

**Town of Erie
Resolution No. 23-____**

**A Resolution of the Board of Trustees of the Town of Erie
Approving the Fourth Amendment to the Employment Agreement
with Town Administrator Malcolm Fleming**

Whereas, pursuant to C.R.S. § 31-4-304 and § 1-6A-1 of the Erie Municipal Code, the Board of Trustees is authorized to appoint a Town Administrator;

Whereas, on January 8, 2019, the Board of Trustees appointed Malcolm Fleming to serve as Town Administrator under the terms of an Employment Agreement;

Whereas, on February 25, 2020, January 26, 2021 and March 8, 2022, the Parties amended the Employment Agreement; and

Whereas, the Board of Trustees finds that Fleming's performance over the past year merits a compensation increase to recognize his performance as Town Administrator and the labor market compensation for his peers in the profession of public administration; and

Whereas, to implement the Board of Trustees' desire to adjust Fleming's compensation as provided for in the Employment Agreement, it is necessary to amend the terms of the Employment Agreement again.

Now Therefore be it Resolved by the Board of Trustees of the Town of Erie, Colorado that:

Section 1. The Fourth Amended Employment Agreement between the Town and Malcolm Fleming is hereby approved in substantially the form attached hereto, subject to final approval by the Town Attorney. Upon such approval, the Mayor is authorized to execute the Fourth Amended Employment Agreement on behalf of the Town.

Adopted this 24th day of January, 2023.

Justin Brooks, Mayor

Attest:

Debbie Stamp, Town Clerk