

Tom

From: Mintier Harnish <mintier@mintierharnish.com>
Sent: Tuesday, December 23, 2014 5:07 PM
To: Tom
Cc: Jim Harnish; Ted Holzem; Chelsey Norton Payne; Mintier
Subject: Re: Purchase of a copy of your Calaveras County Draft General Plan Update

Follow Up Flag: Follow up
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Tom,

My apologies for not getting back to you sooner. We discussed your request at length here in the office and even consulted outside counsel. While we understand the rationale for the request and are sympathetic, we have concluded it would be inappropriate for us to release the administrative draft documents to you directly. Of course, we would release the documents if the County requested us to do so or if we were required to in connection with litigation.

You know that we were extremely disappointed with County's decision to let our contract expire, when we had offered to complete the General Plan Update without additional compensation. The County essentially rejected our offer.

I just heard a rumor that the Draft General Plan has been released for public review but haven't had time to check it out. We'll be interested to see how the revised draft compares to our administrative draft.

Feel free to call me if you'd like to discuss this matter further.

Larry Mintier

On Wed, Dec 10, 2014 at 1:10 PM, Tom <tomi@volcano.net> wrote:

Tom Infusino
P.O. Box 792
Pine Grove, CA 95665
tomi@volcano.net

12/10/14

Larry Mintier

Mintier Harnish

1415 20th Street
Sacramento, CA 95811

mintier@mintierharnish.com

RE: Purchase of a copy of your Calaveras County Draft General Plan Update.

Dear Mr. Mintier,

My name is Tom Infusino, and I am writing to you on behalf of the Calaveras Planning Coalition (CPC) to request a digital or hard copy of the draft General Plan text and graphics you prepared for Calaveras County. Feel free to provide a digital copy in any way that is effective and convenient for you (e.g. e-mail attachment, disk, flash drive, etc.) We are willing to pay for the costs of reproduction, shipping and handling for a copy of the document.

You may recall that I and the members of the CPC were actively involved in the many public meetings presented by you and your staff. We are in many photos in your report Community Workshops on Alternatives, April 2010 (See cover and pp. 12, 15, 16, 18, 20, 24, 26, and 30.) We at the CPC have been consistent supporters of the General Plan Update since 2006.

I. Thank you for all your fine efforts to get the General Plan Update off to a good start.

Calaveras County's comprehensive General Plan Update may not have begun in 2006 without your frank assessment of the flaws of the 1996 General Plan. In 2008, your Issues and Opportunities Report crystallized community concerns regarding open space protection, transportation, infrastructure financing, economic development, public safety, childcare, and workforce housing. The many public meetings you and your staff led and reported on helped the Board of Supervisors to choose a land use map based upon community-centered development instead of sprawl in 2010. We at the CPC thank you for getting the general plan update process off to a good start.

II. We have some important reasons why we would like to get a copy of your draft of the General Plan Update.

A) Your suggestions should not be lost in later GPU revisions.

We want to make sure that none of your important suggestions, for solving critical planning problems facing Calaveras County, got lost in the later revisions of the plan. If we can find even a few lost nuggets of wisdom, it will be well worth the time and effort to review your draft General Plan Update. It would be our honor to present those nuggets of wisdom to the public that inspired you to craft them, and to the Board of Supervisors with the power to adopt and to implement them.

B) The County has refused to let us see your draft general plan update.

The current Planning Director, Peter Maurer; the Planning Commission, and the Board of Supervisors have to date refused our requests to even look at your draft General Plan Update. When he discussed this issue with the Planning Commission, Director Maurer admitted that he himself had not bothered to even read your draft General Plan Update. The document has been withheld from the Planning Commissioners and Supervisors as well. This does not fill us with a lot of confidence that the next version of the General Plan Update will reflect the legacy of your hard work.

C) Your suggestions can help to resolve planning disputes.

Your draft General Plan Update might include key provisions to help resolve planning conflicts. We have already participated in a similar process. When the County rejected optional general plan elements on energy conservation, economic development, and water; they released the draft documents to us, and allowed us to identify any key policies therein that should become part of the mandatory elements. In this way, we at the CPC were able to provide the County with a shorter and simpler set of policy requests, that is much easier for the County to accept and to implement. If we could review your draft General Plan Update, we might again find a short and simple list of additional policies that would be easy for the County to accept and to implement. This sort of conflict resolution could enhance public acceptance of the General Plan Update, and facilitate prompt implementation of your planning suggestions.

D) Your solutions were specifically crafted for Calaveras County.

Your draft General Plan Update includes solutions to problems that reflect your professional recommendations given to the County, based upon your consultations with the public and your study of the specific

circumstances in Calaveras County. As such, your solutions may have more success than other solutions we might recommend that have been employed by other people in other counties.

E) Your draft GPU should be the basis of later drafts.

Your draft General Plan Update is based upon your perception of public input provided at numerous public meetings held during the early years of the process. Now, the vast majority of the County officials who participated in those early years of the process are gone. The Planning Directors, the General Plan Coordinators, the U-plan specialist, the Transportation Directors, the CAO's, the County Counsels, and all of the five County Supervisors who participated in those early years of the General Plan Update have left the service of Calaveras County. Remaining are the concerned citizens who attended your meetings, and the heartfelt issues they raised. For the next version of the General Plan Update to be validly based upon the early years of public input, the next draft must reflect an evolution from your draft, rather than a wholesale replacement of it. We hope that a comparison of your draft General Plan Update and the next draft will demonstrate such an evolution. This will help us to calm those critics who suspect that your draft General Plan Update was a superior effort that was unnecessarily abandoned.

F) Your draft General Plan Update may serve as an EIR alternative.

It is possible that the next draft General Plan Update, to be released by the County in the near future, may be a wholesale change in direction from the one you so carefully developed after years of public meetings.

If the next draft General Plan Update does reflect a wholesale change in direction, then your earlier draft General Plan Update could serve as the basis of a lower-impact alternative in the General Plan EIR. This would give the people of Calaveras County, and their County Supervisors, a real choice in charting our future. The only way we can determine if such a wholesale change in direction has been made, is to compare your draft General Plan Update to the next draft released by the County.

Thank you for your thoughtful response to our request. I wish you and yours a very happy holiday season.

Sincerely,

Thomas P. Infusino



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