

# Heritage Park Museum Expansion Project



January 6, 2020  
Nate Scribner, P.E.  
Assistant City Engineer  
Department of Public Works  
456 W. Olive Avenue  
Sunnyvale, CA 94086

## Re: Proposal and Professional Services Agreement – Heritage Park Museum Expansion Project Proposal

Dear Mr. Scribner:

**Kimley-Horn and Associates, Inc.** (“Kimley-Horn”) is pleased to submit this letter proposal to the **City of Sunnyvale Department of Public Works** (City) for providing environmental services for the Heritage Park Museum Expansion Project (proposed project) located at 570 East Remington Drive. Based on our understanding of the materials provided, the expansion efforts are proposed by the Sunnyvale Historical Society and Museum Association (SHSMA) and includes an approximate 1,600 square foot (sf) addition to the southwesterly side of the existing museum. The proposed expansion will require the removal of 6 to 10 apricot trees in the orchard. The expansion is needed to accommodate historical items from the closed Onizuka Air Force Base’s “Blue Cube,” and space for a library.

Kimley-Horn has reviewed materials pertaining to the project site and understands the Heritage Park Museum is housed in a reconstruction of the Murphy House adjacent to the existing Heritage Orchard Park. The Heritage Orchard Park site was designated as Heritage Orchard Park by the Historical Society in 1997 and contains approximately 10 acres of Blenheim apricot trees. These facts make cultural resources an important discussion topic for the proposed project. Additionally, based on the agricultural history, status of the orchard, and designation of the site as unique farmland, agricultural resources also will be a key topic for the environmental analysis.

To evaluate the potential environmental effects of the proposed project, we believe the best approach is to prepare an Agricultural Resources Technical Memorandum and a Cultural Resources Report to provide needed background information for the future environmental document to comply with the California Environmental Quality Act (CEQA). Our understanding is that a preparation of these documents will provide contextual information and be used for the preparation of a Categorical Exemption (CatEx). If after further review, it is possible a Mitigated Negative Declaration (MND) for CEQA compliance may be required. Kimley-Horn had previously provided a proposal including scope of work and fee to the City for these efforts on August 9, 2019 and December 18, 2019 related to these efforts. However, as discussed above and after additional consultation with the City, we believe this approach is the most cost effective and will provide for the appropriate level of documentation.

Kimley-Horn will use Project Manager Brad Stoneman, who brings nine years of experience in the management and review of environmental projects, including ongoing experience in the City. He has prepared numerous CatEx and IS/MND documents as well as EIRs for small to large-scale project containing sensitive resources such as those present on the project site.

# Heritage Park Museum Expansion Project

The following Scope of Services is provided based on the City Request. The first Scope of Services under “Exhibit A” includes the Agricultural Resources Memorandum and Cultural Resources Report. Under this scope Kimley-Horn would prepare the CatEx for the environmental disclosure. The proposed cost for this Scope of Services is included as part of “Exhibit A.”

The second Scope of Services includes both the Agricultural Resources Memorandum and Cultural Resources Report, but this Scope of Services includes the preparation of an IS/MND for required environmental disclosures. The proposed cost for this Scope of Services is included as part of “Exhibit B.”

We appreciate the opportunity to provide these services to you. Please do not hesitate to contact me at 916.571.1029 or at [brad.stoneman@kimley-horn.com](mailto:brad.stoneman@kimley-horn.com) if you have any questions regarding our proposal.

Very truly yours,  
KIMLEY-HORN AND ASSOCIATES, INC.



Brad Stoneman  
Project Manager

- Exhibit A – Memorandum, Report, and Categorical Exemption Scope of Services
- Exhibit B - Memorandum, Report, and Initial Study/Mitigated Negative Declaration Scope of Services
- Exhibit C – Assumptions and Exclusions

# Heritage Park Museum Expansion Project

## EXHIBIT “A” REPORT, MEMORANDUM and CATEGORICAL EXEMPTION

### Task 1 – Agricultural Resources Technical Memorandum

The Agricultural Resources Technical Memorandum (Technical Memorandum) will be used to assess the existing agricultural resources on the project site. The project area currently operates as an apricot orchard and is immediately adjacent to the Heritage Park Museum. The project will result in construction of an approximate 1,600 square foot (sf) addition to the existing museum and will require the removal of between 6-10 apricot trees. The project site is situated on Unique Farmland which is land that has been used for high value economic crops and has special characteristics due to soil quality, location, growing season, and moisture supply.

