

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

This Fourth 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 Fourth Amendment. For reference purposes, this Fourth Amendment is dated May 22, 2019.

1. Recitals. This Fourth 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.
- (c) On May 10, 2017, the City Council approved the Second Amendment to the Employment Contract with Kirk Stratton to increase his base salary.
- (d) On December 13, 2017, the City Council approved the Third Amendment to the Employment Contract with Kirk Stratton to increase his base salary.
- (e) Employer and Employee now desire to enter into this Fourth Amendment to further increase Employee's base salary. Such increase shall be retroactive to May 22, 2019, when salary negotiations began.

NOW, THEREFORE, BASED ON THE MUTUAL PROMISES AND CONSIDERATION CONTAINED IN THIS FOURTH 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 \$206,773.26 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.

Execution. In Witness thereof, the parties hereto have signed this Fourth Amendment on the respective dates shown below and this Fourth Amendment, along with the various other amendments and the Contract constitutes the entire Agreement between the Parties.

Dated 6/12/19


Kirk Stratton, Employee

Dated: 6/12/19

TOWN OF COLMA (Employer)

By 
Joanne del Rosario, Mayor

**RESOLUTION NO. 2019-31
OF THE CITY COUNCIL OF THE TOWN OF COLMA**

**RESOLUTION APPROVING FOURTH 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.
- (c) On May 10, 2017, the City Council approved the Second Amendment to the Employment Contract with Kirk Stratton to increase his base salary.
- (d) On December 13, 2017, the City Council approved the Third Amendment to the Employment Contract with Kirk Stratton to increase his base salary.
- (e) Employer and Employee now desire to enter into this Fourth Amendment to further increase Employee's base salary. Such increase shall be retroactive to May 22, 2019, when salary negotiations began.

2. Order

- (a) The Fourth 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 Fourth 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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Certification of Adoption

I certify that the foregoing Resolution No. 2019-31 was duly adopted at a regular meeting of said City Council held on June 12, 2019 by the following vote:

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

Dated 6/12/19

Joanne F. del Rosario
Joanne F. del Rosario, Mayor

Attest: Caitlin Corley
Caitlin Corley, City Clerk