

---

SENATE BILL 5689

---

State of Washington

58th Legislature

2003 Regular Session

By Senators Mulliken, Kline and Swecker

Read first time 02/06/2003. Referred to Committee on Land Use & Planning.

1 AN ACT Relating to annexation interlocal agreements in order to  
2 facilitate the transition between a county and a city; adding new  
3 sections to chapter 39.34 RCW; and creating a new section.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** The legislature finds that the growth  
6 management act encourages the annexation by cities and towns, as  
7 providers of urban services, of the unincorporated portions of urban  
8 growth areas. The legislature also finds that an impediment to  
9 annexation is the lack of financial resources available to counties to  
10 ensure that urban infrastructure is available in these areas. The  
11 legislature also finds that the lack of infrastructure is a  
12 disincentive to annexation. The legislature also finds that there is  
13 a need to ensure that residents in these areas receive urban services  
14 before, during, and after annexation. The legislature also finds that  
15 interlocal agreements can provide for the delivery of these services  
16 and that revenue sharing between the city and county will ensure  
17 efficient and effective delivery of government services. It is the  
18 purpose of this act to encourage counties and cities to develop

1 interlocal agreements prior to proposed annexations to ensure that the  
2 affected parties are fully informed.

3 NEW SECTION. **Sec. 2.** A new section is added to chapter 39.34 RCW  
4 to read as follows:

5 Prior to initiating an annexation, a city and town shall enter into  
6 a general interlocal agreement with the county that governs annexations  
7 by that city or town. The interlocal agreement may be supplemented to  
8 address issues specific to an individual annexation. The general  
9 interlocal annexation agreement must include the following:

10 (1) The agreement must include a statement of the goals of the  
11 agreement. Goals may include, but are not limited to: Providing for  
12 long and short-term transition of services; long and short-term  
13 transition of staff; joint provision of services; community  
14 involvement; revenue sharing; or debt distribution;

15 (2) The agreement must specify the subject areas and policies and  
16 procedures the parties agree to undertake in annexations. The  
17 potential subject areas covered by the agreements may include, but are  
18 not limited to: Roads and traffic impact mitigation; surface and storm  
19 water management; coordination and timing of comprehensive plan and  
20 development regulation updates; parks, trails, recreation, and open  
21 space; public utilities; outstanding bonds and special or improvement  
22 district assessments; transfer of staff; transfer of records; transfer  
23 of equipment; annexation procedures; and distribution of debt and  
24 revenue sharing for annexation proposals, code enforcement, inspection  
25 services, and financial and administrative services; and

26 (3) Only those counties and cities in compliance with this section  
27 have the requisite authority to receive grants, loans, pledges, or  
28 financial guarantees from those accounts established in RCW 43.155.050  
29 and 70.146.030. Only those counties and cities in compliance with this  
30 section may receive preference for grants or loans subject to the  
31 provisions of RCW 43.17.250.

32 NEW SECTION. **Sec. 3.** A new section is added to chapter 39.34 RCW  
33 to read as follows:

34 (1) Once a city has initiated the development of a general  
35 interlocal annexation agreement under section 2 of this act, the

1 agreement must be completed within ninety days, unless the parties  
2 mutually agree to an extension of time.

3 (2) If the parties fail to reach a general interlocal annexation  
4 agreement within the time period required under subsection (1) of this  
5 section, either party may invoke mediated negotiation by notice to the  
6 other party. Mediation must commence within thirty days. The city and  
7 county shall select a mediator. Each party shall make available to the  
8 mediator all relevant documents, including their respective proposals  
9 for goals and policies and procedures, by subject area.

10 (3) An annexation interlocal agreement entered into prior to the  
11 effective date of this section satisfies the requirements of this  
12 section if both the city or town and county agree.

--- END ---