
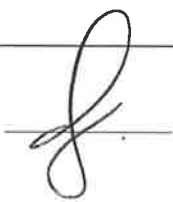



DATE SUBMITTED 3/15/2018  
 SUBMITTED BY CITY MANAGER'S OFFICE  
 DATE ACTION REQUIRED 3/21/2018

COUNCIL ACTION (x)  
 PUBLIC HEARING REQUIRED ( )  
 RESOLUTION ( )  
 ORDINANCE 1<sup>ST</sup> READING ( )  
 ORDINANCE 2<sup>ND</sup> READING ( )  
 CITY CLERK'S INITIALS 

**IMPERIAL CITY COUNCIL  
 AGENDA ITEM**

SUBJECT: DISCUSSION/ACTION: RESOLUTION TO APPROVE AUTHORIZATION AND ACCESS TO STATE AND FEDERAL CRIMINAL HISTORY INFORMATION  1. APPROVE AND ADOPT RESOLUTION NO. <del>18-01</del> <u>18-02</u> AUTHORIZING AN APPLICATION FOR ACCESS TO STATE AND FEDERAL LEVEL SUMMARY CRIMINAL HISTORY INFORMATION FOR MEDICAL CANNABIS RELATED EMPLOYMENT, VOLUNTEERS, CONTRACTORS, LICENSING OR CERTIFICATION PURPOSES;	
DEPARTMENT INVOLVED: CITY MANAGER/CITY ATTORNEY/COMMUNITY DEVELOPMENT	
BACKGROUND/SUMMARY: On February 21, 2018 the City Council of the City of Imperial adopted Resolution No. 2018-01, adopting the application process and procedures for medical cannabis facilities. During the implementation period of this process, it has come to the City's attention that a resolution is required by the Department of Justice to obtain life scan criminal history reports. Applicants must pass the background prior to their application being scored as outlined in the adopted policies. If approved, this resolution will authorize an application to be submitted on behalf of the City of Imperial to the Department of Justice to obtain a special mail/ROI code. This code is necessary to complete the application process as outline by the City Council	
FISCAL IMPACT: n/a	FINANCE INITIALS 
STAFF RECOMMENDATION:	DEPT. INITIALS _____
MANAGER'S RECOMMENDATION: It is my recommendation to approve and adopt this resolution.	CITY MANAGER'S INITIALS 
MOTION:	
SECONDED: AYES: NAYES: ABSENT:	APPROVED ( )      REJECTED ( ) DISAPPROVED ( )      DEFERRED ( ) REFERRED TO:

**RESOLUTION NO. 2018-06**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL APPROVING AN APPLICATION FOR AUTHORIZATION TO ACCESS STATE AND FEDERAL LEVEL SUMMARY CRIMINAL HISTORY INFORMATION FOR EMPLOYMENT, VOLUNTEERS, AND CONTRACTORS, LICENSING OR CERTIFICATION PURPOSES**

WHEREAS, Penal Code Sections 11105(b)(11) and 13300(b)(11) authorize cities, counties, districts, and joint powers authorities to access state and local summary criminal history information for employment, licensing, or certification purposes; and

WHEREAS, Penal Code Section 11105(b)(11) authorizes cities, counties, districts, and joint powers authorities to access federal level criminal history information by transmitting fingerprint images and related information to the Department of Justice to be transmitted to the Federal Bureau of Investigation; and

WHEREAS, Penal Code Sections 11105(b)(11) and 13300(b)(11) require that there be a requirement or exclusion from employment, licensing, or certification based on specific criminal conduct on the part of the subject or record; and

WHEREAS, Penal Code Sections 11105(b)(11) and 13300(b)(11) require the City Council, Board of Supervisors, governing body of a city, county, or district or joint powers authority to specifically authorize access to summary criminal history information for employment, licensing, or certification purposes.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF IMPERIAL that the City of Imperial is hereby authorized to access state and federal level summary criminal history information for employment, including volunteers and contract employees, licensing and certification of commercial cannabis operations including cultivation, transportation, distribution, testing, manufacturing and retail purposes and may not disseminate the information to a private entity.

PASSED AND APPROVED this 21<sup>ST</sup> day of March 2018.

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Geoff Dale, Mayor

ATTEST:

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Debra Jackson, City Clerk