



DECLARATION OF COOPERATION

**ZENGER FARM
PORTLAND, OREGON
NOVEMBER, 2003**

Preface:

In 1994, the City of Portland's Bureau of Environmental Services (BES) purchased Zenger Farm. Zenger Farm is a 16-acre site located in the eastern portion of the Lents Urban Renewal District in Outer Southeast Portland. Originally a dairy farm, the land is one of a few working urban farms in the Portland city limits. At the time of purchase, the City's interest in the land was primarily to manage the floodplain for the Johnson Creek Watershed. This site has ecological significance, containing an 10-acre wetland with a spring that feeds nearby Beggar's Tick wildlife refuge. In addition, it provides a key recreational opportunity since it is located adjacent to the Springwater Trail.

In 1995, citizens and organizations came together to explore the potential of this land as an important regional asset. The outcome of this effort was the incorporation of Friends of Zenger Farm in 1999, with the mission of preserving this urban farm and wetlands in order to integrate education, environmental protection and economic development into a successful demonstration of sustainable practices for the benefit of the local and regional community.

Since its incorporation in 1999, Friends of Zenger Farm has already accomplished a great deal in moving this vision forward. Among its accomplishments are the signing of a 50-year lease with the City of Portland to provide sustainable agriculture and ecologically based education on the site, completing a master plan and successfully obtaining approval from the City of Portland for a Conditional Use Permit to develop the site as an urban agricultural center for the public. The next steps are to develop the physical site so that it can serve as an excellent public facility and to create a structure for operations that will ensure the long-term sustainability of the center.

The mission of Oregon Solutions is to develop sustainable solutions to community based problems or opportunities that support economic, environmental, and community objectives simultaneously through partnerships between government, business, and non-profit organizations. Oregon Solutions utilizes a collaborative approach to develop integrated, community-based solutions, bringing all stakeholders to the table, including permitting agencies, funders, and organizations offering technical assistance. In other communities, this approach has helped to leverage investments, expedite the project, break through barriers, identify valuable partners, and elevate the visibility of the project. The final step of the Oregon Solutions process is for all partners to sign a declaration of cooperation or agreement that

commits their time and/or resources to the project. The agreement then becomes the mechanism of governance for the project.

Project Description:

The landowner, BES, and its lessee, Friends of Zenger Farms, have an exciting vision for the development of an urban agricultural center. This center will demonstrate sustainable farming and the healthy interaction between natural systems and human activities, while providing opportunities for economic development and community building. This project has the capacity to address the triple bottom line of meeting ecological, economic and social objectives, as has been demonstrated by the programs already taking place on the site. These include hands-on learning opportunities for kids in sustainable agriculture and wetland ecology, land access and economic development opportunities for immigrant farmers and storm water management activities for adults.

However, if the project is to move forward, it must address significant challenges. It must improve its infrastructure so that it has the capacity to serve the public as intended. In addition, it must put in place a long-term operating structure that is sound and that provides a reliable income stream apart from grants. This cannot be done without strong partnerships in the public and private sectors.

Friends of Zenger Farm has already made strides in strengthening and expanding its programs through partnerships. Therefore, the Oregon Solutions team focused instead on infrastructure development and operating structure. The partners' roles were to brainstorm solutions to roadblocks, collectively work to remove them, and bring new resources and expertise to the table as possible.

Project Outline:

Structure

The Oregon Solutions team has worked to identify needs, address constraints, and create solutions. Bob Wise, co-chair of the City of Portland/Multnomah County Sustainable Development Commission was the convener. The full team met twice. A smaller team related to infrastructure improvement has also met twice. There have been many smaller meetings and discussions to bring the partners to the table to determine the best operational structure for Zenger Farm.

Now the team members are prepared to sign a Declaration of Cooperation which describes each partner's commitment to the project. These declarations are stated below.

