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Department of Utilities  
Office of the Director

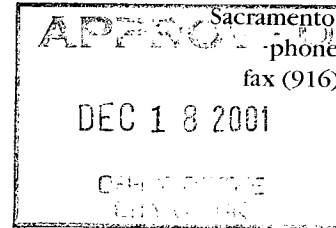
CITY OF SACRAMENTO  
CALIFORNIA

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November 27, 2001

City Council  
Sacramento, California

Honorable Members in Session:

AG 2001-226

**SUBJECT: EXECUTION OF CONSULTANT SERVICES AGREEMENT WITH JOHN FRESHMAN ASSOCIATES, INC. FOR AN AMOUNT NOT TO EXCEED \$290,300 FOR SERVICES IN WASHINGTON, D.C. TO OBTAIN FEDERAL APPROPRIATIONS FOR PREVIOUSLY AUTHORIZED FLOOD CONTROL PROJECTS AND AUTHORIZATIONS FOR NEW FLOOD CONTROL PROJECTS BENEFITTING THE CITY OF SACRAMENTO**

**LOCATION AND COUNCIL DISTRICT:** City-wide

**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 John Freshman Associates, Inc. for an amount not to exceed \$290,300.

**CONTACT PERSON:** Jim Sequeira, Director of Utilities, 264-1407  
Gary Reents, Engineering Services Manager, 264-1433

**FOR COUNCIL MEETING OF:** December 18, 2001

**SUMMARY**

The FY 2002-2003 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 John Freshman Associates, Inc. be retained by contract to represent the City's interest as part of the legislative team. Staff has negotiated a Consultant Services Agreement with John Freshman Associates, Inc. to provide



CITY OF SACRAMENTO  
DEPARTMENT  
OF UTILITIES

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services with the goal of obtaining federal appropriations for the authorized flood control projects benefitting the City of Sacramento. This firm will also represent the City on Water Resources Development Act (WRDA) activities and issues as they develop.

**COMMITTEE/COMMISSION ACTION:** None

## **BACKGROUND INFORMATION**

A contract was signed with John Freshman Associates, 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. Mr. Freshman works with Cassidy & Associates, who is SAFCA's Washington legislative consultant. SAFCA, City staff, and our legislative consultants emphasize Sacramento's critical flood control needs with appropriate congressional members and their staffs. John Freshman's presence, credibility, and access to congressional staff greatly enhance the City's ability to obtain favorable federal legislation. Mr. Freshman's expertise is also needed to coordinate 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 projects. He opens new avenues that will aid the City and SAFCA's Washington consultant in carrying our case to federal offices and making them more aware of our particular needs. Mr. Freshman played an integral role in approval of the American River improvements, Folsom Dam modifications, and approval of the South Sacramento County Stream Group Project included in the 1999 WRDA. These projects are valued at more than \$250 million. John Freshman Associates, Inc. was also key in obtaining \$48 million in federal appropriations in FY 2000 and has been working hard in an effort to influence appropriations and new starts for Sacramento in the FY 2001 and FY 2002 appropriation acts.

## **ENVIRONMENTAL DETERMINATION**

No environmental review is required for continuing administrative or maintenance activities which 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.

## **FINANCIAL CONSIDERATIONS**

The estimated cost of this Consultant Services Agreement is \$290,300. There is sufficient funding in the Flood Control Planning Fund PN: 425-500-WG01 to encumber the remainder of the FY2002 of this contract.

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**POLICY CONSIDERATIONS**

SAFCA presently contracts with Cassidy & Associates to aid SAFCA's efforts in obtaining critical federal authorizations and appropriations. Cassidy & Associates is their lead legislative consultant on Congressional action. Mr. Freshman has proved to be a valuable asset as a team member in augmenting and supporting these efforts. He also provides the additional benefit of being the City's independent eyes and ears in the Washington arena. This agreement is consistent with the City's agreement with SAFCA. John Freshman Associates, Inc. augments Cassidy & Associates' efforts and responds to the City Manager's direction. Our congressional representatives are comfortable with John Freshman Associates, Inc. and depend on them regularly to assist their offices and staff's legislative efforts.

**ESBD CONSIDERATION**

Although John Freshman Associates, 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 John Freshman Associates, 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.

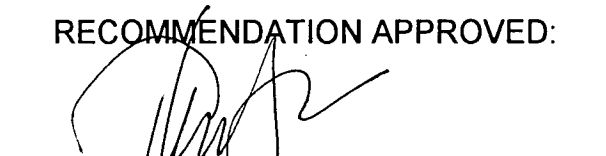

Respectfully Submitted By:

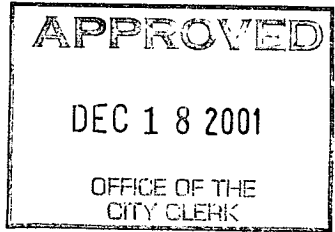


\_\_\_\_\_  
Gary A. Reents  
Engineering Services Manager

RECOMMENDATION APPROVED:

APPROVED:

  
\_\_\_\_\_  
Robert P. Thomas  
City Manager  
\_\_\_\_\_  
Jim Sequeria  
Director of Utilities



**RESOLUTION NO. 2001-834**

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF \_\_\_\_\_

**RESOLUTION AUTHORIZING THE CITY MANAGER AND CITY CLERK TO SIGN AND EXECUTE A CONSULTANT SERVICES AGREEMENT WITH JOHN FRESHMAN ASSOCIATES, INC. TO OBTAIN FEDERAL APPROPRIATIONS FOR PREVIOUSLY AUTHORIZED FLOOD CONTROL PROJECTS AND AUTHORIZATIONS FOR NEW FLOOD CONTROL PROJECTS BENEFITTING THE CITY OF SACRAMENTO**

**BE IT RESOLVED BY THE SACRAMENTO CITY COUNCIL THAT:**

The City Manager and City Clerk are authorized to sign and execute a Consultant Services Agreement with John Freshman Associates, Inc. for an amount not to exceed \$290,300 for services in Washington, D.C. for the purpose of obtaining federal appropriations and authorizations for flood control projects beneficial to the City of Sacramento.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

**FOR CITY CLERK USE ONLY**

RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_