

RESOLUTION NO. 23-8190

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DOWNEY
AMENDING RESOLUTION NO. 23-8155 REGARDING SEVERANCE
BENEFITS FOR EMPLOYEES IN CLASSIFICATIONS DESIGNATED AS
EXECUTIVE MANAGEMENT, MIDDLE MANAGEMENT AND
CONFIDENTIAL/EXEMPT**

WHEREAS, under California State law, Section 2704 of the Downey Municipal Code and Section 12 of the City of Downey Supplemental Employee Relations Rules and Regulations, the City Council is vested with the authority to designate classifications as being Executive Management, Middle Management, and Confidential/Exempt; and,

WHEREAS, the City Council desires to provide competitive compensation and benefits to its employees; and,

WHEREAS, the City Council has determined that it is appropriate to provide severance pay to certain classifications designated as Executive Management and Middle Management.

WHEREAS, the City Council hereby amends Resolution No. 23-8155 as set forth herein.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF DOWNEY DOES
HEREBY RESOLVE AS FOLLOWS:**

SECTION 1. Resolution No. 23-8155, shall be amended with the addition of the following Section 17. Severance:

SECTION 17. SEVERANCE

The City shall pay eligible designated employees serving in classifications established in this section severance pay in an amount as specified upon termination without cause from the City. Severance pay shall not be required pursuant to this section if the termination of the employee was the result of: 1) willful misconduct; 2) conviction of a crime involving moral turpitude; 3) consistent poor performance in meeting specific objectives; or 4) voluntary separation by the employee. The classifications of Chief of Police and Fire Chief shall receive a severance payment equal to the value of six (6) months of salary and medical benefits when separated in accordance with this section. The classifications of Assistant City Manager, Director of Community Development, Economic Development Director, Director of Public Works, Finance Director, Director of Parks and Recreation, Director of Human Resources, and Executive Director of the Columbia Memorial Space Center/Library Director shall receive a severance payment equal to the value of three (3) months of salary and medical benefits when separated in accordance with this section. All payments under this section shall be paid as a lump sum on the employees' final paycheck in accordance with the City established payroll schedule. This section shall apply those employees in both regular and acting appointments in the specified classifications who are terminated without cause from the City and who execute a waiver and release of all claims. However, an employee removed from an acting appointment in a specified classification who is returned to another classification to retain City employment shall not be entitled to severance pay in accordance with this section. The City Manager shall be authorized to execute settlement agreements with employees in accordance with this section.

SECTION 2. Resolution No. 23-8155, adopted February 28, 2023, is hereby amended with the adoption of this Resolution.

SECTION 3. The City Clerk shall certify to the adoption of this Resolution and provide for the appropriate distribution thereof.

APPROVED AND ADOPTED this 22nd day of August, 2023.



CLAUDIA M. FROMETA, Mayor

ATTEST:



MARIA ALICIA DUARTE, CMC
City Clerk

I **HEREBY CERTIFY** that the foregoing Resolution was adopted by the City Council of the City of Downey at a Regular meeting held on the 22nd day of August, 2023, by the following vote, to wit:

AYES:	Council Members:	Horn, Trujillo, Frometa
NOES:	Council Members:	None.
ABSENT:	Council Members:	Sosa
ABSTAIN:	Council Members:	None.



MARIA ALICIA DUARTE, CMC
City Clerk