damages to Metro's remaining property, if any, resulting from the acquisition or use of said property or property rights.

R/W # 7365
1N1E04 TL 100
2N1E33 TL 200

After Recording Return to:
106/800/Dee A. Walker

Tax Statement shall be sent to:

No Change

- E. The easement herein granted does not convey any right, title or interest to the Easement Area, except as stated herein.
- F. The easement herein granted is not a dedication of public right-of-way and it is understood and agreed that the City, by accepting this easement, is not accepting any liability for taxes, assessments, or other governmental charges relating to the property.
- G. Metro herein assumes responsibility for construction, reconstruction, maintenance and repair of the Easement Area. Metro shall defend, indemnify, and hold City, its officers, agents and employees harmless from any and all liability or claims for damages to persons or property which may arise or result from the Metro's failure to maintain, construct, reconstruct and repair said facilities
- H. Metro, its successors and assigns, agree to defend, indemnify and hold harmless the City, its officers, agents, and employees against all liabilities, damages, losses, claims, demands, actions, and suits (including attorney fees and costs) resulting from the presence or release of hazardous substances onto or from the Easement Area. This provision shall not apply to a release of hazardous substances onto or from the Easement Area caused by the officers, agents or employees of the City. Any action taken pursuant to this provision shall not constitute an admission of liability or waiver of any defenses to liability.
- I. Metro reserves all development rights appurtenant to the Easement Area for the Metro and Metro's heirs, successors, and assigns. This reservation of development rights includes, but is not limited to, the right to use the Easement Area for building setbacks, lot coverage, density calculations, and stormwater/pervious area.
- J. In accordance with the City of Portland Land Use Decision LU 11-102970 CUMS (HO 4110007), Metro retains the option to relocate the Easement Area along the southern boundary of the Expo Property. Metro shall provide the City with written notice of its intent to relocate the Easement Area and the parties shall record a new Public Access and Utility easement (the "Replacement Easement") within 90-days of receipt of Metro's notice. The Replacement Easement shall be 50-feet wide in order to accommodate the City's public right-of-way improvements. At such time that the Replacement Easement is recorded and the new road is constructed and opened for public use, this Public Access Easement shall automatically terminate and the City shall, within thirty (30) days of such termination, prepare and deliver a quitclaim document acknowledging such termination and extinguishment.

IN WITNESS WHEREOF, the above named has hereunto set its hand this _____ day of _____, 2011.

METRO

BY: _____

NAME: _____

TITLE: _____

STATE OF OREGON

County of _____

This instrument was acknowledged before me on _____, 20____,
by _____ as _____ of Metro,
an Oregon municipal corporation.

Notary Public for Oregon
My Commission expires _____

Approved as to form:

CITY ATTORNEY

BUREAU DIRECTOR OR DESIGNEE

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 11-4303, FOR THE PURPOSE OF AUTHORIZING THE CHIEF OPERATING OFFICER TO GRANT AN EASEMENT RELATING TO THE EXPO CENTER CONDITIONAL USE MASTER PLAN

Date: Oct. 19, 2011

Prepared by: Cheryl Twete
503.797.1774

BACKGROUND

On March 3rd, 2011, the Metro Council approved the Expo Center Conditional Use Master Plan (CUMP) and authorized staff to take actions necessary for approval of the CUMP with the City of Portland, Bureau of Development Services. The CUMP was submitted to the City and subsequently approved by the City Hearings Office and became effective on June 27, 2011. There were no appeals to the decision.

The Hearings Officer decision was subject to five conditions, three of which applied to future development and two of which were required to be completed within 90 days. The purpose of Resolution 11-4303 is to authorize Metro's execution of a public access easement with the City of Portland for the existing South Access Road. In the previous Conditional Use Master Plan (2001), the City required that the road be open and available for public usage as a condition of approval. The City's requirements have changed and in the 2011 CUMP, Metro was required to provide a public access easement for this same roadway and sidewalk area. Easement negotiations with city Portland Bureau of Transportation staff have extended beyond the 90 day timeframe; however, because the parties are acting in good faith towards resolution, the city Bureau of Development Services staff has indicated that the extended timeframe is acceptable.

The 2011 CUMP approval conditions, and the public access easement, allow relocation of the easement at such time when a new, permanent South Access Road is developed along the southern perimeter of the Expo Center site. Staff anticipates that such road will be developed as part of the Columbia River Crossing local street network project.

ANALYSIS/INFORMATION

- 1. Known Opposition** None
- 2. Legal Antecedents** MERC Res.00-41 approving the previous CUMP, November, 15, 2000
Metro Res. 00-3019 approving previous CUMP, December 12, 2000
MERC Res. 11-04 approving the current CUMP, February 8, 2011
Metro Res. 11-4238 approving the current CUMP, March 3, 2011
- 3. Anticipated Effects** Staff has submitted to the City Bureau of Development Services the required additional information and modifications to the 2011 CUMP, excluding the executed public access easement, which will be submitted upon approval by the Metro Council to enable the 2011 CUMP to remain in effect.

4. Budget Impacts

Costs to prepare the public access easement are included in the consultant contract for the 2011 CUMP, under the direction of in-house project management and legal services. Other than recording fees, no additional budget impacts are expected. The Expo Center will continue to be responsible for maintenance and repair costs of the easement area; however, there are no known costs at this time.

RECOMMENDED ACTION

Staff recommends that the Metro Council adopt Resolution No. 11-4303 to approve granting and execution of the public access easement.

Agenda Item Number 5.1

Resolution No. 11-4302, For the Purpose of Adopting Amendments to the 1998 "Green Corridor" Intergovernmental Agreement Among Metro, Clackamas County and the City of Sandy and Authorizing the Council President to Sign the Amended Agreement.

