REPORT TO COUNCIL
City of Sacramento

915 I Street, Sacramento, CA 95814-2671
www. CityofSacramento.org

CONSENT
September 20, 2005

Honorable Mayor and
Members of the City Council

Subject: Agreement: Freshman Kast Inc. for an Amount Not to Exceed $211,350 for Consultant Services to Obtain Federal Appropriations and Authorizations for Flood Control Projects which Benefit the City of Sacramento

Location/Council District: Citywide

Recommendation:

Staff recommends that the City Council approve the attached resolution authorizing the City Manager and City Clerk to sign and execute a Consultant Services Agreement with Freshman Kast Associates, Inc. for an amount not to exceed $211,350.

Contact: Gary Reents, Director of Utilities, (916) 808-1433, Dave Brent, Engineering Manager, (916) 808-1420

Presenters: Not Applicable

Department: Department of Utilities

Division: Engineering Services

Organization No: 3331

Summary:

The federal appropriations cycle is critical to funding Sacramento's flood control projects and requires constant input and close coordination by a legislative strategy team in Washington, D.C. Staff recommends that the services of Freshman Kast, Inc. be retained by contract to represent the City's interest as part of the legislative team. The firm will also represent the City on Water Resources Development Act (WRDA) activities and other flood control issues as they develop.

Committee/Commission Action: None.

Background Information:

A contract was originally signed with John Freshman Associates, Inc. (now known as Freshman Kast, Inc.) on November 9, 1999, to assist the City and the Sacramento Area Flood Control Agency (SAFCA) in obtaining federal authorizations for flood control projects for the City and in obtaining appropriations for previously authorized flood control projects for fiscal year 2000 and fiscal year 2001. Subsequent contracts have been executed with the firm yearly since December 2001 in order to continue the City's efforts to foster federal support and secure funding for critical flood control projects.

Legislative consultants are a critical part of Sacramento's flood control strategies. John Freshman and Larry Kast, managing partners of Freshman Kast, Inc., both have the presence, credibility, and access to congressional staff that greatly enhance the City's ability to obtain favorable federal legislation. The firm's expertise is also valuable in coordinating with various federal agencies such as the Office of the Chief of Engineers, the Department of the Interior, the Office of Management and Budget, and other branches of the Administration in gaining their support of our flood control projects.

Freshman Kast, Inc., also works closely with SAFCA's Washington consultants in carrying forward Sacramento's flood control projects and making key Washington officials more aware of our particular needs. The firm has played an integral role in approval and funding of the Common Features Project, The South Sacramento Stream Groups project, the Folsom Dam Modifications project and other key flood control legislation. These projects are valued at more than $500 million.

With this new contract, Freshman Kast, Inc., will continue assisting the City and SAFCA in securing funding for ongoing flood control projects. Priorities for the upcoming twelve month period include assisting SAFCA and the City in the following areas:

- Participation in development and implementation of a 5-year strategic plan for funding for flood control projects;
- Develop and implement a strategy for including Sacramento area flood control projects in the President's FY 2007 budget;
- Work with the legislative representatives and Corps of Engineers to develop and implement strategies for the issues associated with the Water Resources Development Act (WRDA);
- Secure adequate funding to complete the South Sacramento Streams Group project;
- Secure the funding to complete the necessary erosion control and levee stability work to certify the Sacramento River Levee in the Pocket area for the 100-year level of protection.

In addition, Freshman Kast Inc., will provide government relations services to the City to assist with securing a new Sacramento River diversion.

Financial Considerations:

The estimated cost of this Consultant Services Agreement is $211,350. There is sufficient funding in the Flood Control Planning Fund PN: 425-500-WG01 to encumber this contract.

Environmental Considerations:

No environmental review is required for continuing administrative or maintenance activities that are not conducted in conjunction with a project subject to CEQA review [CEQA Guidelines § 153778(B)(3)]. All federal projects that are authorized must comply with federal guidelines under the National Environmental Protection Act (NEPA). Federal projects funded by the State of California and SAFCA must also meet CEQA review procedures.

Policy Considerations:

Freshman Kast, Inc., has proved to be a valuable asset as a team member in augmenting and supporting SAFCA's efforts to obtain federal authorizations and appropriations. Our congressional representatives are comfortable with Freshman Kast, Inc. and depend on them regularly to assist their offices and staff's legislative efforts.

Emerging Small Business Development (ESBD):

Although Freshman Kast , Inc. meets the federal requirements for a small business firm, since it is not located in California, it does not meet the City's ESBD consideration requirements. In order to be effective, it is imperative that the City of Sacramento's federal congressional consultant be located in the Washington, D.C. area. Because Freshman Kast, Inc. has represented the needs of the City of Sacramento over the past six years and because they are extremely knowledgeable of Sacramento's complex flood control system and its problems, it would be detrimental for the City to solicit another federal congressional consultant at this time.

Respectfully Submitted by: _____
David L. Brent
Engineering Manager

Approved by: _____
Gary A. Reents
Director of Utilities

Recommendation Approved:

_____
For ROBERT P. THOMAS
City Manager

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RESOLUTION NO.

Adopted by the Sacramento City Council

APPROVING AN AGREEMENT WITH FRESHMAN KAST INC. FOR FY2005/06 DRINKING WATER QUALITY CONSULTATION SERVICES

BACKGROUND

A. Freshman Kast Inc. provides the City of Sacramento with a constant presence in Washington to foster federal support and secure funding for critical flood control projects.

B. The services include developing and implementing legislative strategies vital for the integrity of our flood control plans.

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

Section 1. The City Manager is authorized to execute a consultant services agreement with Freshman Kast, Inc. for an amount not to exceed $211,350.

Section 2. The initial term of this agreement shall be 1 year. The City Manager is authorized to extend the term for up to three additional one year terms with the concurrence of CONTRACTOR.