



**BOARD OF SUPERVISORS  
AGENDA LETTER**

Agenda Number:

Clerk of the Board of Supervisors  
105 E. Anapamu Street, Suite 407  
Santa Barbara, CA 93101  
(805) 568-2240

Department Name: Planning and Development  
Department No.: 053  
For Agenda Of: 12/5/2006  
Placement: Administrative  
Estimate Time: N/A  
Continued Item: NO  
If Yes, date from:  
Vote Required: Majority

**TO:** Board of Supervisors  
**FROM:** Department Director(s) John Baker, 568-2085  
Contact Info: Doug Anthony, 568-2046

**SUBJECT: Execution of Contract for Services with Vinckier-Minick LLC**

**County Counsel Concurrence:**

As to form:  Yes  No  N/A

**Auditor-Controller Concurrence:**

As to form:  Yes  No  N/A

**Other Concurrence:** Risk Management

As to form:  Yes  No  N/A

**Recommended Action(s):**

Execute a contract for services between the County of Santa Barbara and Vinckier-Minick LLC to provide planning services to the Planning and Development Department on a time and material basis not to exceed \$166,750.00 for the period beginning December 6, 2006 and ending December 4, 2007.

**Summary:**

This contract for services would supersede an existing employment agreement between the County and Nancy Minick, who currently provides planning services to the Energy Division as a contractor on payroll. In so doing, she assists the Energy Division with a mid-term increase in its workload, based on several recently filed and pending applications to develop energy projects and to decommission the former Gaviota marine terminal. Ms. Minick has extensive experience as a project manager and planner for processing development applications for energy projects, and she has been intimately involved with applications to develop the Tranquillon Ridge oil and gas field in State Tidelands off the County's western coast. She has also been involved in processing a pre-application conceptual review of an ethanol plant proposed to the west of Santa Maria. Her expertise and experience with these projects considerably enhance the division's capacity to provide high quality customer and public service in processing these development applications.

Staff did not seek competitive bids for this service, since we are changing the status of Ms. Minick from a contractor on payroll to an independent contractor and do not wish to interfere with the continuity of permit-processing services that we currently provide to our customers through Ms. Minick.

**Background:**

Ms. Minick previously worked a regular employee for the Planning and Development Department between 1986 and 1998. She recently activated her retirement. This status restricts her to working no more than 960 hours in any fiscal year as a contractor on payroll, which is not enough to fulfill the Energy Division's current need of her services. As a result, Ms. Minick has formed an independent consulting firm with Mr. Thomas Vinckier, a local geologist. She now qualifies to provide services to the County as an independent contractor, rather than a contractor on payroll, primarily because the new firm provides services to other clients besides the County. As an independent contractor, Ms. Minick is no longer restricted in the number of hours of service she may provide to the County in any fiscal year. Staff recommends a higher rate of hourly compensation in this contract (from \$55 per hour to \$79.70) to compensate for (1) the recent increase in hourly compensation to regular planning staff, and (2) the increase in general liability and professional insurance costs to Ms. Minick.

**Performance Measures:**

Assist the Planning and Development Dept., Energy Division, with the processing of the following permit applications:

Proposal by Plains Exploration & Production (PXP) to develop the Tranquillon Ridge field from Platform Irene.

Proposal by Sunset Exploration and ExxonMobil to develop the Tranquillon Ridge field from an upland drill-site.

Proposal by American Ethanol to develop and operate an ethanol plant west of Santa Maria.

Any other application assigned by P&D staff.

Assist the Planning and Development Dept., Energy Division, with monitoring compliance with permit conditions of the PXP Point Pedernales and Point Arguello projects, as a means of ensuring protection of public health and safety and of the environment.

CONTRACTOR shall complete all tasks in accordance with project schedules approved by P&D staff and, where applicable, shall ensure full and concise disclosure of all pertinent information required by decision-makers to render informed decisions on the foregoing applications

**Fiscal and Facilities Impacts:**

Budgeted:  Yes     No

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**Fiscal Analysis:**

<u>Funding Sources</u>	<u>Current FY Cost:</u>	<u>Annualized On-going Cost:</u>	<u>Total One-Time Project Cost</u>
General Fund			
State			
Federal			
Fees	\$ 90,000.00	\$ 76,750.00	\$ 166,750.00
Other:			
Total	\$ 90,000.00	\$ 76,750.00	\$ 166,750.00

**Narrative:**

Current fiscal year revenue and expense for this contract are budgeted on page D-302 under “Reimbursable Contracts” and “Permitting and Compliance,” respectively. All costs incurred under this contract are covered by permit and compliance fees.

**Staffing Impact(s):**

**Legal Positions:**

**FTEs:**

This action would replace a contractor on payroll position with an independent contractor.

**Special Instructions:**

The Clerk of the Board will forward a copy of the executed contract to Doug Anthony of the Energy Division.

**Attachments:**

Contract for services.