Resolutions

Metro Council Meeting
Thursday, Oct. 27, 2011
Metro Council Chamber

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ADOPTING)	RESOLUTION NO. 11-4302
AMENDMENTS TO THE 1998 “GREEN)	
CORRIDOR” INTERGOVERNMENTAL)	Introduced by Councilor Shirley Craddick
AGREEMENT AMONG METRO, CLACKAMAS)	
COUNTY AND THE CITY OF SANDY AND)	
AUTHORIZING THE COUNCIL PRESIDENT TO)	
SIGN THE AMENDED AGREEMENT)	

WHEREAS, the “Neighbor Cities” Policy (1.11) of Metro’s Regional Framework Plan calls upon Metro to pursue agreements with neighboring cities to establish “green corridors” along state highways that link the cities with the Metro UGB; and

WHEREAS, Metro, Clackamas County (“the county”) and the city of Sandy (“the city”) entered into an intergovernmental agreement (IGA) to establish a green corridor along Highway 26 between the Metro UGB and the Sandy UGB, with an attached map showing the territory subject to the agreement, in 1998; and

WHEREAS, the city requested amendments to the agreement during consideration by Metro and Clackamas, Multnomah and Washington counties of the designation of urban and rural reserves; and

WHEREAS, in 2010 the Metro Council designated urban reserves and the county designated rural reserves in Clackamas County that affect the portions of the territory subject to the 1998 IGA; and

WHEREAS, Metro, the county and the city have agreed to revisions to the 1998 IGA to reconcile the agreement with Metro’s UGB and designated urban and rural reserves; now, therefore,

BE IT RESOLVED THAT the Metro Council:

1. Adopts the amendment to the 1998 IGA, as shown on Exhibit A, attached to this agreement.
2. Authorizes the Council President to sign the agreement on Metro’s behalf.

ADOPTED by the Metro Council this 27th day of October, 2011.

Tom Hughes, Council President

Approved as to form:

Alison Kean Campbell, Acting Metro Attorney

Exhibit A to Resolution No. 11-4302

INTERGOVERNMENTAL AGREEMENT ON
HIGHWAY 26 CORRIDOR
AMONG CITY OF SANDY, CLACKAMAS COUNTY,
METRO

This Agreement is entered into by and between the City of Sandy ("City"), Clackamas County ("County") and Metro ("Metro") (collectively, the "Parties") pursuant to ORS 190.003 to 190.110, which allows units of government to enter into agreements for the performance of any or all functions and activities which such units have authority to perform.

RECITALS

WHEREAS, The Portland metropolitan region and neighboring cities outside Metro's jurisdictional boundaries are expected to experience substantial population and employment growth by the year 2060; and

WHEREAS, Anticipated urban growth and development in the Metro area will affect neighboring cities outside Metro's jurisdictional boundaries, and anticipated urban growth and development in the neighboring cities will affect jurisdictions within Metro's boundaries; and

WHEREAS, The City wishes to maintain its own identity, separate and distinct from the metropolitan area; and

WHEREAS, Metro and the County share the City's desire to maintain a separation between the City and the metropolitan area; and

WHEREAS, Highway 26 eastbound between the cities of Gresham and Sandy is the gateway to the Mount Hood recreational area, a nationally-recognized scenic and recreational resource; and

WHEREAS, pursuant to Senate Bill 1011 (2007) County and Metro have adopted both Urban and Rural Reserves in and around the Highway 26 Corridor between Gresham and Sandy; and

WHEREAS, the County, City and Metro previously entered into an Intergovernmental Agreement (the Green Corridor/Rural Reserve Agreement) for the purpose of preserving the rural character of the area between the Metro UGB and the Sandy Urban Reserve; and

WHEREAS, The City, the County and Metro are interested in preserving and protecting the visual character of the Highway 26 Corridor as it passes through the area subject to this Agreement; and

NOW, THEREFORE, the City, the County and Metro agree as follows:

AGREEMENT

I. Purpose

The Parties agree that they are mutually interested in and will work together to:

- A. Preserve the distinct and unique identities of the City and the metropolitan area by maintaining a separation between the City and the metropolitan area.
- B. Preserve and protect the rural and natural resource character and values of Rural Reserve areas along the corridor that separate the City from the metropolitan area.
- C. Establish a plan to protect the unique visual character of the Highway 26 Corridor.

II. Definitions

- A. "Highway 26 Corridor" means the area along State Highway 26 between the cities of Gresham and Sandy.
- B. "Clackanomah Urban Reserve" means Urban Reserve Areas 1D and 1F as designated in Metro's Regional Framework Plan, and shown on Exhibit A hereto.

III. Pre-Development Buffering

The Parties:

- A. Intend that urban development along the Highway 26 Corridor shall be screened from the Highway in a fashion that reasonably retains the rural visual character of the corridor. The parties agree that a 50-foot wide buffer containing a thick screen of evergreen trees will achieve this goal.

The County and the City:

- B. Will work together in good faith to establish buffers in advance of urban development, either within the existing highway right of way or through the acquisition of appropriate easements on private land adjacent to the highway.
- C. If one or more owners of real property within the Highway 26 Corridor grants an appropriate easement(s), will establish a vegetated buffer within the easement(s) consistent with the terms of this Agreement.
- D. Where an affected property owner is willing to grant an easement(s), will seek funding to establish evergreen plantings within the buffer. Funds provided by any of the Parties for the buffer may be reimbursed through fees paid by future development in the urban reserve area.

E. If an affected property owner does not grant an appropriate easement to establish the buffer, will discuss alternative methods and or incentives to obtain the necessary easements.

IV. Concept Planning for Clackanomah Urban Reserves.

A. The Parties recognize that the addition of any portion of the Clackanomah Urban Reserve into the Urban Growth Boundary will be preceded by and conditioned upon development of a concept plan by the appropriate local governments pursuant to Title 11 of the Metro's Urban Growth Management Functional Plan. The Parties further recognize that the concept planning process is a collaborative process between the jurisdiction that will ultimately provide services to the Clackanomah Urban Reserve and other affected jurisdictions, including the Parties. Metro's regulations do not prescribe a precise outcome to the concept planning process.

