

County's \$1 million consultant bill called into question

By Nick Baptista/ The Valley Springs News / November 27, 2015

So what exactly did Calaveras County and its citizens get for nearly \$1 million?

The county's lengthy and costly General Plan update is being called into question by an organization that has participated in the process for the past nine years.

Tom Infusino, an attorney and facilitator for the Calaveras Planning Coalition, has formally submitted a Public Record Act Request seeking release of the Mintier-Harnish General Plan or plans delivered to the county sometime between December 2010 and February 2011.

The county back in 2006 hired the consulting firm to review the county's existing General Plan at a cost of nearly \$1 million, but it was never released to the public. In the meantime, the county dropped Mintier as its consultant and has been working on the document in-house. Another \$400,000 reportedly has been spent on other consultants to finalize a draft General Plan update for release to the public.

The general plan is the so-called "constitution for all future development."

It is the fundamental document that empowers a Board of Supervisors to make land use decisions, Infusino said in his announcement to seek the Mintier draft through the Public Records Act. It has a long-term perspective of 20 years or more. It includes land use maps and policy pronouncements on a variety of topics that affect people's lives every day.

In the request submitted Tuesday, Infusino said it is unconstitutional for the county to hide the expense and product of that expense from the public.

"First and most importantly, the Mintier General Plan is the final document that was produced pursuant to an over \$900,000 public contract with the county. It is the product delivered by the contractor and received by the county that justifies the expenditure of public funds. The public has an interest in seeing what we bought, even though the Board of Supervisors rejected the plan sight unseen, and perhaps especially because the Board of Supervisors rejected the plan sight unseen. Accepting the county's argument, that virtually any document not finalized by the government can be withheld from public scrutiny, would allow the government to hide its most expensive and embarrassing mistakes from public view, thereby thwarting the California Constitution's guarantee that, 'The people have the right of access to information concerning the conduct of the people's business.'"

In a statement to the board on Tuesday, Infusino said, "The people have the right to access information concerning the conduct of the people's business."

Quoting colonial era patriot Patrick Henry, Infusino told the board, “The liberties of the people never were, nor ever will be, secure, when the transactions of their rulers may be concealed from them.”

His 17-page request referenced 31 attachments and included detailed legal arguments explaining the people’s right to see the document.

Infusino represents the Calaveras Planning Coalition, which is a group of community organizations and individuals calling for a healthy and sustainable future for Calaveras County. They believe public participation is critical to a successful planning process.

If the county refuses to release the documents to the public, a court order could be sought, which would add to the cost of the already expensive General Plan update.