

# Information for Cities Interested in Annexing Large Populations under RCW 82.14.415

## General Information

The legislature passed [RCW 82.14.415](#) to encourage cities to annex high cost areas. This RCW provides tax incentives to cities annexing areas of 10,000 or more population for ten years after annexation.

RCW 82.14.415 only applies to cities with less than 400,000 population in King, Pierce, and Snohomish Counties. This RCW is only in effect through 2009. Thus, annexation proceedings need to begin prior to January 1, 2010, though the law does not specifically state what part of the annexation process qualifies as the beginning.

All annexations intending to qualify for tax benefits under RCW 82.14.415 need to follow the standard annexation requirements under RCW 35.13 or RCW 35A.14. These requirements include a count of the population and housing in the annexation area. This count shall be made “in accordance with practices and policies, and subject to the approval of the Office of Financial Management (OFM)” (RCW 35.13.260 or RCW 35A.14.700). It is the responsibility of the city to cover census costs.

The population requirements of RCW 82.14.415 pose somewhat of a problem. Eligible cities may be interested in annexing large high service cost areas, but only if the population size meets the tax benefit population thresholds of 10,000 or 20,000. Few cities want to incur the cost of a census if a high service area fails to qualify for tax benefits. What can be done? Some options are available:

1. A population estimate can be used to approximate the population in the annexation. Regional councils of government, county planners, consultants, and OFM staff may be available to develop population estimates to help guide a city’s decision making process. While these estimates cannot be used to fulfill the annexation census requirement, they can indicate whether an area will clearly meet, or fall short of, size requirements.
2. If the prospective annexation may fall short in population—the annexation ordinance can be written to become effective only if the certified census count meets a specified population threshold.
3. If the prospective annexation may fall short in population, another option is to include another area that will provide the additional population needed. Combining separate land areas is addressed in RCW 82.14.415. Section (9)(a) states, “The Annexation area” means an area annexed to a city under chapter 35.13 or 35.13A.14 RCW. “Annexation area” includes all territory described in the city resolution.” This option should be carefully evaluated by any city’s legal counsel to make sure the annexation process proceeds correctly and results in a successful outcome.

## OFM's Role in the Annexation Process

OFM's primary role in the annexation process is certifying changes in city boundaries, population, and housing to develop accurate city population for revenue distributions. Many revenue sources are fixed and shared by cities on a per capita basis. Thus, it is important to accurately determine the population added to cities by boundary changes. City boundaries also play a major role in transportation and transit services, state mapping, special districts, growth management, the decennial census city boundaries associated with precinct boundaries, and school districts.

The most important facts about conducting an annexation census are listed below.

- Accurately counting a large population is not a simple process. By statute, the count is to be conducted according to OFM requirements.
- The census count needs to be completed within one (1) month of the time the field enumeration begins.
- Editing and review requires the census tabulations and associated maps and documents be submitted to OFM at least one (1) month ahead of each quarterly filing date.
- City planning should focus on completing all of the requirements—and having OFM completed—by a specific quarterly filing date. If certification is not complete by the filing date, the next opportunity is delayed three months. Revenues will be lost.
- The names of the residents or any other information gathered with the census are **CONFIDENTIAL**.

OFM will be as helpful as possible within resource constraints. OFM should be notified well in advance of any large annexations. Annexations under RCW 82.14.415 are very large and pose added workload considerations in execution, review, editing, and field checking. Notification will allow OFM to better arrange work schedules. Early notification is also a good way for cities to share access to a limited number of consultants that are experienced in conducting a population census for annexation certification.

## Preparing and Conducting a Census

It is important for the city to decide if the actual enumeration will be organized and administrated by the city—or by an experienced consultant. Whatever course of action is selected, the city assumes total responsibility for submitting annexation documents, including the annexation census, that meet OFM requirements. The city is completely responsible for the quality of the census and is responsible for making sure problems are solved.

Thus, even if a city hires a consultant, city administrators and staff need to be knowledgeable about the requirements and time lines associated with completing the annexation certificate and census. Most of the advanced census preparation needed is described in the Census Administrator Manual located online. Important points are covered below.

- If the census director is a city employee, then he/she should have no other duties during the census. If a contractor is hired, the contractor must be reliable.
- Maps of varying scales should be prepared as part of the pre-census preparation. Maps are important. They are the tools that control the census canvass and count. The following types of maps are needed: master control map, supervisor map, enumerator map. See the Census Administrator Training handout that can be found on the OFM web site at <http://www.ofm.wa.gov/pop/annex/administratortraining/administrator.pdf> for map requirements.
- No matter the size of the census, the entire process should take no more than one (1) month from the time the enumerators start canvassing. Be sure enough supervisors and enumerators are hired to accomplish the job within the time frame.
- Cities may want to hire the census to be done by contractors. Please call before hiring a contractor. Please remember if a hired contractor does the census, the city is still responsible for the final census product. If the final census product does not meet OFM standards, the city will have to re-do the inadequate parts (or the entire census).

## **Census Training**

Census training is available from OFM. OFM has a Census Administrator's Training Session on Friday, February 13, 2009 in Olympia. Anyone who wants to learn about census procedures is welcome. Please let us know if someone from your city (or the contractor) wishes to attend. Other training dates may be arranged.

Even if a contractor is hired to conduct the census, it is advisable for someone representing the city to have this training as well. If a contractor who has not had OFM training is hired, then the contractor must contact OFM for training. For a training session on a different date than listed above, contact Forecasting Division at (360) 902-0599.

## **Census Supplies**

- Cities/contractors must use OFM forms for the census. OFM will supply a small amount of the forms upon request. It is the city/contractor's responsibility to copy as many forms as needed. These forms are located on our web site.
- Cities are responsible for creating forms specific to the census like advance publicity fliers/notices and door hangers.
- Each enumerator should have a copy of the Enumerator's Manual. The manual can be found on the OFM web site at <http://www.ofm.wa.gov/pop/annex/enumeratormanual/enumerator.pdf>.

## **Cities that have annexed in connection with RCW 82.14.415:**

Auburn - Ordinance 6121

Renton - Ordinance 5327