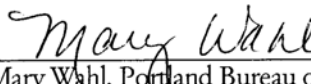
City of Portland Bureau of Environmental Services – Mary Wahl

The Bureau of Environmental Services (BES) will identify what it is willing to do between 2004 and 2007 to facilitate the development of Zenger Farm into the public resource and community center it is envisioned to become. We will also determine at what point in the process we wish to "hand-off" the property to the City's Department of Parks and Recreation (Parks) for management. To do this, BES will initiate discussions with Parks about the management of public lands in the Lents Johnson Creek floodplain area and commits to including Zenger Farm property in those discussions. The intent of the discussions with Parks with respect to Zenger Farm will be to come to agreement and next steps regarding the following issues:

1. Describe BES' commitment to Zenger to Parks and request of them their assistance with the community stewardship/community center part of the vision.
2. Request Parks to consider adding Zenger to their inventory given the leveraging that exists with BES helping launch the project and the Friends of Zenger Farm taking long-term responsibility for programming.

Wetlands Restoration and Wetlands Trails/Interpretive Signs:

BES commits to working with the Army Corps of Engineers (COE) in designing and constructing the wetlands restoration project on Zenger Farm and adjoining properties. BES will provide the required 35% cost share for the restoration of the wetland area. To the extent that the COE can cost-share on trails and interpretive signs on the Zenger Property, and BES has funding available for these amenities, BES will provide the 50% cost-share. BES has funds budgeted in our capital improvement program based on project cost estimates. If project costs are higher than originally anticipated then the project may be delayed until funds can be found.



Mary Wahl, Portland Bureau of Environmental Services

11.19.03
Date

City of Portland Bureau of Environmental Services – Sean Bistoff

Staff Time and Technical Assistance:


BES commits to providing the staff time of one person (Sean Bistoff) to perform research and application procedures related to sanitary sewer and stormwater permitting, as well as coordinating the preliminary site survey. These responsibilities include communicating with the Zenger Farm project's technical personnel and board members to gather the information necessary to prepare permit applications. BES will submit the application materials to the City of Portland Bureau of Development Services (BDS) and maintain on-going communications with BDS staff to ensure that permits are issued as timely and efficiently as possible.

While BES is able to prepare and submit detailed site plans, the assistance of a designer familiar with stormwater management systems may be needed to accurately draft and provide calculations for the stormwater management system. This information will be included in the permit application submitted to BDS by BES.

BES estimates the total staff time for this project to be approximately 40 hours.

Funding

BES estimates the sewer line charge to be \$42,000, the sewer branch charge to be \$1,700, the sanitary sewer connection charge (System Development Charge, or SDC) to be \$2,400, the stormwater SDC charge to be \$1,000 and the connection permit to be \$50. The total sanitary and stormwater charges are estimated to be \$47,100. BES commits to providing 100% of the funds for these charges or funding some of these charges and deferring the remainder in a manner that is acceptable to the Friends of Zenger Farm and allows the construction of phases one and two to move forward.




Sean Bistoff, Portland Bureau of Environment Services

11/19/03
Date

City of Portland Bureau of Environmental Services – Ron Carley

The BES Innovative Wet Weather Program (IWWP), through Ron Carley, will inform Friends of Zenger Farm (FZF) of the time to make application for a project grant through this program and what the criteria for the grant are. IWWP staff will be available to provide information and guidance on the application.



Ron Carley, Portland Bureau of Environmental Services

11/19/03
Date

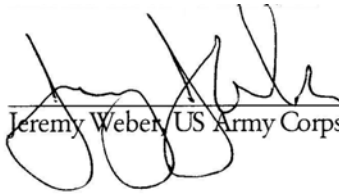
U.S.

Army Corps of Engineers – Jeremy Weber

The U.S. Army Corps of Engineers, Portland District (Corps), and the City of Portland, BES, are investigating the federal interest in constructing the Springwater Wetlands restoration project, part of which lies on the Zenger Farm property. If funding is available, and a detailed investigation shows that the project is technically feasible, environmentally acceptable, and provides cost effective and incrementally justified environmental benefits, the Corps will provide 65% cost share for the project, with BES providing the additional 35%.

The Corps will work with BES and the FZF to develop appropriate interpretive signage and passive recreational trails within the project area, provided that these recreational elements do not increase the total project cost by more than 13%. The

cost share of any dollars spent on recreational elements will be split 50% – 50% between the Corps and BES.



