

**A RESOLUTION APPOINTING ROGER TINKLENBERG AS CITY MANAGER AND APPROVING AN EMPLOYMENT AGREEMENT**

**NO. 2021-35**

WHEREAS, pursuant to the Section 7.3 of the Charter of the City of Commerce City (“City”), the City Council, by a majority vote of the entire Council in office at the time the vote is taken, must appoint a City Manager within a reasonable time after a vacancy exists to be the administrative officer of the City;

WHEREAS, the Charter requires that the City Manager be selected solely on the basis of his executive and administrative qualifications with special reference to their actual experience in and their knowledge of accepted practice in respect to the duties of the office as set forth in the Charter;

WHEREAS, the Charter requires the Council to determine the salary of the City Manager and authorizes the Council to provide severance or termination pay.

WHEREAS, following a highly competitive nationwide search, the City Council has elected to appoint the current interim City Manager, Roger Tinklenberg, as the permanent City Manager;

WHEREAS, Mr. Tinklenberg has served the City since June 2001, when he joined the City as the Director of Finance until his promotion to Administrative Services Officer in March 2014 and then Deputy City Manager in March 2016, and has overseen nearly every aspect of the City’s operations;

WHEREAS, during his tenure with the City, Mr. Tinklenberg was instrumental in many of the City’s critical successes, including: the negotiation of the private/public partnership construction of the stadium and infrastructure for the Rapids MLS soccer team; and the financing and implementation of \$166 million in major transportation and parks and recreation projects, like the Bison Ridge Recreation Center, Eagle Pointe Recreation Center renovations, and Tower Road widening.

WHEREAS, before joining the City, Mr. Tinklenberg served as the city administrator for the City of Federal Heights, Colorado, and the City of Eldora, Iowa, among other positions;

WHEREAS, Mr. Tinklenberg possesses a bachelor’s degree in history and a master’s degree in public affairs and is a graduate of the University of Oklahoma’s Economic Development Institute;

WHEREAS, the City Council has determined fair and reasonable terms of employment, in light of Mr. Tinklenberg’s qualifications and commitment to the City, through the Employment Agreement attached as Exhibit A, that provide Mr. Tinklenberg inducement to accept and remain in such position as an at-will employee, to obtain full work productivity by assuring Mr. Tinklenberg’s morale and peace of mind with respect to future security, to ensure consistency in

the office of City Manager and the organization, and to compensate Mr. Tinklenberg for the full and complete discharge of his duties and functions as City Manager for Commerce City; and

WHEREAS, Mr. Tinklenberg's education and executive and administrative qualifications, including his experience in city management, the City's operations, and the duties of the City Manager, meet the requirements of the Charter;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COMMERCE CITY, COLORADO, AS FOLLOWS:

**SECTION 1. Findings.** The recitals to this resolution are incorporated as findings of the City Council. This resolution, the appointment of Roger Tinklenberg as City Manager, and approval of the Employment Agreement is found to be in the best interests of the City and its residents.

**SECTION 2. Appointment.** Roger Tinklenberg is hereby appointed as City Manager for the City of Commerce City, Colorado, effective May 3, 2021, and Mr. Tinklenberg's appointment as Interim City Manager is hereby rescinded.

**SECTION 3. Agreement Approval.** The Employment Agreement, substantially in the form attached as Exhibit A, is approved and the Mayor and City Clerk are authorized and directed to sign and attest the Employment Agreement on behalf of the City.

RESOLVED AND PASSED THIS 3RD DAY OF MAY 2021.

CITY OF COMMERCE CITY, COLORADO

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Benjamin A. Huseman, Mayor

ATTEST

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Dylan A. Gibson, City Clerk