

**TOWN OF SUPERIOR
RESOLUTION NO. R-75
SERIES 2022**

**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF
SUPERIOR APPROVING AN ELEVENTH AMENDMENT TO THE
EMPLOYMENT AGREEMENT WITH MATTHEW G. MAGLEY**

WHEREAS, Matthew G. Magley is employed as the Town Manager pursuant to an Employment Agreement dated February 14, 2011 (the "Employment Agreement");

WHEREAS, the Employment Agreement was amended in the First Amendment to Employment Agreement dated December 12, 2011 (the "First Amendment");

WHEREAS, the Employment Agreement was amended again in the Second Amendment to Employment Agreement dated November 13, 2012 (the "Second Amendment");

WHEREAS, the Employment Agreement was amended again in the Third Amendment to Employment Agreement dated February 24, 2014 (the "Third Amendment");

WHEREAS, the Employment Agreement was amended again in the Fourth Amendment to Employment Agreement dated October 27, 2014 (the "Fourth Amendment");

WHEREAS, the Employment Agreement was amended again in the Fifth Amendment to Employment Agreement dated October 26, 2015 (the "Fifth Amendment");

WHEREAS, the Employment Agreement was amended again in the Sixth Amendment to Employment Agreement dated October 24, 2016 (the "Sixth Amendment");

WHEREAS, the Employment Agreement was amended again in the Seventh Amendment to Employment Agreement dated October 22, 2018 (the "Seventh Amendment");

WHEREAS, the Employment Agreement was amended again in the Eighth Amendment to Employment Agreement dated January 27, 2020 (the "Eighth Amendment");

WHEREAS, the Employment Agreement was amended again in the Ninth Amendment to Employment Agreement dated October 12, 2020 (the "Ninth Amendment");

WHEREAS, the Employment Agreement was amended again in the Tenth Amendment to Employment Agreement dated January 24, 2022 (the "Tenth Amendment"); and

WHEREAS, the Board of Trustees wishes to amend the Employment Agreement again to increase the Town Manager's compensation.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF SUPERIOR, COLORADO, as follows:

Section 1. The Eleventh Amendment to the Employment Agreement between the Town and Matthew G. Magley is hereby approved in substantially the form as attached hereto, subject to final approval by the Town Attorney.

ADOPTED this 24th day of October, 2022.



Clint Folsom, Mayor

ATTEST:


Lydia Yecke, Town Clerk



ELEVENTH AMENDMENT TO EMPLOYMENT AGREEMENT

THIS ELEVENTH AMENDMENT TO EMPLOYMENT AGREEMENT (the "Eleventh Amendment") is made and entered into this 24th day of October, 2022, by and between the Town of Superior, a Colorado municipal corporation (the "Town"), and Matthew G. Magley ("Magley"), an individual (each a "Party" and collectively the "Parties").

WHEREAS, Magley is employed as Town Manager of the Town pursuant to an Employment Agreement dated February 14, 2011 (the "Employment Agreement");

WHEREAS, the Employment Agreement was amended on December 12, 2011, November 13, 2012, February 24, 2014, October 27, 2014, October 26, 2015, October 24, 2016, October 22, 2018, January 27, 2020, October 12, 2020, and January 24, 2022; and

WHEREAS, the Board of Trustees wishes to amend the Employment Agreement again to increase Magley's compensation.

NOW, THEREFORE, in consideration of the mutual covenants herein contained, the sufficiency of which is hereby acknowledged, the Parties agree as follows:

1. The annual salary stated in Section 3 of the Employment Agreement shall be increased to \$195,000.
2. A one-time performance bonus of \$6,000.
3. All other provisions of the Employment Agreement, as amended by the First, Second, Third, Fourth, Fifth, Sixth, Seventh, Eighth, Ninth and Tenth Amendments, shall remain unchanged.

IN WITNESS WHEREOF, the Parties have executed this Eleventh Amendment on the date first set forth above.

TOWN OF SUPERIOR

Clint Folsom

Clint Folsom, Mayor

ATTEST:

Lydia Yecke
Lydia Yecke, Town Clerk

Matthew G. Magley

Matthew G. Magley