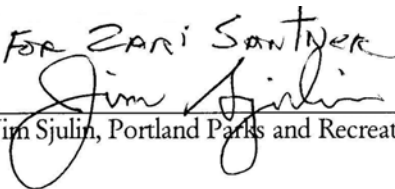
Jeremy Weber, US Army Corps of Engineers

Nov. 19, 2003
Date

City of Portland Parks and Recreation – Jim Sjulín

City of Portland Parks & Recreation (Parks) will enter into discussions with the Bureau of Environmental Services (BES) about the management of public lands in the Lents Johnson Creek floodplain area and commits to including Zenger Farm property in those discussions. The intent of the discussions between Parks and BES with respect to Zenger Farm will be to come to agreement and next steps regarding the following issues:

1. BES' commitment to Zenger Farm and the role that Parks will play in assisting BES and Friends of Zenger Farm (FZF) with the community stewardship/community center part of the vision.
2. Whether Parks will add Zenger Farm to its inventory, given the leveraging that exists with BES helping launch the project and FZF taking long-term responsibility for programming.

For Zari Santyer



Jim Sjulín, Portland Parks and Recreation

Nov. 19, 2003
Date

City of Portland Office of Sustainable Development – Greg Acker

The City of Portland Office of Sustainable Development will:

1. Coordinate an eco-charette for the Zenger Farm project to take place in late 2003. In addition to gathering ideas for the project, the charette will be used to explore the potential of the project for obtaining LEED certification.
2. Advise the FZF on staging the construction project.
3. As time permits, assist FZF in gathering donated time and materials by sharing leads the office has on these donations.



Greg Acker, Office of Sustainable Development

Nov. 19, '03
Date

U.S. Green Building Council Cascadia Chapter – Rob Bennett

The US Green Building Council Cascadia Chapter's 2004 GreenBuild Conference Host Committee will:

1. Help coordinate the eco-charette described above.
2. Keep the Green Building Council's National office informed on the Zenger Farm Legacy Project and work with FZF to identify and secure resources and public relations benefits that the National office can bring to the project.
3. Together with FZF, identify the portion of the development project that the US Green Building Council will undertake as a Legacy Project and execute this project in November 2004, while USGBC conference attendees are in Portland.
4. Acquire the list of vendors at this year's Pittsburgh Green Building Expo and conference and invite the FZF to write to each vendor and solicit their contributions to next year's Legacy Project.

 19 NOV. '03
Rob Bennett, Host Chair for USGBC, Cascadia Chptr. Date

David Evans & Associates – Amy Jones

DEA's Role:

David Evans and Associates, Inc. (DEA) will serve as the prime consultant for the site improvements at Zenger Farm. In this role, DEA's professional staff will manage the project and perform the necessary services with the highest level of commitment, expertise, and professionalism given to all our work.

As project lead, DEA would provide leadership and management throughout the project. Initially, DEA will work closely with Zenger Farm to select the appropriate team of design experts. DEA will see to it that all subconsultants work successfully as a team, keeping in mind the importance of developing the site in line with the Zenger Farm Mission. DEA will work in coordination with Zenger Farm and the subconsultant team to develop a detailed scope, schedule and fees to guide the process. DEA will also lead the project team through the design development, construction documentation, and construction administration phases.

In addition to the role of project lead, DEA offers the following professional services: Civil Engineering, Landscape Architecture, Environmental Design, Water Resource Engineering, Land Use and Environmental Permitting, and Structural Engineering. This would not preclude collaboration with other professionals in these areas of expertise.

In keeping with the Zenger Farm Mission, DEA recommends that the following services are built into the project scope and budget: Charette focused on Sustainable Design & Infrastructure Systems and Cost/Benefit Analysis of Feasible Alternatives.

DEA's Commitment:

Securing Funding

DEA proposes 24 hours of pro bono services to research and develop a list of available grant funding sources. An additional 40 hours of pro bono assistance will be provided to Zenger Farm for grants. This will include assistance with presentation and graphics as needed to support the grant applications.

