

**THIRD AMENDMENT TO
EMPLOYMENT CONTRACT WITH KIRK STRATTON**

This Third Amendment is made and entered into by and between the Town of Colma, a municipal corporation and general law city ("Employer"), and Kirk Stratton ("Employee"), who are sometimes individually referred to as a "Party" and collectively as "Parties" in this Third Amendment. For reference purposes, this Third Amendment is dated November 1, 2017.

1. Recitals. This Third Amendment is made with reference to the following facts:

- (a) On October 8, 2014, Employer and Employee entered into an Employment Contract ("Contract") for Employee to serve as Chief of Police.
- (b) On February 10, 2016, the City Council approved the First Amendment to the Employment Contract with Kirk Stratton to increase his base salary retroactive to November 12, 2015, the date when salary negotiations began and the performance review was completed ("First Amendment").
- (c) On May 10, 2017, the City Council approved the Second Amendment to the Employment Contract with Kirk Stratton to increase his base salary retroactive to December 14, 2016 when salary negotiations and the performance review by the City Manager occurred.
- (d) Employer and Employee now desire to enter into this Third Amendment to further increase Employee's base salary.

NOW, THEREFORE, BASED ON THE MUTUAL PROMISES AND CONSIDERATION CONTAINED IN THIS THIRD AMENDMENT AND THE CONTRACT, THE PARTIES HEREBY AGREE AS FOLLOWS:

1. Subsection (a) of Section 3, "Salary" of the Contract is hereby modified as follows:

- (a) *Salary.* Employer shall pay Employee a salary of \$193,072 per year, or such greater amount as may hereafter be approved by the City Council, which shall be paid at the same time and in the same manner as salaries are usually paid to Miscellaneous Employees of the Town.

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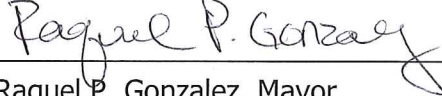
Execution. In Witness thereof, the parties hereto have signed this Third Amendment on the respective dates shown below and this Third Amendment, along with the First and Second Amendment and the Contract, constitutes the entire Agreement between the Parties.

Dated 12/21/17


Kirk Stratton, Employee

Dated: 12/21/17

TOWN OF COLMA (Employer)

By 
Raquel P. Gonzalez, Mayor

**RESOLUTION NO. 2017-65
OF THE CITY COUNCIL OF THE TOWN OF COLMA**

**RESOLUTION APPROVING THIRD AMENDMENT TO
EMPLOYMENT CONTRACT WITH KIRK STRATTON**

The City Council of the Town of Colma does hereby resolve as follows:

1. Background

- (a) On October 8, 2014, the City Council entered into an Employment Contract with Kirk Stratton to serve as the Town's Chief of Police.
- (b) On February 10, 2016, the City Council approved the First Amendment to the Employment Contract with Kirk Stratton to increase his base salary retroactive to November 12, 2015, the date when salary negotiations began and the performance review was completed.
- (c) On May 10, 2017, the City Council approved the Second Amendment to the Employment Contract with Kirk Stratton to increase his base salary retroactive to December 14, 2016 when salary negotiations and the performance review by the City Manager occurred.
- (d) The City Council now seeks to further amend the Chief of Police's contract to increase his base salary, subject to approval of a Third Amendment to the Employment Contract. Such increase shall be retroactive to November 1, 2017, when salary negotiations began.

2. Order

- (a) The Third Amendment to the Employment Contract between the Town of Colma and Kirk Stratton, a copy of which is on file with the City Clerk, shall be and hereby is approved by the City Council of the Town of Colma.
- (b) The Mayor shall be, and hereby is, authorized to execute this Third Amendment on behalf of the Town of Colma, with such technical amendments as may be deemed appropriate by the Mayor and the City Attorney.

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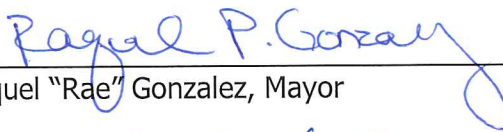
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Certification of Adoption

I certify that the foregoing Resolution No. 2017-65 was duly adopted at a regular meeting of said City Council held on December 13, 2017 by the following vote:

Name	Counted toward Quorum			Not Counted toward Quorum	
	Aye	No	Abstain	Present, Recused	Absent
Raquel "Rae" Gonzalez, Mayor	X				
Joanne del Rosario					X
John Irish Goodwin	X				
Diana Colvin	X				
Helen Fisicaro	X				
Voting Tally	4	0			

Dated 2/14/18


 Raquel "Rae" Gonzalez, Mayor

Attest: 
 Caitlin Corley, City Clerk