

RESOLUTION NUMBER R- 316185

DATE OF FINAL PASSAGE MAY 07 2025

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO APPROVING THE SETTLEMENT BETWEEN
NOE CORDERO, ET AL. AND THE CITY OF SAN DIEGO

RECITALS

The Council of the City of San Diego (Council) adopts this Resolution based on the following:

A. On June 17, 2022, Noe Cordero, and other current and former officers with the San Diego Police Department (SDPD) filed a lawsuit against the City of San Diego (City) titled *Noe Cordero, et al. v. City of San Diego*, United States District Court Case No. 3:23-CV-00365-LAB-JLB (Lawsuit). Plaintiffs are 21 current and former SDPD Police Officers assigned to Special Weapons and Tactics Unit Special Response Team (SRT) who allege the City failed to pay all specialty pay due SRT members required under collectively bargained Memoranda of Understanding (MOU) between the City and the San Diego Police Officer's Association (SDPOA). Plaintiffs further allege the City failed to account for this unpaid specialty pay when calculating overtime and pension contributions.

B. At closed session on March 3, 2025, the City Council by the following votes: Yeas, Districts 1, 2, 3, 5, 6, 7, 8, and 9; Nays, District 4; and Absent, None, approved a settlement of Plaintiffs' claims for back pay, overtime, liquidated damages, interest, and legal fees and costs in the Lawsuit in the total amount of \$250,000. This settlement is made in conjunction with a separate resolution to approve an amendment to the operative MOU between the City and SDPOA to provide for additional specialty pay to members of SDPD's Special Response team. The settlement payment and agreement to amend the MOU are made in

exchange for a dismissal of the Lawsuit with prejudice, waiver of fees and costs, and release of claims against the City.

ACTION ITEMS

Be it resolved by the Council of the City of San Diego:

1. Authorizes the Mayor or his designee to pay the total sum of \$250,000.00 in settlement of each and every claim for unpaid compensation, interest, costs, and fees of any type, including attorneys' fees, against the City of San Diego, its agents and employees, arising from the Litigation.
2. Authorize the Chief Financial Officer to appropriate and expend an amount not to exceed \$48,750.00 from Public Liability Fund No. 720045 for the payment of attorneys' fees and costs for the purpose of settling the Litigation.
3. Authorize the Department of Finance and City to issue payroll checks in the total amount of \$201,250.00 to Plaintiffs individually from General Fund No. 100000 based on the allocation below and withhold employee taxes as well as employee contributions to the San Diego City Employees' Retirement System and interest thereon from payroll checks issued to those Plaintiffs who retired or entered the City's Deferred Retirement Option Program on or after June 17, 2018.

Michael Bland in the gross amount of \$4,025;

Aziz Brou in the gross amount of \$16,100;

Richard Butera in the gross amount of \$16,100;


Andrew Campbell in the gross amount of \$4,025;

Noe Cordero in the gross amount of \$4,025;

Michael Dewitt in the gross amount of \$4,025;

Daniel Eysie in the gross amount of \$4,025;
Patrick Fisher in the gross amount of \$16,100;
Mark Gasteiger in the gross amount of \$4,025;
Jeff Gross in the gross amount of \$4,025;
Alex Hesselgesser in the gross amount of \$16,100;
Tristan Holmes in the gross amount of \$4,025;
Joel Hoollihan in the gross amount of \$16,100;
Robert Rude in the gross amount of \$4,025;
John Signorino in the gross amount of \$16,100;
Dave Speck in the gross amount of \$4,025;
Sam Stinnette in the gross amount of \$16,100;
Joe Thomas in the gross amount of \$12,075;
Kris Walb in the gross amount of \$16,100;
Mark Willhelm in the gross amount of \$4,025; and
Robert Winters in the gross amount of \$16,100.

APPROVED: HEATHER FERBERT, City Attorney

By 
Paul H. James
Deputy City Attorney

PHJ:myb
March 5, 2025
Or.Dept: City Attorney
CC No. 3000017677
Doc. No. 3984678

I certify that the Council of the City of San Diego adopted this Resolution at a meeting held on
APR 22 2025.

DIANA J.S. FUENTES
City Clerk

By 
Deputy City Clerk

Approved: 5/7/25
(date)


TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

The City of San Diego
COMPTROLLER'S CERTIFICATE

CERTIFICATE OF UNALLOTTED BALANCE

ORIGINATING

CC 3000017677

DEPT. NO.: 1211

I HEREBY CERTIFY that the money required for the allotment of funds for the purpose set forth in the foregoing resolution is available in the Treasury, or is anticipated to come into the Treasury, and is otherwise unallotted.

Amount: \$48,750.00

Purpose: Noe Cordero, et. al. v. City of San Diego, United States District Court Case No. 3:23-cv-00365-LAB-JLB, Claim No. 30294

Date: April 17, 2025

Lauren Rehkopf *Lauren Rehkopf*

ACCOUNTING DATA									
Doc. Item	Fund	Funded Program	Internal Order	Functional Area	G/L Account	Business Area	Cost Center	WBS	Original Amount
1	720045	NON-PROGRAM		OTHR-00000000-GG	512006	1515	1515000011		\$48,750.00
TOTAL AMOUNT									\$48,750.00

FUND OVERRIDE ☐

CERTIFICATION OF UNENCUMBERED BALANCE

I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contract or agreement authorized by the hereto attached resolution, can be incurred without the violation of any of the provisions of the Charter of the City of San Diego; and I do hereby further certify, in conformity with the requirements of the Charter of the City of San Diego, that sufficient moneys have been appropriated for the purpose of said contract, that sufficient moneys to meet the obligations of said contract are actually in the Treasury, or are anticipated to come into the Treasury, to the credit of the appropriation from which the same are to be drawn, and that the said money now actually in the Treasury, together with the moneys anticipated to come into the Treasury, to the credit of said appropriation, are otherwise unencumbered.

Not to Exceed: _____

Vendor: _____

Purpose: _____

Date: _____

By: _____

COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA									
Doc. Item	Fund	Funded Program	Internal Order	Functional Area	G/L Account	Business Area	Cost Center	WBS	Original Amount
TOTAL AMOUNT									

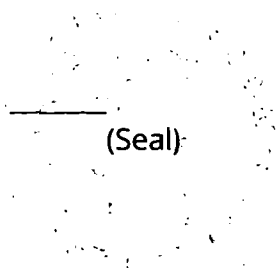
Passed by the Council of The City of San Diego on APR 22 2025, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stephen Whitburn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Foster III	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marni von Wilpert	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kent Lee	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Raul A. Campillo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vivian Moreno	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sean Elo-Rivera	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage MAY 07 2025.

(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:



(Seal)

TODD GLORIA
Mayor of The City of San Diego, California.

DIANA J.S. FUENTES
City Clerk of The City of San Diego, California.

By *Diana J. Fuentes*, Deputy

Office of the City Clerk, San Diego, California

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