

**MINUTES
CITY COUNCIL
ADJOURNED REGULAR
MEETING**

July 9, 2009

City Council Chamber
One Civic Center Plaza

CALL TO ORDER

An adjourned regular meeting of the Irvine City Council was called to order at 9:01 a.m., on July 9, 2009, in the City Council Chamber, Irvine Civic Center, One Civic Center Plaza, Irvine, California; Mayor Kang presiding.

ROLL CALL

Present:	5	Councilmember:	Steven Choi
		Councilmember:	Beth Krom
		Councilmember:	Christina Shea*
		Mayor Pro Tempore:	Larry Agran
		Mayor:	Sukhee Kang

* Councilmember Christina Shea arrived at 9:03 a.m.

1. CLOSED SESSION

1.1 CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Consideration of whether to initiate litigation pursuant to subdivision (c) of Government Code section 54956.9: 1 item (Irvine Unified School District -- University High School stadium project)

1.2 CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
pursuant to Government Code section 54956.9, subdivision (a): City of Irvine v. Southern California Association of Governments (Orange County Superior Court Case No. 07CC8301, Court of Appeal Case No. G040513)

City Attorney Phil Kohn announced the Closed Session item, following which Mayor Kang convened to Closed Session at 9:03 a.m.

RECONVENE TO THE CITY COUNCIL MEETING

Mayor Kang reconvened the City Council meeting at 10:31 a.m.

City Attorney Phil Kohn, on behalf of the City Council, announced the following items of reportable action:

As to Agenda Item #1.2, the City Council voted unanimously, 5-0, to authorize the City Attorney's office to prepare and file a Petition for Rehearing in the Court of Appeal to request that the court reconsider its recently issued decision in the matter.


As to Agenda Item #1.1, the City Council voted 3-2, with Mayor Kang and Councilmember Choi dissenting, to authorize the City Attorney's office to prepare and file a Petition for Writ of Mandate to challenge the certification of the environmental impact report by the Irvine Unified School District for the University High School stadium project. The challenge will not be to the selection of the location of the project, but to ensure the protection of the public welfare and public interest relating to adverse impacts of the project and the safety and security of students, attendees of events at the stadium, and the community generally. The City Attorney was also authorized to dismiss the litigation upon the School District's formal acceptance of specific mitigation measures concerning public safety and traffic, parking and circulation, which measures will be communicated to the School District through an open letter from the Mayor and/or City Manager.

PUBLIC COMMENTS

There were none.

ADJOURNMENT

Moved by Councilmember Shea, seconded by Councilmember Krom, and unanimously carried to adjourn at 10:35 a.m.



MAYOR OF THE CITY OF IRVINE
July 28, 2009



CITY CLERK OF THE CITY OF IRVINE