

RESOLUTION NO. 2017-_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DESERT HOT SPRINGS AUTHORIZING FINGERPRINTING FOR FEDERAL CRIMINAL BACKGROUND CHECKS

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 of the 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 DESERT HOT SPRINGS, AS FOLLOWS:

Section 1. RECITALS.

That the above recitals are incorporated herein and are true and correct.

Section 2. CRIMINAL BACKGROUND CHECKS.

The City is hereby authorized to access state and federal level summary criminal history information for purposes of licensing, permitting and entitling of marijuana facilities, as defined in Chapter 17.180 of the Desert Hot Springs Municipal Code, including any and all directors, officials, employees, agents, volunteers, assigns, and contractors of such marijuana facilities. The City shall not disseminate the information obtained to any private person or entity.

PASSED AND ADOPTED by the City Council of the City of Desert Hot Springs at a regular meeting held on the 2nd day of May, 2017 by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

ATTEST:

Jerryl Soriano, CMC, City Clerk

APPROVED:

Scott Matas, Mayor

APPROVED AS TO FORM:

Jennifer A. Mizrahi, City Attorney