Donated Technical Services

DEA proposes an initial donation of \$15,000 in pro bono professional services. We anticipate this amount covering the following services:


- Meetings with Friends of Zenger Farm Board
- Select Project Team
- Establish Scope, Schedule, Budget and Refine project Phasing
- Revisit Master Plan with Team Charette
- Refine Master Plan and Project Phasing to a Schematic Level
- Complete up to 25% Construction Documents

Additional Services

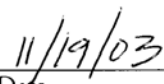
Upon completion of the initial donation of \$15,000 of pro bono work, DEA proposes to work at a reduced commercial billing rate for the remaining efforts. A reasonable fee will be negotiated at that time, depending on the success in securing additional funding through grant sources.

DEA will continue providing site development services at this reduced rate, including:

- Construction Documents
- Permitting
- Construction Administration Services



Amy Jones, David Evans & Associates



Date

SERA Architects – John Echlin

Architect John Echlin will be available to consult by phone or attend meetings on a periodic basis in order to help launch the Zenger Farm Phase I development. He will also pass on to Friends of Zenger Farm information he acquires about Energy Trust and other state funding options as a result of his work on other projects. John is

open to participating in a local charette on the Zenger Farm development, as time allows.



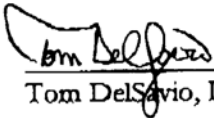
John Echlin, SERA Architects

11/19/03

Date

Portland YouthBuilders – Tom DeSavio

Portland YouthBuilders (PYB) will provide a crew to work on a portion of the Zenger Farm Phase I development. The nature of the project will be determined through discussions between PYB and the Friends of Zenger Farm and will most likely occur between June and November 2004. This work will be paid for under an agreement between PYB and the Portland Development Commission (PDC) under which PYB provides services to a Lents Urban Renewal project to offset a loan it received from PDC earlier.



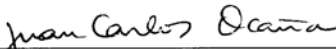
Tom DeSavio, Portland YouthBuilders

11/18/03

Date

ROSE Community Development – Juan Carlos Ocana

ROSE Community Development will assist Friends of Zenger Farm in joining and utilizing its Time Traders program for general operating needs as well as capital development projects as appropriate.




Juan Carlos Ocana, ROSE Community Development

Date

Neil Kelly Remodelers – Byron Kellar

Byron Kellar, with Neil Kelly Remodelers, has prepared a conceptual design, budget and potential donor list for the Zenger Farm farmhouse renovation. Byron will answer any follow-up questions the development team may have arising from this work. As he is able, he will also pass on leads for donations or fundraising. On a case-by-case basis and where appropriate, Byron may contact potential donors to encourage them to contribute to the Zenger Farm construction project.



Byron Kellar, Neil Kelly Remodelers

DEC. 05, 2003

Date

Metro Regional Government – Jim Desmond

As the owner of Beggars Tick Marsh, Metro agrees to work cooperatively with the other public owners of land in the Johnson Creek watershed, which includes Zenger Farm, to coordinate the management of these lands, including restoration education and public facilities management.

Jim Desmond (MC) 11/19/03
Jim Desmond, Metro Date

Oregon Parks and Recreation – Jack Wiles

State Parks will keep the City’s BES and any subsequent government owner of Zenger Farm apprised of funding opportunities through grants administered by the Oregon Parks and Recreation Department and provide any information or guidance requested to apply. At this time, notice may be sent to Daniela Cargill, with BES.

Jack Wiles 11/19/03
Jack Wiles, Oregon Parks & Recreation Department Date

Project Partners

Mary Wahl	City of Portland Bureau of Environmental Services
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Jeremy Weber	U.S. Army Corps of Engineers
Greg Acker	City of Portland Office of Sustainable Development
Rob Bennett	City of Portland Office of Sustainable Development
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Jim Desmond	Metro Regional Government
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Amy Jones	David Evans & Associates
John Echlin	SERA Architects
Byron Kellar	Neil Kelly Remodelers
Juan Carlos Ocana	ROSE Community Development
Tom DelSavio	Portland YouthBuilders

Convener

Bob Wise

Project Manager

Rosemarie Cordello