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June 10, 2008

Councilwoman Christina Shea
Irvine City Council
1 Civic Center Plaza
Irvine, CA 92623

Re: California Public Records Act Requests, Your Employment as a Lobbyist

Dear Councilwoman Shea:

I am a private citizen and an almost lifelong resident of Irvine. My family first moved to this great city when I was only 2 or 3 years old and my father was attending the University of California at Irvine. I attended public schools in Irvine for every level of my education, elementary school through junior college. After graduating from the George Washington University Law School in Washington, D.C., three years ago, I returned to Irvine to open my law firm. Since then, I try to be active within the Irvine community and serve on the board of directors for the New Horizons Elementary School and also as Chair of the Housing and Transportation Sub-Committee of the Irvine Chamber of Commerce.

Please try to imagine my surprise when a friend called me to say I was mentioned in a discussion about your request for all the email addresses on file with city hall. A few days later I was able to watch the discussion on ICTV, wherein you and Councilman Choi attacked me by name numerous times in connection with California Public Records Act (CPRA) Requests filed by me and a law clerk in my office. A few days later I checked my email, and saw that you had sent me a message repeating your attacks on me and my staff, denying that you had ever been a lobbyist, and questioning my fitness to be an attorney. A printout of your entire email is attached here.

Turning to the attacks upon me by you and Councilman Choi for exercising my rights as a citizen to investigate my elected representatives. None of the records I requested were private in any way shape or form. They all relate to the ways that city elected officials and staff have spent my tax dollars. You and Councilman Choi have no right to keep these records private and your claims to the contrary are offensive and hypocritical.

Not only have you requested every email address on file with city hall, but you and Councilman Choi have also sued the city for access to confidential employment records. The two of you filed a lawsuit against the Great Park Corporation, which I am sure will cost the city hundreds of thousands of tax dollars in legal fees and wasted staff time – all to gain access to records of job applicants. As with email addresses, it was promised to the applicants that these records would

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be held in the strictest of confidence. As with the email addresses, you violated this promise by obtaining these records for your own political use.

Returning to the records which I actually requested, none of the requests I filed were even directed at you or Councilman Choi, though after a quick review of the records I can see what you are afraid the public will find out. In fact, my CPRA requests covered all city council members and the mayor. As for the boxes of waiver forms from the balloon at the Great Park, I never copied those records nor captured any private information from them. I simply reviewed the records and was able to see that the city's claims about the number and diversity of ridership appear to be accurate.

You and Councilman Choi also alleged that these requests were made because I was a "close political friend" of Councilman Sukhee Kang. I do know Councilman Kang, having met him at civic events (as we have also met in passing, though you apparently do not recall). From my experience I find Councilman Choi to be a person of integrity and a genuine civic leader, but my requests were in no way done at Councilman Kang's urging or even with his knowledge.

In actuality my requests were motivated by a desire to know what is really happening behind the scenes at city hall and also make other Irvine business people aware through my activities with the Irvine Chamber. For you to attack me and my ability to earn a living for being civically engaged is the lowest form of politics, politics by intimidation. But I will not be intimidated by your unscrupulous attacks, or those of Councilman Choi or your other political lackeys. I will continue to research all of Irvine's elected officials and make my findings aware to the rest of the public.

In truth, the records I requested were much more voluminous than I initially expected and going through them has not been my highest priority. But following the last city council meeting, I have gotten a fair sense of the activities you and Choi are trying to hide from the public. For example, I discovered a city memorandum written by you on November 21, 2005 where you state, "[Lobbying] is what I do for a living. I am a government relations consultant and I speak to National, State and local officials at times, for my clients..." Please note how your words then differ from your claims now. Numerous times in political speeches and mailers you have denied being a lobbyist.

This raises the question: Councilwoman Shea, were you lying then or are you lying now? I can see why, after conducting political polling and having found out how unpopular your profession is, you would tell the public that you were not a lobbyist. I cannot, however, imagine what your motivation to say you were a lobbyist would have been, except to protect the money you make as a "government relations consultant." You stated numerous times at the last council meeting that you would like to "ask me some questions." Councilwoman Shea, I am willing to answer all your questions at any time, provided you are willing to answer mine.

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More questions are raised by your email to me when you say "I never had one call to use my services to lobby anyone from that site." You seem to be stating that you did not get any lobbying work from your website advertising of these services. Does this mean that the work came from other sources? You also state, "The several mentioned offers of business efforts i.e.: entitlements etc were to be sub contracted out as I did not provide that direct service." Does this mean that you took a portion of the fee developers paid but just did not file the papers yourself? To whom were you subcontracting these services? Was it Anthony Kuo your former council assistant who had to resign because he was a lobbyist? Even if true (which seems highly unlikely) your defense is one of incompetence, that you wanted lobbying work but were unable to obtain it. Being unethical *and* incompetent does not make you a better public official in my eyes.