B. Prior to approving an amendment to the UGB to add any portion of the Clackanomah Urban Reserve, Metro shall determine that the appropriate city or the County has complied with the provisions of Title 11 for any portion of the Clackanomah Urban Reserve. The Parties will strive to ensure that the concept plan calls for the following in land use regulations adopted following addition to the UGB:

- a. Prior to approval of any commercial, industrial or urban-level residential development in the concept plan area, parcels located within the Clackanomah Urban Reserve and abutting Highway 26 shall provide a vegetated buffer screen along the entire highway frontage, to a depth of 50 feet where such a buffer can be imposed as a condition of development. Within the buffer area existing trees shall be preserved to the greatest extent possible. New evergreen trees at least eight feet in height at planting and capable of growing to at least 30 feet in height shall be planted at a density that will create a visual screen within five years. This provision shall not apply to the development of roads, utilities, or other public facilities;
- b. Appropriate limitations on signs oriented to Highway 26 except where required for reasons of public safety;
- c. Achievement of the principles relating to the Clackanomah Urban Reserves set forth in Exhibit B of the Intergovernmental Agreement between Metro and Clackamas County to Adopt Urban and Rural Reserves, attached to this Agreement; and
- d. Orientation of commercial retail development toward the interior of the Clackanomah Urban Reserves and away from the Highway 26 Corridor.

As used above, “strive to ensure” means the Parties will individually and collectively use their best efforts.

C. Metro will require that provisions in the concept plan that implement paragraphs IV.B.a through d of this Agreement be adopted into the comprehensive plan and land use regulations of the County or the city responsible for urban planning in the portion, or both.

V. Notice and Coordination Responsibilities

A. The County shall provide the City and Metro with notice and an opportunity to comment at least 30 days prior to the first scheduled public hearing on plan amendments or zone changes within the Clackanomah Urban Reserve.

B. The County shall provide the City, Metro and ODOT with notice and an opportunity to comment at least 15 days prior to administrative action on any development applications (including, but not limited to, conditional use permits and design review) within the Clackanomah Urban Reserve.

C. The County shall provide the City and Metro with notice and an opportunity to comment on any proposed concept plan for any portion of the Clackanomah Urban Reserve.

D. In order to fulfill the cooperative planning provisions of this agreement the City, County and Metro shall provide each other with needed data, maps, and other information in hard copy or digital form in a timely manner without charge.

VI. Amendments to this Agreement

This Agreement may be amended in writing by the concurrence of all three Parties. The terms of this agreement may be reviewed at the time that the Parties adopt modifications to related agreements.

VII. Effectiveness and Termination

A. This agreement will be effective upon acknowledgement of the designation by Metro of urban reserves in Clackamas County pursuant to ORS 195.145(1)(b) and a final decision on any appeal of the acknowledgement. This agreement shall continue until terminated by any of the Parties, following a written explanation for the proposed termination and consultation with the other Parties, by written notice from the Party. The agreement shall terminate 60 days following receipt of the notice by the other Parties.

VIII. Severability

If any section, clause or phrase of this agreement is invalidated by any court of competent jurisdiction, any and all remaining parts of the agreement shall be severed from the invalid parts and shall remain in full force and effect.

<p>CITY OF SANDY</p> <p>_____ Mayor, City of Sandy</p> <p>ATTEST:</p> <p>By: _____ City Recorder</p> <p>METRO</p> <p>_____ Metro Council President</p> <p>ATTEST:</p> <p>By: _____</p>	<p>CLACKAMAS COUNTY</p> <p>_____ Chair, Board of Commissioners</p> <p>ATTEST:</p> <p>By: _____ Recording Secretary</p>
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STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 11-4302, FOR THE PURPOSE OF ADOPTING AMENDMENTS TO THE 1998 "GREEN CORRIDOR" INTERGOVERNMENTAL AGREEMENT AMONG METRO, CLACKAMAS COUNTY AND THE CITY OF SANDY AND AUTHORIZING THE COUNCIL PRESIDENT TO SIGN THE AMENDED AGREEMENT

Date: October 27, 2011

Prepared by: Dick Benner
X1532

BACKGROUND

Metro signed an IGA with Sandy and Clackamas County in 1998 to keep a separation between the Sandy and Metro urban areas and to protect the rural portion of the Highway 26 corridor between them. The designation of urban and rural reserves persuaded representatives of the three governments that the IGA should be revised to provide for long-term changes to the area. Discussions among the three governments produced a draft revised IGA intended to achieve the original objectives in a manner consistent with the new urban and rural reserves. The reserves themselves ensure a separation; the revised IGA would assign duties to each of the three governments to protect a "green corridor" through portions that would be urbanized. Metro and the county agree to include Sandy in concept planning for the Clackanomah Urban Reserve, through which Highway 26 passes. The three governments agree to "strive to ensure" that the plan provides for a vegetated buffer screen of trees along the corridor.

ANALYSIS/INFORMATION

- 1. Known Opposition** There is no known opposition
- 2. Legal Antecedents** Metro's Regional Framework Plan Policy 1.11.2 calls upon Metro to pursue agreements with "Neighbor Cities" (Sandy is one) to establish "green corridors" along state highways that link the cities with the metro region to maintain a rural separation between them and the regional UGB. Metro is a party to an existing IGA with Sandy and Clackamas County. Metro has authority to enter into an IGA for this purpose pursuant to ORS 268.385 and 195.020.
- 3. Anticipated Effects** If the IGA is amended, the three parties will coordinate efforts, especially during Title 11 planning for territory to be added to the UGB, to protect a green corridor along Highway 26.
- 4. Budget Impacts** Because Metro would be a participant in Title 11 planning for the Clackanomah Urban Reserve even if there were no IGA, it is unlikely that the IGA will have a significant effect on Metro's budget.

RECOMMENDED ACTION

The Council can (1) approve the IGA as presented; (2) provide direction on changes it would like to make to the draft; or (3) decide not to enter into the IGA. The Council should approve the IGA as presented.

Materials following this page were distributed at the meeting.

