

PROPOSED BY: PUBLIC WORKS

INTRODUCTION DATE: OCTOBER 21, 2025

RESOLUTION NO. _____

**DECLARING THE WHATCOM COUNTY FLOOD CONTROL ZONE
DISTRICT INTENTION TO LEASE PROPERTY ON RIVER ROAD**

WHEREAS, the Whatcom County Flood Control Zone District (FCZD) owns certain real property located on River Road, which was purchased from the Washington State Department of Natural Resources in 2008; and

WHEREAS, the property has been historically leased for agricultural purposes; and

WHEREAS, the most recent lease expired on January 1, 2025, and the FCZD is supportive of continuing to lease the property 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 \$4,180 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 \$4,180 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fully executed within six months from the date of the passage of this Resolution, the authorization to lease shall be withdrawn.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 400236 190361 0000

Government Lot 6 of Section 36, Township 40 North, Range 2 East,
Willamette Meridian, Whatcom County, Washington.

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.