

**CITY COUNCIL OF THE CITY OF SAN DIEGO  
THE CLOSED SESSION MEETING REPORT  
FOR TUESDAY, DECEMBER 8, 2020  
CITY ADMINISTRATION BUILDING  
COMMITTEE ROOM – 12<sup>TH</sup> FLOOR  
202 ‘C’ STREET  
SAN DIEGO, CA 92101**

**REPORTING THE RESULTS OF THE CLOSED SESSION MEETING**

Only items that can be disclosed are reported out in the Open Session of the regular City Council meeting. Public comment on Closed Session items are taken in Open Session. Please refer to the City Clerk’s minutes for Open Session for more information. Prescilla Dugard, Senior Chief Deputy City Attorney, reports the results of the Closed Session meeting of December 8, 2020, as follows:

**CLOSED SESSION MEETING FOR TUESDAY, DECEMBER 8, 2020, AT 9:00 A.M.**

**ROLL CALL:**

Present: Mayor Faulconer, Council President Gomez, Council President Pro Tem Bry, and Councilmembers Campbell, Montgomery Steppe, Kersey, Cate, and Moreno.

Absent: Councilmember Sherman, Council District 7, absent for the meeting.

Vacant: Council District 3.

**CLOSED SESSION ITEMS:**

**Conference with Legal Counsel – Existing Litigation, pursuant to California Government Code section 54956.9(d)(1):**

**CS-1 *Gregory S. McNally v. Daniel Riis***

United States District Court Case No. 18cv1150 CAB (AGS)  
Risk Management Department Claim File No. 14629

CDCA Assigned: C. Sweda

Motion: To seek or refrain from seeking appellate review

Moved: Council President Pro Tem Bry, District 1

Seconded: Councilmember Campbell, District 2

Vote: Passed 7 to 0, with Councilmember Sherman absent and Council District 3 vacant.

Report: This item was reported out by Senior Chief Deputy City Attorney Prescilla Dugard on Tuesday, December 8, 2020, at 2:20 p.m.

The City Council voted on Closed Session Item Number One, *Gregory McNally v. Daniel Riis*, United States District Court Case Number 18cv1150 CAB (AGS), Risk Management Department Claim File Number 14629, to authorize the City Attorney to

seek appellate review, if warranted. On July 8, 2016, Plaintiff Gregory McNally was arrested by a San Diego Police Detective for delaying and resisting a police investigation and for being drunk in public. He later filed a lawsuit under 42 U.S.C. section 1983, alleging excessive force and unlawful arrest.

REPORTED BY: /s/ Prescilla Dugard  
Prescilla Dugard  
Senior Chief Deputy City Attorney