

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

This Fifth 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 Fifth Amendment. For reference purposes, this Fifth Amendment is dated December 29, 2019.

1. Recitals. This Fifth 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) On June 12, 2019, the City Council approved the Fourth Amendment to the Employment Contract with Kirk Stratton to increase his base salary.
- (f) Employer and Employee now desire to enter into this Fifth Amendment to further increase Employee's base salary by 2%. Such increase shall take effect on December 29, 2019 consistent with the 2% increase in the approved MOU's for Police and Communications/Records employee groups as well as for the unrepresented employees.

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

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


- (a) *Salary.* Employer shall pay Employee a salary of \$210,908.73 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 Fifth Amendment on the respective dates shown below and this Fifth Amendment, along with the various other amendments and the Contract constitutes the entire Agreement between the Parties.

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Dated 12/12/19


Kirk Stratton, Employee

Dated: 12/12/19

TOWN OF COLMA (Employer)

By 
John Irish Goodwin, Mayor