



Legislation Details (With Text)

File #: 24-457 **Version:** 1 **Name:**
Type: Action Item **Status:** Agenda Ready
File created: 4/17/2024 **In control:** BOARD OF SUPERVISORS
On agenda: 4/23/2024 **Final action:**
Title: Consideration of Draft Ordinance Repealing Urgency Ordinance 3113 Amending Ordinance 3110 Prohibiting Water Hauling to Unpermitted Cannabis Cultivation Sites
Sponsors: Michael Green
Indexes:
Code sections:
Attachments: 1. Ordinance3110_WaterTrucks, 2. Ordinance3113_AmendedWaterTruck_Sabatier_6.6.docx

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

Memorandum

Date: April 23, 2024
To: The Honorable Lake County Board of Supervisors
From: Michael S. Green, District 4 Supervisor
Subject: Consideration of draft ordinance repealing urgency Ordinance 3113

Executive Summary:

On Aug. 24, 2021, your board enacted urgency Ordinance 3110, titled as “an urgency ordinance prohibiting water hauling to unpermitted cannabis cultivation sites.” On Oct. 5, 2021, your board adopted urgency Ordinance 3113 to amend Ordinance 3110 and to additionally prohibit water hauling to all types of commercial agricultural operations, including cannabis cultivation sites.

The county’s local drought emergency declaration was terminated by your board April 2, 2024. As confirmed by county counsel, Ordinance 3113 contained a sunset clause that rescinded the ordinance in its entirety upon the termination of the local drought emergency declaration. This rescission is not easily documented in MuniCode or Granicus without formal board action. The recommended action would create a formal record that Ordinance 3113 is no longer in effect.

If not budgeted, fill in the blanks below only:

Estimated Cost: _____ Amount Budgeted: _____ Additional Requested: _____ Future Annual Cost: _____

Purchasing Considerations (check all that apply):

☐ Not applicable

☐ Fully Article X. <https://library.municode.com/ca/lake_county/codes/code_of_ordinances?nodeId=COOR_CH2AD_ARTXPU_S2-38EXCOBI>- and/or Consultant Selection Policy <[http://lcnet.co.lake.ca.us/Assets/Intranet/Policy/Policies+\\$!26+Procedures+Manual/Ch4_2021v2.pdf](http://lcnet.co.lake.ca.us/Assets/Intranet/Policy/Policies+$!26+Procedures+Manual/Ch4_2021v2.pdf)>-Compliant (*describe process undertaken in “Executive Summary”*)
☐ Section 2-38 <https://library.municode.com/ca/lake_county/codes/code_of_ordinances?nodeId=COOR_CH2AD_ARTXPU_S2-38EXCOBI> Exemption from Competitive Bidding (*rationale in “Executive Summary,” attach documentation, as needed*)

- ☐ For Technology Purchases: Vetted and Supported by the [Technology Governance Committee](http://lcnet.co.lake.ca.us/Assets/Intranet/Intranet+Forms/Information+Technology/AdvPlan.pdf)
<<http://lcnet.co.lake.ca.us/Assets/Intranet/Intranet+Forms/Information+Technology/AdvPlan.pdf>> ("Yes," if checked)
- ☐ Other (*Please describe in Executive Summary*)

Consistency with Vision 2028 <<http://www.lakecountyca.gov/Government/Directory/Administration/Visioning/Vision2028.htm>>

(check all that apply):

- | | | |
|--|--|--|
| <input type="checkbox"/> Well-being of Residents | <input type="checkbox"/> Not applicable | |
| <input type="checkbox"/> Economic Development | <input type="checkbox"/> Public Safety | <input type="checkbox"/> Disaster Prevention, Preparedness, Recovery |
| <input type="checkbox"/> Community Collaboration | <input type="checkbox"/> Infrastructure | <input type="checkbox"/> County Workforce |
| | <input type="checkbox"/> Business Process Efficiency | <input type="checkbox"/> Clear Lake |

Recommended Action: Move to rescind urgency Ordinance 3113