Kimley-Horn will document the project changes to the environment that would result from project implementation. Kimley-Horn will utilize resources including but not limited to the United States Department of Agriculture (USDA), Natural Resources Conservation Service (NRCS) web soil survey, California Department of Conservation (CDOC), and local resources including the City of Sunnyvale General Plan (CSGP) and City of Sunnyvale Municipal Code. These resources will be used to quantify the existing agricultural environment on the project site, and in the vicinity as applicable. Changes to the existing agricultural environment will be documented and changes that would occur to the surrounding resource will be evaluated.

The technical memorandum will evaluate the viability of the orchard after the project is implemented and will document the intent of the City of its continued use. The Technical Memorandum will provide recommendations to the City for inclusion to the project to protect the integrity of the remaining acres of the orchard.

#### Deliverable

Kimley-Horn will submit a Draft Agricultural Resources Technical Memorandum for City staff review. Kimley-Horn will respond to two rounds of consolidated comments from City staff.

### Task 2 – Cultural Resources Report

The Cultural Resources Report will include the following a record search of the Northwest Information Center (NWIC) for records from a ¼-mile radius of the Project area. Additional archival research including inspection of maps, listed landmarks, cultural resources inventories such as the National Register of Historic Places (NRHP), and other resources listing cultural resources will be searched. The project site will be surveyed and photographed to assess the current condition of the site and the orchard and archeological materials will be document on the appropriate Office of Historic Preservation DPR-523. The built environment also will be evaluated to determine the context for the property and use this to evaluate the property’s eligibility for listing on the California Register of Historical Resources (CRHR). This scope

# Heritage Park Museum Expansion Project



and cost estimate assumes that the orchard will be evaluated as a single resource and that no other resources that require documentation and evaluation will be located within the project area.

## Deliverable

Cultural Resources Report with findings and recommendations

### Task 3 – Preparation of CEQA Exemption

Kimley-Horn will complete the Exemption for the Alternative Site #3 in accordance with CEQA Guidelines Article 19 Section 15300 – Categorical Exemptions. Kimley-Horn anticipates use of an Exemption under Section 15301 – Existing Facilities. Kimley-Horn will complete this task in accordance with the City format/procedural requirements. If the City does not have a preferred format, Kimley-Horn will use a format from our library of resources.

Kimley-Horn anticipates the use of Exemptions 15301 – Existing Facilities for Alternative Site #3. It is anticipated that the above listed documents will provide adequate information and result in full documentation to show the Alternative Site #3 qualifies for the listed exemptions(s).

## Deliverable

Preparation and submission of City of Sunnyvale Categorical Exemption form

### Task 4 –Meeting Time

Kimley-Horn staff will attend project meetings as needed and as requested by City staff. This scope of work assumes that up to three meetings via conference calls may be required. The City will only be billed for the meetings that we are requested to attend.

# Heritage Park Museum Expansion Project



## COMPENSATION

The City agrees to compensate Kimley-Horn Consulting for such services as follows:

**Kimley-Horn will perform the selected environmental services (Task 1-2) for a lump sum labor fee shown below (excepted Project Meetings; see below) for the tasks selected by the City.** In addition to the lump sum labor fee, direct reimbursable expenses such as express delivery services, fees, air travel, subconsultant costs, and other direct expenses will be billed at 1.10 times cost. Lump sum labor fees will be invoiced monthly based upon the overall percentage of services performed. Reimbursable expenses will be invoiced when incurred.

The following list of tasks provides a menu for each of the services that City staff may select.

| <b>Task</b>                                               | <b>Budget</b>   |
|-----------------------------------------------------------|-----------------|
| Prepare Agricultural Resources Technical Memorandum ..... | \$5,440         |
| Prepare Cultural Resources Report .....                   | \$9,965         |
| Preparation of CEQA Exemption .....                       | \$2,200         |
| Meeting Time .....                                        | \$816           |
| Expenses (reprographics, mileage).....                    | \$500           |
| <b>Total Labor Fee .....</b>                              | <b>\$18,921</b> |

## Heritage Park Museum Expansion Project

### EXHIBIT “B” REPORT, MEMORANDUM and INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

The purpose of this scope of work is to define certain tasks requested by the City of Sunnyvale (City) necessary to meet California Environmental Quality Act (CEQA) compliance requirements for implementation of the Heritage Park Museum Expansion Project (proposed project) should an Initial Study (IS) and Mitigated Negative Declaration (MND) based on the CEQA Environmental Checklist (Checklist) be required. All listed work products will be prepared in accordance with the criteria, standards and provisions of CEQA, Section 21000 et. sec. of the State Code, CEQA Guidelines (California Administrative Code Section 15000), environmental guidelines of the, and the regulations, requirements, and procedures of other responsible public agencies with jurisdiction by law.

