



Legislation Text

File #: 24-525, Version: 1

Memorandum

Date: May 7, 2024

To: The Honorable Lake County Board of Supervisors

From: Michael S. Green, District 4 Supervisor

Subject: Consideration of rescission of urgency Ordinance No. 3113 amending urgency Ordinance No. 3110 prohibiting water hauling to commercial agricultural operations including cannabis cultivation sites

Executive Summary:

On Aug. 24, 2021, your board enacted urgency Ordinance No. 3110 prohibiting water hauling to unpermitted cannabis cultivation sites. On Oct. 5, 2021, your board enacted urgency Ordinance No. 3113 amending Ordinance No. 3110 prohibiting water hauling to commercial agricultural operations including cannabis cultivation sites.

For the board's information, a license is required from the Food and Drug Branch of the California Department of Public Health to haul potable water in bulk quantities of 250 gallons or greater, pursuant to Health and Safety Code Sec. 111120. The sponsor contacted each of the three licensed water haulers based in Lake County, and each confirmed they do not currently provide service to commercial agricultural operations including commercial cannabis cultivation sites. Only one of the operators was aware of the 2021 urgency ordinances described above.

The county's local drought emergency declaration was terminated by your board April 2, 2024. As confirmed by county counsel, Ordinance No. 3113 contained a sunset clause that rescinded the ordinance upon the termination of the local drought emergency declaration.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 The recommended action would create a formal record that Ordinance No. 3113 is no longer in effect.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>> ("Yes," if checked)

☐ Other (Please describe in Executive Summary)

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

(check all that apply):

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

Recommended Action: Move to rescind urgency Ordinance No. 3113.