

PROPOSED BY: PUBLIC WORKS

INTRODUCTION DATE: OCTOBER 21, 2025

RESOLUTION NO. _____

**DECLARING THE WHATCOM COUNTY FLOOD CONTROL ZONE
DISTRICT INTENTION TO LEASE PROPERTY ON EAST MAIN STREET**

WHEREAS, the Whatcom County Flood Control Zone District (FCZD) owns multiple properties located on East Main Street in Everson, which were purchased in 2024; and

WHEREAS, the properties have historically been leased for agricultural purposes; and

WHEREAS, in accordance with RCW 86.15.080, a flood control zone district may lease surplus lands in a manner consistent with RCW 36.34; and

WHEREAS, Whatcom County has adopted comprehensive procedures for the lease and disposition of county-owned property as codified in Whatcom County Code Chapter 1.10, which applies to the management of real property held by the County and its departments including the FCZD; and

WHEREAS, it has been determined that the fair market rental value of the property should not be less than \$3,656 per year, plus applicable leasehold tax.

NOW, THEREFORE, BE IT RESOLVED that the FCZD Board of Supervisors declares its intentions to lease the real property described in Exhibit A for a minimum of \$3,656 per year, plus leasehold tax, subject to the conditions described in Exhibit B; and

BE IT FURTHER RESOLVED that the Board of Supervisors hereby directs the Whatcom County Finance Department to lease this property by sealed bid to the highest and best bidder; at a location and time determined by the Finance Department; and

BE IT FURTHER RESOLVED that the Board of Supervisors authorizes the County Executive to act on its behalf in executing a lease agreement with the highest responsible bidder that can demonstrate their ability to comply with the conditions set forth in Exhibit B; and

BE IT FINALLY RESOLVED that if no lease is fully executed within six months from the date of the passage of this Resolution, the authorization to lease shall be withdrawn.

APPROVED this ____ day of _____, 2025

ATTEST:

WHATCOM COUNTY FCZD
BOARD OF SUPERVISORS
WHATCOM COUNTY, WASHINGTON

Cathy Halka, Clerk of the Council

Kaylee Galloway, Chair of the Board of Supervisors

APPROVED AS TO FORM:

Christopher Quinn
Chief Civil Deputy Prosecutor
(authorized via email 9/26/2025)

EXHIBIT A

Whatcom County Tax Parcel Number 400431 419516 0000

A tract of land situated in the Northeast Quarter of the Northeast Quarter of Section 31, Township 40 North, Range 4 East of W.M., more particularly described as follows, to-wit:

Beginning at the intersection of the South line of the County Road (Main Street of the Town of Everson, extended) with the East line of the Northwest Quarter of the Northeast Quarter of the Northeast Quarter of Section 31, said Township and Range; thence West along Southern edge of road 100 feet to the True Point of Beginning; thence continuing West 150 feet; thence South 140 feet; thence East 150 feet; thence North 140 feet to the True Point of Beginning; except Main Street along the Northerly boundary thereof.

Situate in Whatcom County, Washington.

Whatcom County Tax Parcel Number 400431 405515 0000

A tract lying in the Northeast Quarter of the Northeast Quarter of Section 31, Township 40 North, Range 4 East of W.M., said tract being more particularly described as follows:

Beginning at a point 250 feet west of the intersection of the South line of the road commonly known as Main Street and the East line of the Northwest Quarter of the Northeast Quarter of the Northeast Quarter of said Section 31; thence South, a distance of 140 feet; thence west, a distance of 110 feet; thence North, a distance of 140 feet; thence East, a distance of 110 feet to the True Point of Beginning.

Situate in Whatcom County, Washington.

Whatcom County Tax Parcel Number 400431 400486 0000

Lot B, ad delineated on Velthuisen Short Plat, according to the Plat thereof, recorded in Volume 13 of Short Plats, Page 68, under Auditor's File No. 1538902, records of Whatcom County, Washington.

Situate in Whatcom County, Washington.

Whatcom County Tax Parcel Number 400431 470497 0000

The East half of the Northeast Quarter of the Northeast Quarter of Section 31, Township 40 North, Range 4 East of W.M., except the South 655 feet thereof, and except that right-of-way commonly referred to as Main Street, lying along the Northerly line thereof.

Situate in Whatcom County, Washington.

EXHIBIT B

LIMITATIONS ON AND REQUIREMENTS FOR USE:

1. No fill can be brought into the property. Minor land grading of the property to make it level and farmable is permissible.
2. No structures can be constructed on the property.
3. Only grasses or annual crops are allowed, with winter cover crop required if annual crop is used.
4. Application of commercial fertilizer and manure are allowed only if they are included in the farm plan and application methods and timing are in accordance with that plan.
5. All activities, including application of manure, must be done in accordance with all applicable federal, state and local rules and regulations.
6. Tenant shall agree to keep in good repair all terraces, open ditches, inlets and outlets of tile drains; preserve all established watercourses or ditches including grassed waterways, and refrain from any operations or practice that will injure such structures.
7. Tenant must have a current farm plan following current NRCS standards and specifications. If an approved farm plan has not already been established, then within 30 days of the commencement of the lease the Tenant must contact the Whatcom Conservation District to create an approved farm plan for the property. The implementation of such plan must begin within 120 days of the commencement of the lease and be followed during the term of the lease.

Lease Term: The maximum term of the lease is 5 years.

Bid Response: Bidders should submit the following information as part of their bid response:

1. Bid amount for annual rental of land. Do not include leasehold tax in your bid amount, as it will be calculated and applied separately upon the successful bid amount.
2. A statement of your understanding of the scope of the lease and the steps necessary to farm the land.
3. A brief outline of how you propose to manage the farmland if awarded the lease and a timetable for your farm plan.
4. Describe your ability to obtain insurance for your leasing for this project. Proof of insurance must be provided prior to final execution of the lease agreement. Insurance must include the following minimum coverages:
 - a. General liability coverage \$1,000,000 per occurrence
 - b. Workers Compensation Coverage as required by the Industrial Insurance laws of the State of Washington.