 **Metro** | *Agenda*

Meeting: Metro Council
Date: Thursday, Oct. 27, 2011
Time: 2 p.m.
Place: Metro Council Chambers

**REVISED,
10/25/11**

CALL TO ORDER AND ROLL CALL

1. **INTRODUCTIONS**
2. **CITIZEN COMMUNICATIONS**
3. **AWARD PRESENTATION: "OUTSTANDING ACHIEVEMENT AWARD FOR THE EXCELLENCE IN ENVIRONMENTAL DOCUMENTATION PREPARATION, PORTLAND-MILWAUKIE LIGHT RAIL PROJECT ENVIRONMENTAL IMPACT STATEMENT"** **Wieghart**
4. **CONSENT AGENDA**
 - 4.1 Consideration of the Minutes for Oct. 20, 2011
 - 4.2 **Resolution No. 11-4303**, For the Purpose of Authorizing the Chief Executive Officer to Grant an Easement Relating to the Expo Center Conditional Use Master Plan.
 - 4.3 **Resolution No. 11-4305**, For the Purpose of Welcoming the National Congress of American Indians (NCAI) to the Oregon Convention Center and Thanking Them for Hosting the 68th Annual Convention and Marketplace in the Portland Region.
5. **RESOLUTIONS**
 - 5.1 **Resolution No. 11-4302**, For the Purpose of Adopting Amendments to the 1998 "Green Corridor" Intergovernmental Agreement Among Metro, Clackamas County and the City of Sandy and Authorizing the Council President to Sign the Amended Agreement. **Craddick**
6. **CHIEF OPERATING OFFICER COMMUNICATION**
7. **COUNCILOR COMMUNICATION**

ADJOURN

Television schedule for Oct. 27, 2011 Metro Council meeting

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METRO COUNCIL MEETING

Meeting Summary

Oct. 20, 2011

Metro, Council Chamber

Councilors Present: Council President Tom Hughes and Councilors Carl Hosticka, Barbara Roberts, Carlotta Collette, Kathryn Harrington, and Shirley Craddick

Councilors Excused: Councilor Rex Burkholder

Council President Hughes convened the regular Council meeting at 2 p.m.

1. INTRODUCTIONS

There were none.

2. CITIZEN COMMUNICATIONS

Linda Bauer, 6232 SE 15th, Portland: Ms. Bauer addressed the Council on the City of Portland's compliance issues with Title 13. She stated that the City asked for and was granted an extension, until June 30, 2011, to meet compliance with Title 13 requirements. She stated that the City is still out of compliance, not being a good steward of protected natural resources, and is not making findings to meet the Title 13 requirements. (Written testimony included as part of the meeting record.)

Council directed the Chief Operating Officer to have staff look into this issue.

3. CONSENT AGENDA

Motion:	Councilor Kathryn Harrington moved to adopt the Oct. 20 consent agenda which consisted of: <ul style="list-style-type: none">• Consideration of the Minutes for Oct. 13, 2011• Resolution No. 11-4296, For the Purpose of Appointing a Member to the East Metro Connections Plan Steering Committee.
Second:	Councilor Barbara Roberts seconded the motion.

Vote:

Council President Hughes and Councilors Hosticka, Collette, Roberts, Craddick, and Harrington voted in support of the motion. The vote was 6 ayes, the motion passed.

4. RESOLUTIONS

4.1 **Resolution No. 11-4294A**, For the Purpose of Accepting a Green Building Policy for Metro Facilities and Operations and Authorizing the Chief Operating Officer to Implement the Policy.

Motion:	Councilor Shirley Craddick moved to adopt Resolution No. 11-4294A.
Second:	Councilor Carlotta Collette seconded the motion.

Councilor Craddick introduced Resolution No. 11-4294A. In 2010, the Metro Council adopted by resolution a sustainability plan for internal and business operations. The plan was developed to help identify and guide the practices and projects needed to improve the sustainability of Metro's operations and to address five environmental sustainability goal areas: greenhouse gas emissions, toxics, waste, water and habitat. One high priority action identified by the plan was to create a green building policy for Metro's facilities and operations.

Ms. Molly Chidsey of Metro, with assistance from Mr. Paul Slyman of Metro, Clark Brockman of SERA Architects, and Mr. Chris Massey of Oregon Zoo, provided a presentation on Metro's Green Building Policy. The proposed policy would address new construction, major renovation and operations, and maintenance of existing facilities owned and operated by Metro. Ms. Chidsey emphasized that Metro's building portfolio is diverse and that the policy was designed to be flexible in terms of building size and type. Their presentation included information on Metro's approach, challenges and opportunities, requirements for each of the 3 building categories (e.g. new construction, major renovation, or maintenance), funding methods and tools, and examples of local and federal partners who have already implemented green building policies. (Handouts included as part of the meeting record.)

Council discussion included the challenges and opportunities (e.g. financial impacts) with LEED building certifications, and GSA's green building policy.

Vote:	Council President Hughes and Councilors Hosticka, Collette, Roberts, Craddick, and Harrington voted in support of the motion. The vote was 6 ayes, the motion <u>passed</u> .
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5. ORDINANCES

5.1 **Ordinance No. 11-1264A**, For the Purpose of Expanding the Urban Growth Boundary to Provide Capacity for Housing and Employment to the Year 2030 and Amending the Metro Code to Conform.

Council President Hughes passed the gavel to Councilor Hosticka to chair the meeting while he carried the ordinance.

The following motion was carried over from the Oct. 13 Council meeting:

Motion:	Council President Hughes moved to adopt Ordinance No. 11-1264A.
Second:	Councilor Harrington seconded the motion.

Mr. Tim O'Brien and Mr. Dick Benner of Metro provided a brief recap of the urban growth boundary process to date and outlined the action before the council as amended at the Oct. 13 meeting. Their presentation included information on the UGB public involvement process including information on the Oct. 6 public hearing, the public hearing noticing process and code requirements, and the COO's recommended three areas for UGB expansion: South Hillsboro, North Hillsboro and South Cooper Mountain. Additionally, on Oct. 13 the Council directed staff to create an "A" version of the legislation to reflect Council's action to amend the ordinance to include two additional tax lots located in the Roy Rogers West urban reserve area. Inclusion of the small area, approximately 52-acres that includes the right-of-way of SW Roy Rogers road, would allow for more efficient services of utilities between areas 63 and 64 – two areas brought into the UGB in 2002. Mr. O'Brien indicated that Exhibit A, *2011 UGB Expansion Areas* map, Exhibit B, *Conditions on Land Added to UGB*, and Exhibit C, *Title 14* map, have been updated to reflect the new expansion area. Additionally, Mr. Benner noted that the Council may receive testimony during the public hearing that would require staff to update Exhibit D, *Findings of Fact and Conclusions of Law*.

