

ARGUMENT AGAINST MEASURE S

"City of Irvine Personal Information Privacy Act"

This proposal should have been named the SECRECY ORDINANCE. It's crafted so that Irvine elected officials can deny you access to documents guaranteed public scrutiny by the California Public Records Act. VOTE NO TO ASSURE OPEN, HONEST AND TRANSPARENT GOVERNMENT AT CITY HALL.

Councilman Larry Agran proposed this Secrecy Ordinance after newspapers reported that he tried to hire a longtime friend from Chicago to be the new CEO at the Great Park. Council members Steven Choi and Christina Shea demanded to see the résumés of other candidates, but Mr. Agran withheld them, claiming the documents were personal information. Mr. Choi and Ms. Shea filed a lawsuit to enforce their right under state law to view the résumés, and said they found far more qualified candidates than Mr. Agran's friend.

This Secrecy Ordinance, if enacted by voters, could be used by City Hall to deny the public and the press access to important documents such as these that keep elected officials and City employees accountable to us.

The proposal states that city officials will decide "on a case-by-case basis" what is "personal information" that can be withheld from your scrutiny. Nothing in the ordinance requires City Hall to tell you what has been withheld or why. And there is no means of appeal.

Mr. Agran said during the July 22 City Council meeting that if Irvine is sued all the way to the state Supreme Court because this ordinance may be illegal, "so be it."

The California Public Records Act already protects your personal information, so there is no reason for this Secrecy Ordinance other than to circumvent state law.

VOTE NO TO STOP SECRECY AT CITY HALL. VOTE NO TO STOP THE SECRECY ORDINANCE.

For more information, visit www.nosecrecyordinance.com.

s/ Stephen C. Smith
Auditor

s/ G. Allan Bartlett
Businessman

s/ Jeffrey Lalloway
Attorney