The following scope of work and budget includes the preparation of an Agricultural Resources Technical Memorandum and Cultural Resources Report as described in Exhibit “A” above, as well as, should it be needed an IS/MND to satisfy CEQA requirements. This scope of work is discussed in Task 1 through Task 7, below.

#### Task 1 – Agricultural Resources Technical Memorandum

The Agricultural Resources Technical Memorandum (Technical Memorandum) will be used to assess the existing agricultural resources on the project site. The project area currently operates as an apricot orchard and is immediately adjacent to the Heritage Park Museum. The project will result in construction of an approximate 1,600 square foot (sf) addition to the existing museum and will require the removal of between 6-10 apricot trees. The project site is situated on Unique Farmland which is land that has been used for high value economic crops and has special characteristics due to soil quality, location, growing season, and moisture supply.

Kimley-Horn will document the project changes to the environment that would result from project implementation. Kimley-Horn will utilize resources including but not limited to the United States Department of Agriculture (USDA), Natural Resources Conservation Service (NRCS) web soil survey, California Department of Conservation (CDOC), and local resources including the City of Sunnyvale General Plan (CSGP) and City of Sunnyvale Municipal Code. These resources will be used to quantify the existing agricultural environment on the project site, and in the vicinity as applicable. Changes to the existing agricultural environment will be documented and changes that would occur to the surrounding resource will be evaluated.

The technical memorandum will evaluate the viability of the orchard after the project is implemented and will document the intent of the City of its continued use. The Technical Memorandum will provide

## Heritage Park Museum Expansion Project

recommendations to the City for inclusion to the project to protect the integrity of the remaining acres of the orchard.

### Deliverable

Kimley-Horn will submit a Draft Agricultural Resources Technical Memorandum for City staff review. Kimley-Horn will respond to two rounds of consolidated comments from City staff.

### Task 2 – Cultural Resources Report

The Cultural Resources Report will include the following a record search of the Northwest Information Center (NWIC) for records from a ¼-mile radius of the Project area. Additional archival research including inspection of maps, listed landmarks, cultural resources inventories such as the National Register of Historic Places (NRHP), and other resources listing cultural resources will be searched. The project site will be surveyed and photographed to assess the current condition of the site and the orchard and archeological materials will be document on the appropriate Office of Historic Preservation DPR-523. The built environment also will be evaluated to determine the context for the property and use this to evaluate the property’s eligibility for listing on the California Register of Historical Resources (CRHR). This scope and cost estimate assumes that the orchard will be evaluated as a single resource and that no other resources that require documentation and evaluation will be located within the project area.

### Deliverable

Cultural Resources Report with findings and recommendations

### Task 3 – Prepare Initial Study

Kimley-Horn will complete the IS in accordance with CEQA Guidelines Section 15063 and IS Checklist (Appendix G) in the CEQA Guidelines and in accordance with the City format/procedural requirements. If the City does not have a preferred format, Kimley-Horn will use a format from our library of resources. Information from the City’s General Plan, Zoning Ordinance, and Orchard Heritage Park Master Plan are anticipated to provide background information for the completion of the IS Checklist. These documents also are anticipated to provide information that will help in full documentation and environmental analysis needed to satisfy the requirements of a MND. Preparation of the MND is discussed in more detail Task 2, on page 6.

Each of the topics identified on the IS form contained in the State CEQA Guidelines Appendix G will be evaluated. Due to the nature of the proposed project, many of the issue areas addressed in the IS are not anticipated to have the potential for significant effects (i.e., “No Impact” or “Less than Significant Impact”). The specific purpose of the analysis in the IS will be to identify potentially significant adverse environmental impacts and identify needed mitigation measures to reduce or eliminate any adverse consequences.

