

RESOLUTION NO. M-2409

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OLYMPIA, WASHINGTON, APPROVING AMENDMENT NO. 2 TO THE EMPLOYMENT AGREEMENT WITH STEVEN J. ("JAY") BURNEY AS CITY MANAGER FOR THE CITY OF OLYMPIA AND AUTHORIZING MAYOR CHERYL SELBY TO SIGN AMENDMENT NO. 2 TO THE AGREEMENT ON BEHALF OF THE OLYMPIA CITY COUNCIL**

**WHEREAS**, pursuant to RCW 35A.13.150, the Olympia City Council is vested with the lawful authority to designate a qualified administrative officer for the City to perform the duties of manager as prescribed by law; and

**WHEREAS**, the Olympia City Council has the powers and authority granted to any code city organized under the council-manager plan as provided in RCW Chapter 35A.13 and granted to legislative bodies of cities governed by the Optional Municipal Code as more particularly described in RCW Chapter 35A.11, except insofar as such power and authority is vested in the position of city manager as provided by law; and

**WHEREAS**, it is the duty of the Council to provide for a City Manager with the appropriate executive and administrative qualifications, and knowledge of the accepted practices in respect to the duties of a City Manager; and

**WHEREAS**, the Council periodically reviews the performance of the City Manager as it relates to the policies and goals set by the Council; and

**WHEREAS**, the Council has determined that the performance of City Manager Steven J. Burney (Burney) through the aftermath of the COVID-19 pandemic and the ongoing demands upon the City due to homelessness, amid a myriad number of ongoing issues for delivery of municipal services to the residents of the City, has been exceptional and should be recognized, and that the salary for the position of City Manager should be competitive with salaries offered by other cities for the same position; and

**WHEREAS**, the term of Burney's employment as City Manager commenced on May 12, 2020, and the Employment Agreement executed between Burney and the City of Olympia, as signed by Cheryl Selby, Mayor, on May 13, 2020, is indefinite except as otherwise provided in said Agreement; and

**WHEREAS**, in accord with Paragraph 9 of the Employment Agreement, the Council wishes to amend specific terms of the Employment Agreement with Burney;

**NOW, THEREFORE, THE OLYMPIA CITY COUNCIL DOES HEREBY RESOLVE** as follows:


1. The Olympia City Council hereby approves Amendment No. 2 to the City Manager Employment Agreement between the City of Olympia and Steven J. ("Jay") Burney, originally executed on May 13, 2020, upon the agreed terms within the aforesaid Amendment No. 2, with all other terms, promises, covenants, and conditions to the Employment Agreement remaining unaltered.

2. Mayor Cheryl Selby is directed and authorized to execute on behalf of the Olympia City Council and the City of Olympia, Amendment No. 2 to the City Manager Employment Agreement with Steven J. ("Jay") Burney and to make any minor modifications as may be required and are consistent with the intent of the aforesaid Amendment No. 2 to the City Manager Employment Agreement, or to correct any clerical or scrivener's errors.

**PASSED BY THE OLYMPIA CITY COUNCIL** this 31st day of January 2023.

  
MAYOR

ATTEST:

  
CITY CLERK

APPROVED AS TO FORM:

**Mark Barber**  
CITY ATTORNEY