

SECOND AMENDMENT TO EXTEND INTERIM EMPLOYMENT AGREEMENT

This Second Amendment to the Interim Employment Agreement (“Second Amendment”) is made and entered into effective the 1st day of August, 2022 (the “Effective Date”), by and between the CITY OF COMMERCE CITY, a Colorado home rule municipality whose address is 7887 East 60th Avenue, Commerce City, Colorado (the “City”), and Matthew R. Hader (“Mr. Hader”), to amend and extend the Employment Agreement of Matthew R. Hader as Interim City Attorney for the City of Commerce City, Colorado, made effective November 19, 2021 (the “Agreement”), and as previously amended pursuant to that Amendment to Extend Interim Employment Agreement, made effective the 19th day of May, 2022. In consideration of the mutual covenants and agreements contained in this Second Amendment, the sufficiency of which is acknowledged, the parties agree as follows:

1. Term: The Term of the Agreement, as previously amended, is extended through September 30, 2022, subject to the terms and conditions as set forth in the Agreement.

2. Compensation: Paragraph 3, Compensation, of the Agreement is amended to increase the annual base pay to \$205,000 upon the Effective Date of this Second Amendment. In addition, Mr. Hader will receive a one-time payment of \$5,000 payable on or before August 19, 2022.

3. Remainder of Agreement in Full Force and Effect. Except as otherwise provided by this Second Amendment, all other terms and conditions of the Agreement shall remain unchanged and in full force and effect and shall apply to this Second Amendment.

4. Authority. The parties represent and warrant that they have taken all actions necessary to legally authorize the undersigned signatories to execute this Second Amendment on behalf of the parties and to bind the parties to its terms.

5. Counterparts; Execution. This Second Amendment may be executed in any number of counterparts, each deemed to be an original, and, taken together will constitute one and the same instrument. Signature pages may be executed via “wet” signature or electronic mark and the executed signature pages may be delivered using pdf or similar file type transmitted via electronic mail, cloud based server, e-signature technology or other similar electronic means.

6. Headings. Paragraph headings used in this Second Amendment are for convenience of reference and shall in no way control or affect the meaning or interpretation of any provision of this Second Amendment.

[Remainder of this page intentionally blank. Signature page(s) follow(s)]

IN WITNESS WHEREOF, the parties have executed this Second Amendment as of the Effective Date.

CITY OF COMMERCE CITY

Benjamin A. Huseman, Mayor

ATTEST:

APPROVED AS TO FORM:

Dylan A. Gibson, City Clerk

Sarah Geiger, Acting Deputy City Attorney

MATTHEW R. HADER

Signature