Additionally, in your email you attack me for my support of Yes on Measure H and a mailer that was sent out in its support. That mailer accurately quoted a 2005 Orange County Register article which reported that you were a lobbyist. Please note the difference between the findings of a real newspaper and all the fake attack newspapers (Irvine Chronicle, Irvine Tattler, Irvine Citizen) you and Councilman Choi have set up and funded to deceive the public.

What is entirely clear about you, Councilwoman Shea, is that you are not an ethical person. You have attacked me and my right to earn a living just for requesting public records about how you and the other city officials represent my interests and spend my tax dollars; but you are not above demanding the private email addresses of the residents of Irvine or the private records of job applicants. You have also lied to and deceived the public about your occupation, and the conflict of interests inherent therein.

Yours truly,

A handwritten signature in black ink that reads "Todd Gallinger". The signature is written in a cursive style with a long, sweeping underline.

Todd Gallinger

Todd Gallinger

From: christina I shea [christina@christinashea.com]
Sent: Saturday, May 31, 2008 11:01 AM
To: info@gallingerlaw.com
Cc: wordsmith@cox.net
Subject: my personal comments

Dear Mr. Gallinger,

I just read the Tattler and your new letter to Mr. Smith. I hope he will not post this most recent hit piece on me, as his articles are factual and this recent hit piece is not. I am not a lobbyist, as your friend Mr. Pope and Sukhee Kang and his colleagues Beth Krom and Larry Agran continually declare.

My son created that web site in 1999 and I never had one call to use my services to lobby anyone from my site. The several mentioned offers of business effort i.e.: entitlements etc were to be sub contracted out as I did not provide that direct service. Though I have stated this many many times you and your political friends still chose to perpetuate this lie.

What you and your friend, Scott Alexander, are doing, by taking private memos from the City and staff and especially accessing and taking over four boxes of private waivers given to the OC Great Park, by our residents, is more then questionable.

This behavior, in my opinion, is below the standards of an OC attorney that is a member of the California Bar Association.

I am sure you have no meritorious reason for taking all those memos or waivers and photos from the City and the Great Park, as most, if not all citizens, have no idea you have taken these waivers or memos. I believe the California Bar Association should be made aware of these questionable activities. I hope Mr. Smith prints this information to inform our residents of this activity.


Christina Shea

No virus found in this incoming message.

Checked by AVG.

Version: 7.5.524 / Virus Database: 269.24.4/1476 - Release Date: 5/31/2008 12:25 PM

Memo

To: Mayor, Councilmembers and Acting City Manager
From: Christina Shea, Councilwoman 
Date: November 21, 2005
Re: Request to Continue Ethics Ordinance Agenda (Item 10) to January 2006
Council Meeting

I just reread the new proposed "Ethics Ordinance". I am troubled by new language that has been inserted into the ordinance by Councilmember Agran. This new proposed language was never discussed at our open meeting. (That is item 10 under City allegiance and proper conduct.)

I believe, in my opinion, that this section has been added to force me to resign from the City Council because this is what I do for a living. I am a government relations consultant and I speak to National, State and local officials at times, for my clients, as Councilmember Agran well knows. This new language is, in my opinion, discriminatory, is profiling me, and a personal attack to force me to resign. I will not have the ability to make a good living and retain my position on the City Council if this section remains in the ordinance. We already have very strict laws that protect our residents from Councilmembers taking advantage of their position with their personal business. I try to follow all of these laws very carefully. I believe this new proposal is unconstitutional and illegal. Additionally, our Council seats are part time and we are not full-time electeds.

I know that Councilmember Agran does not work full time for a living. I wish I could say the same but I am a single woman and must depend on myself for my sole support. Our positions as elected officials are considered part time so that we do not become micro managers and we gain employment outside the City Hall workplace, so that our City Manager form of government is adhered to. I have been told by several individuals that Councilmember Agran, when he does work occasionally, has worked, in the past, and maybe even presently, as a legal representative to local Irvine based non-profits, employees of local universities, and as I have been told, his secondary and primary income comes from his wife who is employed by UCI, another agency we all interface with and do City business with. Why has Larry not brought these issues forward for consideration under this new provision to ensure Proper Conduct and City Allegiance is adhered to by all members of the Council? If he insists on proceeding with this section of the ordinance, then he needs to be adding new language under this section stating that any Council member representing the City Council cannot engage in any work or receive income or secondary income from agencies the City interfaces within the City.

Christina Shea
November 21, 2005
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This, I believe, is much more pertinent to our discussions of local proper conduct. Though again, I believe this section is illegal and should be removed all together.

I am asking the Council to continue this item for public discussion until January to allow me time to speak with my personal attorney, a Constitutional attorney, and other interested parties, and to prepare my arguments for the upcoming debate. This holiday season does not allow me enough time to address these new sections that I have not been made aware of until just this weekend.

Thank you for your consideration.