The IS will include the following 21 environmental issue areas:

- I. Aesthetics
- II. Agricultural and Forest Resources

# Heritage Park Museum Expansion Project

- III. Air Quality
- IV. Biological Resources
- V. Cultural Resources
- VI. Energy
- VII. Geology and Soils
- VIII. Greenhouse Gas Emissions
- IX. Hazards and Hazardous Materials
- X. Hydrology and Water Quality
- XI. Land Use and Planning
- XII. Mineral Resources
- XIII. Noise
- XIV. Population and Housing
- XV. Public Services
- XVI. Recreation
- XVII. Transportation/Traffic
- XVIII. Tribal Cultural Resources
- XIX. Utilities
- XX. Wildfire
- XXI. Mandatory Findings of Significance

With the exception of Cultural Resources, Kimley-Horn assumes that existing background information provided by the City and other information found on public sources will be suitable to support the IS. Kimley-Horn will also qualitatively update the air quality, energy, noise, and transportation-related impact discussion based on the anticipated nominal increase in project related activities and traffic. Kimley-Horn will prepare a draft IS document to include the following sections:

- **Introduction.** This section will introduce the IS, describe the purpose of the IS, and describe the review process including the level of environmental review document including a brief summary of the findings of the IS.
- **Project Description.** The project description will provide a detailed, yet concise, description of the proposed project. The purpose and need for the project will be clearly stated, along with the anticipated (community) benefits of the proposed project. Any discretionary actions needed to implement the proposed project will be identified. The project description will also include an environmental setting component to detail the existing physical setting and characteristics of the project site, as well as the setting and character of adjacent land uses and the surrounding area.
- **Environmental Analysis.** This section will provide an expanded discussion of the environmental issues as presented in the IS and define the baseline needed to establish analyze and disclose potential impacts to the public and decision makers. Each checklist question will be presented and discussed in relation to the proposed project and area of effect to support the analysis for a legally defensible. The Cultural Resources Report will include required information



## Heritage Park Museum Expansion Project

- **Mandatory Findings of Significance.** This section of the document will provide a discussion of the project's impacts, as they relate to the mandatory findings of significance under CEQA. Similar to the discussion in the Environmental Analysis section, a response will be presented for each of the Mandatory Findings of Significance questions, as found in the IS Checklist. Any mitigation measures developed to reduce adverse impacts will also be identified.
- **Appendix.** Technical information not required in the IS will be included as an appendix to the document, as needed.

### **Deliverable: Administrative Draft Initial Study.**

Once the administrative Draft IS is completed, it will be presented to the City for review and comment. This task will use reasonable professional effort that the information provided in the IS relative to the proposed project is accurate and contains the information required by the City. This task assumes two rounds of revisions (an administrative draft and a screencheck draft).

### **Deliverable: Screencheck Draft Initial Study; Public Review Draft Initial Study and Appendices.**

## **Task 4 – Mitigated Negative Declaration**

### **Task 4.1- Preparation of Mitigated Negative Declaration**

Should Kimley-Horn in consultation with City staff conclude, after reviewing the IS, that the project may have potential impacts on the environment, Kimley-Horn will make any necessary revisions to the IS and finalize the preparation of the document as an IS/MND. This effort will include completion of any additional forms and documentation to disclose the potential for significant environmental effects associated with the proposed project.

### **Task 2.2 – Mitigation Monitoring and Reporting Program (MMRP)**

In compliance with AB 3180 (PRC 21081.6), which requires the monitoring of mitigation measures and reporting their implementation as part of specific project approvals, Kimley-Horn will prepare the Mitigation Monitoring and Reporting Program (MMRP) for the proposed project. Implementation of the mitigation measures and the required monitoring would be linked to specific stages of project development to illustrate a plan for implementation of mitigation measures.