Councilor Hosticka opened a public hearing on Ordinance No. 11-1264A:

- Tim Knapp, City of Wilsonville: Mayor Knapp expressed support for including the Wilsonville Advance area in the UGB. He cited the following reasons: (1) a regional jobs/local housing imbalance; (2) the City's strong track record for residential and employment land development; (3) the City's previous and future infrastructure investments to serve the UGB areas; (4) economies of scale for planning and development of both the Advance and Frog Pond areas; and (5) Wilsonville's continued growth. (Written testimony included as part of the meeting record.)
- Pete Truax, City of Forest Grove: Mayor Truax was surprised the Council had not yet included the City of Forest Grove's request for 115-acres for large-lot industrial land in the UGB expansion areas. His testimony highlighted the City's established infrastructure, the region's need for large-lot industrial land, the City's opportunity to add local jobs and reduce its carbon footprint, and the importance of distributing the region's benefits and burdens equitably. He noted that reports presented indicate why South Hillsboro was included in the expansion areas, but do not address the other studied areas. He was concerned that Metro's action would further compound the disparity between benefits and burdens in the community and create further inequities in growth and change. (Written testimony included as part of the meeting record.)
- Richard Meyer, City of Cornelius: Mr. Meyer expressed the City of Cornelius' readiness to annex additional land into the city for residential purposes. He emphasized that the City cannot wait, due to the economic climate, an additional 3 to 5 years for a possible expansion. He encouraged the Metro Council to include all of the recommended areas – including those not recommended by the COO – into the UGB.
- Kelly Ross, NAIOP, Oregon Chapter: Mr. Ross expressed NAIOP's support for the North Hillsboro expansion area for large-lot industrial land. He emphasized that region's need for both large and small-lot industrial land. He expressed NAIOP's commitment to continue to work with Metro to address infill and industrial development inside the existing UGB. (Written testimony included as part of the meeting record.)
- Eric Squires, Washington County CPO#6: Mr. Squires addressed concerns with transportation capacity issues along TV Highway. He stated that Washington County CPO #6 formally voted to support written testimony submitted by Mr. Steve Larrance at the Oct. 6

Metro Council public hearing. He also submitted a DVD on UGB issues. (Written testimony and DVD included as part of the meeting record.)

- Jonathan Schlueter, Westside Economic Alliance: While Mr. Schlueter was in support of the ordinance, he did address some concerns with landing in the lower middle third of the forecasted range. He highlighted the following reasons: (1) Metro's proposed expansion is lower than past historical growth and future projections; (2) inclusion of North Hillsboro is low for the region's indentified need for 200 to 1550-acres of large-lot industrial land; (3) the proposed expansion discounts the threat of global warming and "environmental refugees;" (4) the proposed expansion fences out young people and "economic refugees;" and (5) the proposed expansion ignores the appeal of the region's vibrant communities for people outside the region. Mr. Schlueter also commented on a recent Oregonian article regarding the 2002 UGB expansion and specifically the City of Damascus. (Written testimony included as part of the meeting record.)
- Michael Speer, Cornelius: Mr. Speer addressed the Council on behalf of himself and his brother and sister. A land owner in Area 7D in Cornelius, Mr. Speer was in favor of including his land in the UGB. He stated that he has not planted nursery crops for 3 to 4 years, and that the property is better suited for urban development. He addressed the proximity of the proposed Hillsboro high school site and urban services to his property as reasoning.
- Lainie Smith, ODOT, Region 1: Ms. Smith expressed ODOT, Region 1's support to include North Hillsboro, South Hillsboro, South Cooper Mountain, and a portion of Roy Rogers West areas in the UGB expansion. ODOT is currently working with the City of Hillsboro and Washington County on transportation planning for both South and North Hillsboro areas and has recommended conditions for planning that is currently underway for highway facilities near the sites, as well as recommendations regarding access management. She recommended two formal conditions be added to Ordinance 11-1264A, Exhibit B, *Conditions on Land Added to UGB*. She note the following change to her written testimony regarding conditions for South Hillsboro:

"In coordination with ODOT, the City of Hillsboro and Washington County shall **continue to work toward completion and adoption of the** ~~complete the TV Highway Corridor Plan and Hillsboro TV Highway Focus Area Corridor Plan consistent with the Metro Regional Transportation Plan and the Oregon Highway Plan. The TV Highway Corridor Plan must be completed and adopted – locally, regionally, and by the Oregon Transportation Commission – prior to permitting urban development and Hillsboro TV Highway Focus Area Corridor Plan must be adopted locally and by the Oregon Transportation Commission prior to permitting urban development."~~
- Brian Wegner, Tualatin River Keepers: Mr. Wegner addressed the Council on the potential impacts of urbanization on streams – specifically stromwater runoff. He encouraged Council to adopt, as part of the conditions, regulations that prevent stormwater runoff on site and encourage urban forestry practices that reduce runoff. He used the South Cooper Mountain area as an example and recommended that the City of Beaverton's proposal to maintain zero runoff on for new development be a standard for all new areas. He also discussed Title 13.

