

**9TY COUNCIL OF THE CITY OF SAN DIEGO
THE CLOSED SESSION MEETING REPORT
FOR TUESDAY, DECEMBER 15, 2020
CITY ADMINISTRATION BUILDING
COMMITTEE ROOM – 12TH 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 15, 2020, as follows:

CLOSED SESSION MEETING FOR TUESDAY, DECEMBER 15, 2020, AT 9:00 A.M.

ROLL CALL:

Present: Mayor Gloria, Council President Campbell, Council President Pro Tem Whitburn, and Councilmembers LaCava, Montgomery Steppe, von Wilpert, Cate, Campillo, Moreno, and Elo-Rivera.

Absent: Councilmember Cate, District 6, absent for CS-2.

CLOSED SESSION ITEMS:

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

CS-1 *Juan Carlos Vinolo, et al. v. City of San Diego*

San Diego Superior Court Case No. 37-2016-00016857-CU-PA-CTL
Risk Management Department Claim File No. 10737

SCDCA Assigned: D. Karlin

Report: Nothing to report.

CS-2 *R.V., et al. v. Mnuchin, et al.*

United States District Court, District of Maryland, Case No.8:20-cv-1148

DCA Assigned: E. Atkins

Motion: To participate in an amicus filing and in any necessary appeals

Moved: Councilmember Campillo, District 7

Seconded: Councilmember Montgomery Steppe, District 4

Vote: Passed 8 to 0, with Councilmember Cate absent.

Report: This item was reported out by Assistant City Attorney Leslie FitzGerald on Tuesday, December 15, 2020, at 4:21 p.m.

The City Council voted on Closed Session Item No. Two, *R.V., et al. v. Mnuchin, et al.*, United States District Court, District of Maryland, Case No. 8:20-cv-1148, to join in litigation as an amicus participant supporting the CARES Act and to pursue any necessary future appeals in the litigation. Seven U.S. citizen children and their parents, one or both of which is an undocumented immigrant, filed suit in the District of Maryland challenging the denial of stimulus payments distributed under the CARES Act to U.S. citizen children solely based on their parents' undocumented status. Plaintiffs argue that the exclusion of these children violates the Fifth Amendment.

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