

**RESOLUTION NO. 21-43**

**A RESOLUTION OF THE CITY COUNCIL OF  
THE CITY OF CASTLE PINES, COLORADO  
APPROVING AN AMENDED AND RESTATED EMPLOYMENT AGREEMENT WITH  
MICHAEL PENNY**

**WHEREAS**, in accordance with Section 2-3-70 of the Municipal Code, the City Council is authorized to appoint a city manager; and

**WHEREAS**, by Resolution No. 18-19, the City Council appointed Mr. Penny as the City Manager and approved an employment agreement setting forth the terms of employment with an effective date of May 1, 2018 (“Employment Agreement”); and

**WHEREAS**, given Mr. Penny’s professional dedication to the City and his effective performance over the past three years, the City Council and Mr. Penny desire to make changes to the Employment Agreement to include an increase in base salary of Ten Thousand Dollars (\$10,000.00) effective as of May 1, 2021, and up to a two percent (2%) increase in Mr. Penny’s 401K match; and

**WHEREAS**, the City Council further agrees to continue to authorize Mr. Penny to teach at the University of Denver no more than one class per semester provided that Mr. Penny provides written notice to City Council of such teaching engagement and continues to devote substantially and consistently full-time to the duties of City Manager; and

**WHEREAS**, in approving an amended and restated employment agreement (“Amended Restated Agreement”), the Parties recognize the community benefits realized through maintaining a professional, long-term relationship between the City Council and Mr. Penny.

**THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CASTLE PINES, COLORADO THAT:**

**Section 1.** The City Council hereby: (a) approves an Amended and Restated Employment Agreement with Mr. Penny; (b) authorizes the City Attorney, in consultation with the Mayor, to finalize the Amended Restated Agreement consistent with Council direction; and (c) authorizes the Mayor to execute the Amended Restated Agreement on behalf of the City.

**Section 2.** If any section, paragraph, clause or provision of this Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining issues of this Resolution.

**Section 3.** This Resolution shall take effect upon its approval by the City Council.

INTRODUCED, READ, AND ADOPTED AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF CASTLE PINES by a vote of 5 in favor and 1 against this 24<sup>th</sup> day of August, 2021.



ATTEST:

DocuSigned by:  
*Tobi Duffey*  
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Tobi Duffey, CMC, City Clerk

DocuSigned by:  
*Tera Stave Radloff*  
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Tera Stave Radloff, Mayor

APPROVED AS TO FORM:

DocuSigned by:  
*Linda C. Michow*  
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Linda C. Michow, City Attorney