- James Crawford: He encouraged the Council to develop the rural residential land already in the UGB before considering additional expansion. (Written testimony included as part of the meeting record.)
- David Meyers, 4458 SW 201st Ave., Beaverton: Mr. Meyers recommended that action on South Hillsboro and South Cooper Mountain areas be removed from the ordinance until completion of the current Aloha-Reedville study. He discussed traffic impacts to the area.
- Cherry Amabisca, Save Helvetia: Ms. Amabisca was concerned that the City of Hillsboro is rushing to plan new roads in both urban and rural reserves and lines on a map lead to expectations about where City would like to urbanize. She used the Sunset area as an example. She emphasized the domino effect maps have on local farmers. She stated that premature planning makes citizens skeptical about the intentions of their governments. Separately, she invited attendees to a viewing of a Helvetia documentary on Nov. 6 titled, "Century Farm." (Written testimony included as part of the meeting record.)
- Robert Bailey, Save Helvetia: Mr. Bailey was opposed to the proposed North Hillsboro expansion area. He stated that the City of Hillsboro and Washington County would like to create a "package" of infrastructure and other amenities to entice businesses to relocate to the region at the cost of local taxpayers. He stated that if the expansion areas were adopted, western Washington County taxpayers would be responsible for an unequal burden of the infrastructure costs. He also note potential impacts to farmland in the area. (Written testimony included as part of the meeting record.)
- Richard Kidd, 3022 Watercrest, Forest Grove: Mr. Kidd stated that in past decisions the Metro Council has taken the recommendation of the Metro Policy Advisory Committee (MPAC) and that approval of the ordinance, as currently proposed, contradicts this past practice. He was in favor of including the City of Forest Grove's 115-acre request. He emphasized the City's established infrastructure and lack of expansion/inclusion in the UGB to date. He asked the Council to consider equality, survivability, the region's needs, and the community's aspirations when making their decision. (Written testimony included as part of the meeting record.)
- Barbara Hadley, 33442 SW TV Highway, east Cornelius: Ms. Hadley expressed support for 6.75-acres of her property east of Cornelius to be added to the UGB for urban development. She discussed existing transit and utility services, traffic congestion, and safety concerns as reasoning.
- Eric Wasik, 5236 N. Williams Ave., Portland: Mr. Wasik expressed his and his future in-laws' support for including the South Hillsboro area in the UGB. He stated that the area's plan preserves the character of the area; he used the local golf course and school as examples. He stated that the plan is well-researched and supported by evidence. (Written comments included as part of the meeting record.)
- Marc DeCoster, 5899 SW Kruse Rd., Wilsonville: Mr. DeCoster was in support of including the Wilsonville Area 4H into the UGB. He stated that despite his land's soil quality, the parcel is too low in acreage to farm for profit. He discussed the traffic congestion in Wilsonville and stated that having a balance of jobs and housing in the area would reduce congestion and help the environment.

- Rick Potestio, 2211 SW Park Place #502, Portland: Mr. Potestio was concerned with the proposed expansion and adding density at the edge of the UGB. He stated that the proposed ordinance inverts historical patterns by placing resources at the boundaries edge versus the center/core of the region. He stated that the region is creating distance between housing, employment, parks, transit, etc. He stated that the region needs to have an open dialog, on par with that of the urban and rural reserves process, on how the region would like to grow in the future.
- Carol Chesarek, 13300 NW Germantown Rd., Portland: Ms. Chesarek was disappointed the ordinance did not require more than 15 units per net buildable acre in South Hillsboro. She questioned why the City of Hillsboro was not required to provide higher density in the proposed areas. She discussed the City's mixed reaction when addressing issues such as Aberglenn and TIGER grant awards versus increased density or more transit.
- Joanne Criscione, 16880 SW Bull Mountain Rd., Tigard: Ms. Criscione addressed the Council on Areas 63 and 64. She emphasized the work local citizens and staff has put in planning the areas for UGB expansion. She felt that the land owners in this area were misrepresented and stated that the entire, planned, area should be brought into the UGB. She discussed difficulties with local access and impacts to farmers.
- Linda Peters, Washington County Citizen Action Network: Ms. Peters encouraged the Council to delay action on the ordinance. She emphasized that area planning should be completed in advance of its development. She was concerned that in the midst of an economic downturn and legal ambiguities, North and South Hillsboro areas would be included in the UGB; especially given statements that Hillsboro plans to build a new arterial road from the heart of its industrial area to Bethany. She stated that the region should use a different economic development paradigm.

Seeing no additional citizens who wished to testify, Councilor Hosticka closed the public hearing.

Mr. Benner indicated that the concerns and/or comments raised during the hearing had been responded to in Exhibit D, *Findings of Fact and Conclusions of Law*. Regarding ODOT, Region 1's comments, Mr. Benner indicated that Title 11 planning would be required for areas brought into the UGB. He indicated that, almost always, if the proposed development has significant impact on the transportation system, ODOT is present and active in discussions. He stated that while the proposed conditions were not necessary, they would provide ODOT with a greater certainty that their concerns would be heard. Mr. Benner indicated that the proposed revisions would not be considered a substantive amendment. Mr. Pat Ribellia of the City of Hillsboro confirmed the proposed additions were consistent with City's work and that the City was in support for the proposed language as amended.

Amendment #1:

Motion:	Councilor Harrington moved to amend Ordinance 11-1264A, Exhibit B, <i>Conditions on Land Added to UGB</i> , to include an additional conditions: <ul style="list-style-type: none">• North Hillsboro: <u>"The City of Hillsboro and Washington County, in partnership with ODOT, shall complete an interchange area management plan for an adequate and safe local transportation network. This plan must be completed and adopted by the Oregon Transportation Commission prior to permitting urban development."</u>• South Hillsboro:
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	<p><u>“In coordination with ODOT, the City of Hillsboro and Washington County shall continue to work toward completion in and adoption of the TV Highway Corridor Plan and Hillsboro TV Highway Focus Area Corridor Plan.”</u></p>
Second:	Councilor Roberts seconded the motion.

Vote: Council President Hughes and Councilors Hosticka, Collette, Roberts, Craddick, and Harrington voted in support of the motion. The vote was 6 ayes, the motion passed.

Councilors addressed testimony presented. Discussion topics included, but were not limited to:

- Large-lot industrial land inventory and need
- Equity
- UGB public comment process
- Fiscal and governance responsibility for expansion areas
- Location of proposed expansion areas
- The importance of protecting lands outside the UGB while investing resources inside the existing UGB; and placing priority on already established communities
- The development of South Hillsboro (e.g. industrial versus residential)
- Conservative expansion due to current economic climate.

