

**CITY COUNCIL OF THE CITY OF SAN DIEGO
THE CLOSED SESSION MEETING REPORT
FOR MONDAY, JANUARY 29, 2024
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. M. Travis Phelps, Assistant City Attorney, reports the results of the Closed Session meeting of January 29, 2024, as follows:

CLOSED SESSION MEETING FOR MONDAY, JANUARY 29, 2024, AT 10:00 A.M.

ROLL CALL:

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

Absent: Councilmember Moreno, Council District 8, absent for the meeting.

CLOSED SESSION ITEMS:

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

CS-1 *Mehran Moussavian v. State Farm General Ins. Co., et al.*

San Diego Superior Court Case No. 37-2020-00003343-CU-IC-CTL (consolidated with Case No. 37-2020-00011832-CU-NP-CTL)

Risk Management Department Claim File No.: 21574

DCA Assigned: J.K. Goodman

Outside Counsel: D. W. Skinner and M. B. Nazareth, Meyers Nave

Report: Nothing to report.

CS-2 *Maria Natalie Brasil v. City of San Diego*

San Diego Superior Court Case No. 37-2020-00012129-CU-PO-CTL

Risk Management Department Claim File No.: 22859

DCA Assigned: G. D. Leasure

Report: Nothing to report.

SCS-1 *U.S. Food and Drug Administration, et al. v. Alliance for Hippocratic Medicine, et al.*
United States Supreme Court Case No. 23-235 & 236
Risk Management Department Claim File No. N/A

ACA Assigned: M. Travis Phelps

Report: Today, in a Special Closed Session meeting, the City Council took the following action: The City Council voted on Special Closed Session Item Number 1, ***U.S. Food and Drug Administration, et al. v. Alliance for Hippocratic Medicine, et al.***, United States Supreme Court Case Number 23-235 & 236, to join an amicus brief. This case involves a challenge to the U.S. Food and Drug Administration's (FDA) authorization of mifepristone, one of two drugs most commonly used for medication abortion. This past summer, the Fifth Circuit issued a ruling (currently on hold) that would threaten access across the country. In December, the United States Supreme Court agreed to review the Fifth Circuit decision, which invalidated certain authorized uses of mifepristone by the FDA. The City Council voted to participate in this litigation by joining an amicus curiae brief in support of Petitioners who are seeking to reverse the Fifth Circuit decision.

The motion passed:

☒ 7 to 0, YEAS Districts 1, 2, 3, 5, 6, 7, and 9; Nays None; with District 8 Absent.

REPORTED BY: */s/ M. Travis Phelps*

M. Travis Phelps
Assistant City Attorney