

**CITY COUNCIL OF THE CITY OF SAN DIEGO
THE CLOSED SESSION MEETING REPORT
FOR TUESDAY, JUNE 25, 2019
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. Mary Nuesca, Assistant City Attorney for Special Projects, reports the results of the Closed Session meeting of June 25, 2019, as follows:

CLOSED SESSION MEETING FOR TUESDAY, JUNE 25, 2019, AT 11:00 A.M.

ROLL CALL:

Present: Mayor Faulconer, Council President Gomez, and Councilmembers Bry, Campbell, Ward, Montgomery, Kersey, Cate, Sherman, and Moreno.

Absent: Mayor Faulconer, absent for Item CS-4.
Councilmember Cate, Council District 6, absent for Item CS-4.
Councilmember Moreno, Council District 8, absent for Item CS-4.

CLOSED SESSION ITEMS:

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

CS-1 *Jose Antunes v. City of San Diego*

San Diego Superior Court Case No. 37-2017-00020380-CU-PO-CTL
Risk Management Department Claim File No. 13870

DCA Assigned: S. Teejura

Report: Nothing to report.

CS-2 *San Diegans for Open Government v. City of San Diego, et al.*

San Diego Superior Court Case No. 37-2018-00040518-CU-MC-CTL
Risk Management Department Claim File No. 20220

CDCA Assigned: M. T. Phelps

Report: Nothing to report.

CS-3 *Jose Gameros v. City of San Diego, et al.*

San Diego Superior Court Case No. 37-2019-00013383-CU-TT-CTL
Risk Management Department Claim File No. 21948

DCA Assigned: J. Will

Report: Nothing to report.

CS-4 *Bostock v. Clayton County*

No. 17-1618 (N.D. Georgia filed Jun. 1, 2018) (consolidated with Case No. 17-1623
(E.D. New York filed Jun. 1, 2019))

E.E.O.C. v. R.G. & G.R. Harris Funeral Homes, Inc.

No. 18-107 (E.D. Michigan filed Jul. 24, 2018)

DCA Assigned: K. King

Motion: To intervene in litigation

Moved: Councilmember Campbell, District 2

Seconded: Councilmember Ward, District 3

Vote: Passed 6 to 1 with Councilmember Sherman voting “no” and Councilmembers
Cate and Moreno absent.

Report: This item was reported out by Senior Chief Deputy City Attorney Prescilla
Dugard on Tuesday, June 25, 2019, at 4:22 p.m.

The City Council voted on Closed Session Item Number Four, *Bostock versus Clayton County*, U.S. Supreme Court Case Number 17-1618 (consolidated with *Altitude Express, Incorporated, et al. versus Melissa Zarda*, U.S. Supreme Court Case Number 17-1623); and *E.E.O.C. versus R.G. & G.R. Harris Funeral Homes, Inc.*, U.S. Supreme Court Case Number 18-107, to join in litigation as an amicus participant supporting the position that, regarding sex discrimination in the workplace, sexual orientation and gender identity are protected under Title VII.

REPORTED BY: /s/ Mary T. Nuesca

Mary T. Nuesca
Assistant City Attorney for Special
Projects