

RESOLUTION NUMBER R- 316275

DATE OF FINAL PASSAGE JUN 23 2025

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO AUTHORIZING A SETTLEMENT AGREEMENT
WITH YOFTAHE GHILIAMICHAEL AND RATIFYING THE
ASSOCIATED PAYMENT.

RECITALS

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

A. Article 21(D) of the Memorandum of Understanding (MOU) between the City of San Diego (City) and the San Diego Municipal Employees Association (MEA), titled Registration Pay, lists the add-on pays associated with specific job classifications. Employees are eligible for these add-on pays upon submitting proof of valid registration or certification (licensure) issued by the appropriate State of California agency.

B. To facilitate this process, City departments created an add-on pay request form for employees to submit proof of licensure. However, the form specified that employees would not receive add-on pay for periods before the form was submitted and approved by a payroll specialist.

C. MEA maintained that Article 21(D) did not include any forfeiture provision that would negate an employee's entitlement to add-on pay due to delays in submitting proof of licensure.

D. As a result of late form submissions, employees were denied add-on pay for periods in which the City had no proof of their licensure, even if they later submitted documentation confirming they had been licensed all along.

E. City employee Yoftahe Ghiliamichael did not receive add-on pay during the period in which the City had no proof of licensure. He asserts his eligibility for retroactive compensation for that period as part of his claim (Claim).

F. In closed session on June 2, 2025, the City Council authorized the settlement of the Claim and ratified payment in an amount consistent with the amount set forth below. The decision was made by the following vote: Yeas - Districts 1, 5, 6, 8, and 9; Nays - None; Absent - Districts 2, 3, 4, and 7.

G. The Office of the City Attorney prepared this Resolution based on the information provided by City staff, including information provided by affected third parties and verified by City staff, with the understanding that this information is complete and accurate.


ACTION ITEMS

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

1. The Mayor or his designee is authorized to enter into a settlement agreement with City employee Yoftahe Ghiliamichael, ratifying the payment of \$80,257.84 associated with the Claim.

APPROVED: HEATHER FERBERT, City Attorney

By



Miguel Merrell
Deputy City Attorney

MM:jvg
May 28, 2025
Or.Dept: Human Resources
Doc. No. 4076274

I certify that the Council of the City of San Diego adopted this Resolution at a meeting held on
JUN 17 2025

DIANA J.S. FUENTES
City Clerk

By Kyrshell Medina
Deputy City Clerk

Approved: 6/23/25
(date)

Todd Gloria
TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

JUN 17 2025

Passed by the Council of The City of San Diego on _____, 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 **JUN 23 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:

TODD GLORIA

Mayor of The City of San Diego, California.

(Seal)

DIANA J.S. FUENTES

City Clerk of The City of San Diego, California.

By *Linda Brown* Deputy

Office of the City Clerk, San Diego, California

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