### **Deliverable: MMRP.**

## **Task 5 – Public Review/Public Distribution**

Kimley-Horn will prepare the Office and Planning and Research Notice of Completion (NOC) and Notice of Intent (NOI) as part of this task. This task assumes that City staff will distribute the Notices and Draft IS/MND to appropriate City departments. Kimley-Horn is prepared to assume the responsibility of distribution to responsible agencies and other interested parties to initiate the public review period. In this instance, Kimley-Horn assumes the City will provide a complete distribution list. Completion of this

## Heritage Park Museum Expansion Project

effort task would include the posting and/or noticing in the local newspaper. Kimley-Horn will not undertake this task unless directed by City staff and

**Deliverable: Distribution of the Notice of Intent/Notice of Completion**

### Task 6 – Project Coordination, Meetings, and Hearings

Kimley-Horn staff will attend project meetings as needed and as requested by City staff. This scope of work assumes that up to four meetings (two project meetings and two hearings) may be required. This Task will include phone meetings and conference calls, depending on the nature of phone meetings, conference calls beyond those needed for relatively short points of clarification and/or project updates. The City will only be billed for the meetings that we are requested to attend.

### Task 7 - Response to Letters of Comment

Upon completion of the 30-day public review period, Kimley-Horn will prepare written responses to the letters of comment received. Comments received in response to the updated IS will be discussed with the City and an approach to the responses will be agreed upon prior to preparation of the responses. Draft responses to comments will be submitted to the City for review and comment. Once finalized, Kimley-Horn will then revise the updated IS in accordance with staff's directions and will prepare the final updated IS. Our scope assumes 16 hours of staff time for response to comments. The level of effort for this task is an estimate and the City will be billed the actual cost to complete the task. Any additional work over the agreed upon amount will required prior approval from the City prior to initiating work efforts.

**Deliverable: Responses to comment letters; Final Updated Initial Study**

# Heritage Park Museum Expansion Project



## COMPENSATION

The City of Sunnyvale to compensate Kimley-Horn Consulting for such services as follows:

### Fee and Expenses

**Kimley-Horn will perform the services in Tasks 1 – 5, for the total lump sum labor fee shown below.** The lump sum labor fee includes direct reimbursable expenses such as express delivery services, fees, travel costs, reproduction costs, and other direct expenses will be billed at 1.10 times cost. Lump sum labor fees will be invoiced monthly based upon the overall percentage of services performed. Reimbursable expenses will be invoiced based upon expenses incurred.

| Task                                                      | Budget          |
|-----------------------------------------------------------|-----------------|
| Task 1: Agricultural Resources Technical Memorandum       | \$5,440         |
| Task 2: Cultural Resources Report                         | \$9,960         |
| <i>Subtotal:</i>                                          | <i>\$15,400</i> |
| Task 3 Preparation of Initial Study                       | \$8,840         |
| Task 4 Mitigated Negative Declaration                     |                 |
| Task 4.1 Prepare Mitigated Negative Declaration           | \$1,200         |
| Task 4.2 Prepare Mitigation Monitoring and Report Program | \$1,200         |
| Task 5 Public Review Public Distribution                  | \$1,200         |
| Task 6 Project Coordination, Meetings, and two Hearings   | \$3,120         |
| Task 7: Responses to Comment                              | \$2,080         |
| <i>Subtotal:</i>                                          |                 |
| <i>Total:</i>                                             | <i>\$17,640</i> |
| Project Expenses                                          | \$500           |
| <b>TOTAL FEE</b>                                          | <b>\$33,540</b> |

City of Sunnyvale to compensate Kimley-Horn Consulting for such services as follows:

### Fee and Expenses

**Kimley-Horn will perform the services in Tasks 1 for the total lump sum labor fee shown below.** The lump sum labor fee includes direct reimbursable expenses such as express delivery services, fees, travel costs, reproduction costs, and other direct expenses will be billed at 1.10 times cost. Lump sum labor fees will be invoiced monthly based upon the overall percentage of services performed. Reimbursable expenses will be invoiced based upon expenses incurred.

# Heritage Park Museum *Expansion Project*



## EXHIBIT C

### ASSUMPTIONS AND EXCLUSIONS

#### Assumptions

Kimley-Horn may be entitled to rely on the completeness and accuracy of information provided by the City or City's consultants or representatives, including but not limited to the site plan, engineering plans (grading plan, utility plan, erosion control plan, and geotechnical reports), and technical studies.

#### Exclusions:

Any other services, including but not limited to the following, are not part of this scope of work:

- Staff Reports
- Document Reproduction
- Notice of Determination
- Notice of Determination filing
- Preparation of technical studies
- Architectural/civil design services
- Hazardous and remediation services
- Franchise utility studies and/or design
- Permitting (e.g., 404, 401, 1602 wetland permits) with Regulatory Agencies
- Payment of any agency fees