Councilors expressed their support for the ordinance as amended.

Vote: Council President Hughes and Councilors Hosticka, Collette, Roberts, Craddick, and Harrington voted in support of the motion. The vote was 6 ayes, the motion passed.

Staff will prepare a “B” version of the legislation for the formal record that reflects the Council’s action and amendment of Exhibit B.

6. CHIEF OPERATING OFFICER COMMUNICATION

There was none.

7. COUNCILOR COMMUNICATION

Council announced that Oregon Zoo’s elephant Rose-Tu is pregnant again. She is anticipated to deliver in late 2012.

8. ADJOURN

There being no further business, Council President Hughes adjourned the regular meeting at 4:18 p.m. The Metro Council will reconvene the next regular council meeting on Thursday, Oct. 27 at 2 p.m. at the Metro Council Chamber.



Kelsey Newell, Regional Engagement Coordinator

ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF OCT. 20, 2011

Item	Topic	Doc. Date	Document Description	Doc. Number
2.0	Testimony	N/A	Written testimony submitted by Linda Bauer	102011c-01
3.1	Minutes	10/13/11	Council minutes for Oct. 13, 2011	102011c-02
4.1	Legislation	N/A	Revised Resolution No. 11-429A, Exhibit A and Staff Report	102011c-03
4.1	PowerPoint	10/20/11	Green Building Policy presentation provided by Molly Chidsey	102011c-04
5.1	Exhibit	N/A	Revised Ordinance No. 11-1264A, Exhibit B	102011c-05
5.1	Exhibit	N/A	Revised Ordinance No. 11-1264A, Exhibit D	102011c-06
5.1	Testimony	10/20/11	Written testimony submitted by Tim Knapp	102011c-07
5.1	Testimony	10/20/11	Written testimony submitted by Pete Truax	102011c-08
5.1	Testimony	10/20/11	Written testimony submitted by Kelly Ross	102011c-09
5.1	Testimony	N/A	Written testimony submitted by Eric Squires	102011c-10
5.1	Testimony	10/20/11	Written testimony submitted by Jonathan Schlueter	102011c-11
5.1	Testimony	10/20/11	Written testimony submitted by Lainie Smith	102011c-12
5.1	Testimony	10/20/11	Written testimony submitted by James Crawford	102011c-13
5.1	Testimony	10/20/11	Written testimony submitted by Cherry Amabisca	102011c-14
5.1	Testimony	10/20/11	Written testimony submitted by Robert Bailey	102011c-15
5.1	Testimony	10/20/11	Written testimony submitted by Richard Kidd	102011c-16
5.1	Testimony	10/20/11	Written testimony submitted by Eric Wasik	102011c-17
5.1	Testimony	10/20/11	Written testimony submitted by Marc DeCoster	102011c-18
5.1	Testimony	N/A	Written testimony submitted by Jeff Bachrach	102011c-19
5.1	Testimony	10/20/11	Written testimony submitted by Hilja Davis	102011c-20
5.1	Testimony	10/20/11	Written testimony submitted by John Fregonese	102011c-21

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5.1	Testimony	10/20/11	Written testimony submitted by Drake Butch and Bob LaFeber	102011c-22
5.1	Testimony	10/20/11	Written testimony submitted by City of Hillsboro	102011c-23

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF WELCOMING THE) RESOLUTION NO. 11-4305
NATIONAL CONGRESS OF AMERICAN)
INDIANS (NCAI) TO THE OREGON) Introduced by Metro Council President Tom
CONVENTION CENTER AND THANKING) Hughes
THEM FOR HOSTING THE 68th ANNUAL)
CONVENTION AND MARKETPLACE IN THE)
PORTLAND REGION)

WHEREAS, the National Congress of American Indians (NCAI), founded in 1944, describes itself as the oldest, largest and most representative American Indian and Alaska Native organization serving the broad interests of tribal governments and communities; and

WHEREAS, since its founding the NCAI has stressed the need for unity and cooperation among tribal governments for the protection of their treaty and sovereign rights, and since 1944, the National Congress of American Indians has been working to inform the public and Congress on the governmental rights of American Indians and Alaska Natives; and

WHEREAS, the NCAI has grown over the years from its modest beginnings of 100 people to include member tribes from throughout the United States, and now serves as the major national tribal government organization; and

WHEREAS, on October 30th through November 4th, 2011, the NCAI is holding its 68th Annual Convention at the Oregon Convention Center; and

WHEREAS, the NCAI's 68th Annual Conference will hold a variety of briefings, consultations, and listening sessions with various federal agencies and associations, including the Senate Committee on Indian Affairs; the Department of Homeland Security with Secretary Janet Napolitano; the U.S. Department of Veterans Affairs; the U.S. Army Corps of Engineers; the Denali Commission; the U.S. Department of the Interior, the U.S. Institute for Environmental Conflict Resolution, Rural Council Roundtable on Agriculture, Food & Nutrition, & Natural Resources; and the U.S. Department of Justice; and

WHEREAS, the Metro Council and the MERC Commission own, operate and manage the Oregon Convention Center (OCC), and the Metro Council and MERC Commission wish to welcome the National Conference of American Indians to the Convention Center and thank the NCAI for locating its 68th Annual Conference in Portland Oregon at the OCC; now, therefore,

BE IT RESOLVED, that the Metro Council hereby welcomes the National Conference of American Indians to the Convention Center, and hereby thanks the NCAI for locating its 68th Annual Conference at the Oregon Convention Center in Portland Oregon.

ADOPTED by the Metro Council this 27th day of October 2011.

