

**AMENDMENT NO. 2
TO
EMPLOYMENT AGREEMENT FOR COUNTY MANAGER
WITH HARRY BURGESS**

This Amendment No. 2 to the Employment Agreement between the Incorporated County of Los Alamos ("Employer" or "County") and Harry Burgess ("Employee") entered into on November 6, 2011 ("Agreement"), for the purposes of bringing the language of the Agreement up to date with Public Employees Retirement Association of New Mexico ("PERA") contribution rules and updating the notice provisions, to be effective for all purposes February 14, 2017.

The Agreement of November 6, 2011 is amended as follows:

To delete Paragraph B of Section 7 Retirement of the Agreement in its entirety and replace it with the following:

B. In addition to Employer's contributions to PERA described in paragraph 7A above, Employer agrees to contribute an additional amount equal to five percent (5%) of Employee's annual base salary on Employee's behalf to PERA, for a total Employer contribution of 14.55% of Employee's annual base salary. Employee's required contribution to PERA shall be reduced by an amount equal to five percent (5%) for a total Employee contribution of 9.65% of Employee's annual base salary. The provisions of this paragraph are subject to the rules governing PERA and are subject to change to assure conformance with PERA rules or in the event the contributions required by PERA change.

Except as expressly modified by this Amendment and Amendment No. 1, the terms and conditions of the Agreement remain unchanged and in effect.

IN WITNESS WHEREOF, the parties have executed this Amendment No. 2 on the date(s) set forth opposite the signatures of their authorized representatives to be effective for all purposes on the date first written above.

ATTEST:

INCORPORATED COUNTY OF LOS ALAMOS:

**NAOMI D. MAESTAS
COUNTY CLERK**

By: _____
**DAVID IZRAELEVITZ DATE
COUNCIL CHAIR**

EMPLOYEE:

By: _____
**HARRY BURGESS DATE
COUNTY MANAGER**