

**December 18, 2020**

**STATEMENT OF PROCEEDINGS**

*The Minutes of the*

**BOARD OF SUPERVISORS  
SPECIAL MEETING**

**COUNTY OF SAN DIEGO**

STATEMENT OF PROCEEDINGS  
COUNTY OF SAN DIEGO BOARD OF SUPERVISORS  
SPECIAL MEETING AGENDA  
**FRIDAY, DECEMBER 18, 2020, 1:30 PM**  
BOARD OF SUPERVISORS NORTH CHAMBER ROOM 310  
1600 PACIFIC HIGHWAY, SAN DIEGO, CALIFORNIA

Order of Business

A. REGULAR SESSION – Special Meeting was called to order at 1:30 p.m.

PRESENT: Supervisors Greg Cox, Chairman; Jim Desmond, Vice-Chairman; Dianne Jacob; Kristin Gaspar; Nathan Fletcher; also, Andrew Potter, Clerk of the Board of Supervisors.

(Please note, California Governor Gavin Newsom issued Executive Order N-29-20 on March 17, 2020, relating to the convening of public meetings in response to the COVID 19 pandemic. Pursuant to the Executive Order, and to maintain the orderly conduct of the meeting, all members of the Board of Supervisors attended the meeting via teleconference and participated in the meeting to the same extent as if they were present.)

B. Discussion Items

NOTICE: THE BOARD OF SUPERVISORS MAY TAKE ANY ACTION WITH RESPECT TO THE ITEMS INCLUDED ON THIS AGENDA. RECOMMENDATIONS MADE BY COUNTY STAFF DO NOT LIMIT ACTIONS THAT THE BOARD OF SUPERVISORS MAY TAKE. MEMBERS OF THE PUBLIC SHOULD NOT RELY UPON THE RECOMMENDATIONS IN THE BOARD LETTER AS DETERMINATIVE OF THE ACTION THE BOARD OF SUPERVISORS MAY TAKE ON A PARTICULAR MATTER.

**Board of Supervisors' Agenda Items**

<b>Category</b>	<b>#</b>	<b>Subject</b>
Closed Session	1.	CLOSED SESSION

**1. SUBJECT: CLOSED SESSION (DISTRICTS: ALL)**

**OVERVIEW**

- A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**  
(Paragraph (1) of subdivision (d) of Section 54956.9)  
Midway Venture LLC, et al. v. County of San Diego, et al.; San Diego County  
Superior Court Case No. 37-2020-00038194-CU-CR-CTL

**ACTION:**

County Counsel reported that for Closed Session on Friday, December 18, 2020 the Board of Supervisors took the following action:

Item A: Midway Venture, LLC, et al. v. County of San Diego, et al., with all five Board members voting "AYE", direct County Counsel to appeal the trial court's order enjoining the State and the County from enforcing the Covid-19 public health orders against plaintiffs – two local strip clubs -- and all restaurants in the county. The Board further directed County Counsel to argue on appeal that no indoor dining should be allowed at restaurants, but that outdoor dining should be permitted with all safety protocols previously required.

The Board adjourned the special meeting at 2:52 p.m.

ANDREW POTTER  
Clerk of the Board of Supervisors  
County of San Diego, State of California

Consent: Santiago  
Discussion: Zurita

NOTE: This Statement of Proceedings sets forth all actions taken by the County of San Diego Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors, on Tuesday, January 12, 2021.



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NATHAN FLETCHER  
Chair

Attest:



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ANDREW POTTER  
Clerk of the Board

12/18/20 Board of Supervisors Special Meeting