Tom Hughes, Council President

Approved as to Form:

Alison Kean Campbell, Acting Metro Attorney

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 11-4305, FOR THE PURPOSE OF WELCOMING THE NATIONAL CONGRESS OF AMERICAN INDIANS TO THE OREGON CONVENTION CENTER AND THANKING THEM FOR HOSTING THE 68TH ANNUAL CONVENTION AND MARKETPLACE IN THE PORTLAND REGION

Date: October 23, 2011

Prepared by: Alison Kean Campbell, x. 1511
Jim Middaugh, x. 1505

BACKGROUND

The National Congress of American Indians (NCAI), is holding its 68th Annual Convention at the Oregon Convention Center from October 30th through November 4th, 2011. The NCAI was founded in 1944. It describes itself as the oldest, largest and most representative American Indian and Alaska Native organization serving the broad interests of tribal governments and communities.

NCAI stresses the need for unity and cooperation among tribal governments for the protection of their treaty and sovereign rights. Since 1944, the organization has worked to inform the public and Congress about the rights of American Indians and Alaska Natives. NCAI includes member tribes from throughout the United States, and now serves as the major national tribal government organization.

NCAI's annual conference will include a variety of briefings, consultations, and listening sessions with various federal agencies and associations that are important to Metro and the Portland region. They, include the Senate Committee on Indian Affairs; the Department of Homeland Security with Secretary Janet Napolitano; the U.S. Department of Veterans Affairs; the U.S. Army Corps of Engineers; the Denali Commission; the U.S. Department of the Interior, the U.S. Institute for Environmental Conflict Resolution, Rural Council Roundtable on Agriculture, Food & Nutrition, & Natural Resources; and the U.S. Department of Justice.

ANALYSIS/INFORMATION

1. **Known Opposition**

None

2. **Legal Antecedents**

NA

3. **Anticipated Effects**

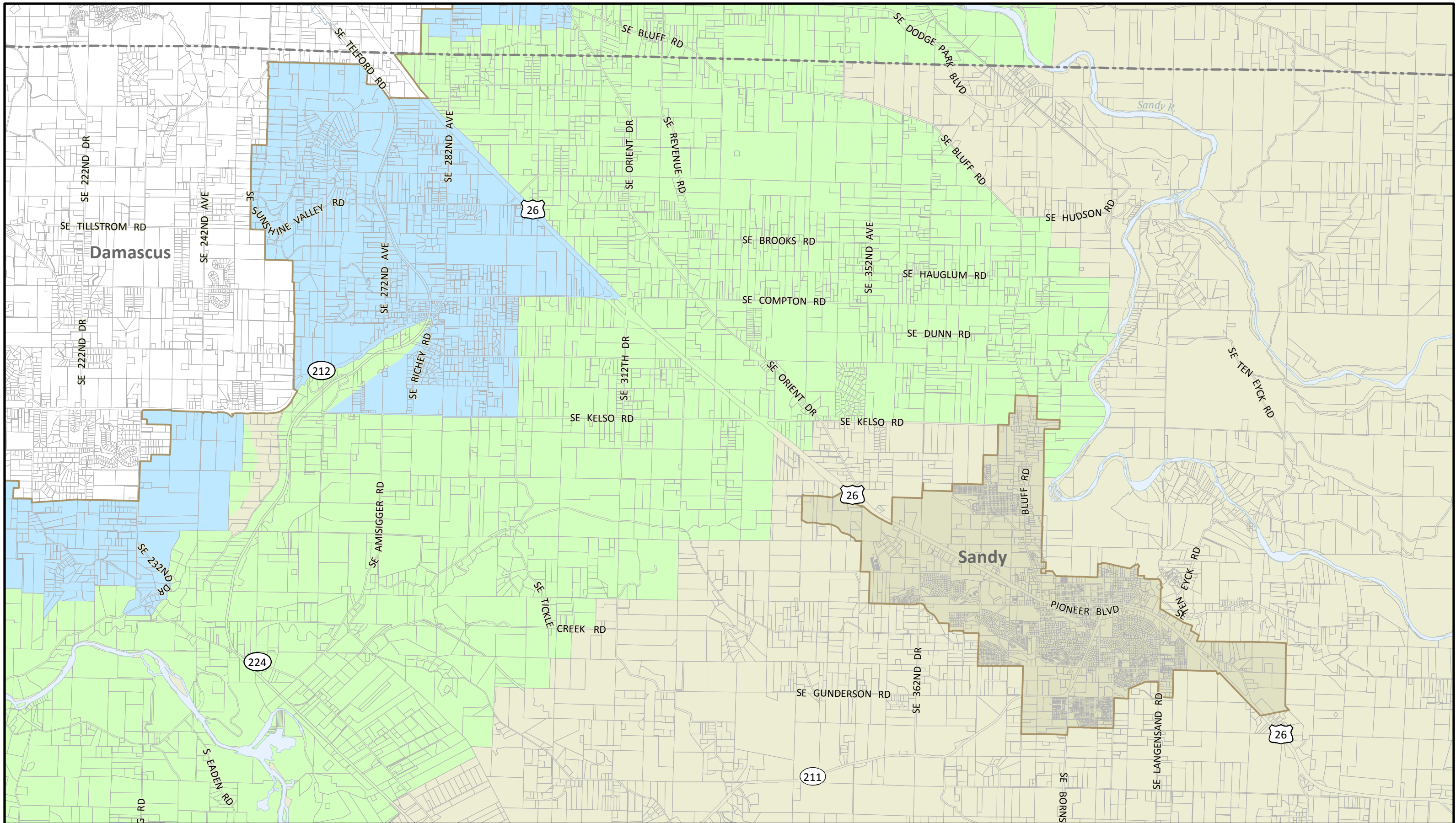
This resolution is part of ongoing efforts to forge stronger relationships with tribal governments and tribal members. Metro has ongoing partnerships that will be strengthened by this resolution.

4. **Budget Impacts**

None

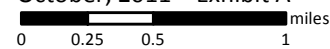
RECOMMENDED ACTION




Staff recommends the resolution be adopted and formally shared with leadership of the NCAI.





Intergovernmental Agreement Area

City of Sandy, Clackamas County, Metro and Oregon Department of Transportation
 October, 2011 Exhibit A



-  Portland Metro urban growth boundary
-  City of Sandy urban growth boundary
-  County boundary

-  Urban reserve areas
-  Rural reserve areas



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