

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



ITEM
3.26
(ID # 9782)

MEETING DATE:
Tuesday, May 7, 2019

FROM : TRANSPORTATION AND LAND MANAGEMENT AGENCY (TLMA):

SUBJECT: TRANSPORTATION AND LAND MANAGEMENT AGENCY (TLMA): Adoption of Resolution 2019-107 Approving an Application for Authorization to Access State and Federal Level Summary Criminal History Information for Employment, Licensing or Certification Purposes. All Districts. [\$0]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Adopt Resolution 2019-107 approving an application for authorization to access State and Federal level summary criminal history information for employment, licensing or certification purposes.

ACTION: Policy

Juan C. Perez, Director of Transportation & Land Management

4/30/2019

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Jeffries, seconded by Supervisor Perez and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt
Nays: None
Absent: None
Date: May 7, 2019
xc: TLMA

Kecia Harper
Clerk of the Board
By
Deputy

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STATE OF CALIFORNIA**

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$0	\$0	\$0	\$0
NET COUNTY COST	\$0	\$0	\$0	\$0
SOURCE OF FUNDS: N/A			Budget Adjustment: No	
			For Fiscal Year: 18/19	

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

The County established a conditional regulatory process through its land use ordinance (Ord. 348) for commercial cannabis businesses. This includes a Request for Proposal (RFP) process for interested cultivation and retail commercial cannabis businesses. In order to be considered for a commercial cannabis permit, all owners/operators need to pass a supplemental background check.

Penal Code Sections 11105(b)(11) and 13300(b)(11) authorize cities, counties, and districts to access state and local summary criminal history information for employment, licensing, or certification purposes. The County has entered into a contract with Hinderliter, de Llamas and Associates (HdL Companies) to perform the background checks. Approval of this resolution will authorize the County, through its consultant HdL Companies, to access state and local summary criminal history information for use in the cannabis business application process.

Permits for commercial cannabis activities shall not be granted for operators with felony convictions, therefore access to summary criminal history information is necessary for the conditional permitting and licensing of commercial cannabis businesses.

Impact on Residents and Businesses

Residents and businesses of Riverside County will benefit from having thorough background checks completed on all owners/operators of cannabis businesses.

Additional Fiscal Information

N/A

Contract History and Price Reasonableness

N/A

Attachments

ATTACHMENT A. - Resolution 2019-107

2
3 RESOLUTION NO. 2019-107

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5 A RESOLUTION OF THE BOARD OF SUPERVISORS OF
6 THE COUNTY OF RIVERSIDE APPROVING AN APPLICATION FOR AUTHORIZATION TO
7 ACCESS STATE AND FEDERAL LEVEL SUMMARY CRIMINAL HISTORY INFORMATION FOR
8 EMPLOYMENT, LICENSING OR CERTIFICATION PURPOSES
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10 WHEREAS, Penal Code Sections 11105(b)(11) and 13300(b)(11) authorize cities, counties, and
11 districts to access state and local summary criminal history information for employment, licensing, or
12 certification purposes; and

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

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

19 WHEREAS, Penal Code Sections 11105(b)(11) and 13300(b)(11) require the Board of Supervisors,
20 city council, or governing body of a city, county, or district to specifically authorize access to summary
21 criminal history information for employment, licensing, or certification purposes;

22 WHEREAS, County Ordinance No. 348, amended through Ordinance No. 348.4898, establishes a
23 conditional permitting (licensing) process for commercial cannabis activities; and

24 WHEREAS, Section 19.505, Subsection G. of Ordinance No. 348 states, "Permits for Commercial
25 Cannabis Activities shall not be granted for operators with felony convictions, as specified in subdivision
26 (c) of Section 667.5 of the Penal Code and subdivision (c) of Section 1192.7 of the Penal Code."
27

FOR APPROVED COUNTY COUNSEL
BY: [Signature] 5/11/19
DATE: [Signature] TIFANY N. NORTH

1 WHEREAS, access to summary criminal history information is necessary for the conditional
2 permitting and licensing of commercial cannabis activities;

3 NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Riverside,
4 in regular session assembled on May 7, 2019, that Riverside County is hereby authorized to access state
5 and federal level summary criminal history information for employment, including contract employees,
6 licensing and certification necessary for the conditional permitting of commercial cannabis activities
7 including retail, cultivation, distribution, testing, and manufacturing purposes and may not disseminate the
8 information to a private entity.

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12 ROLL CALL:

13 Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt
14 Nays: None
15 Absent: None

16 The foregoing is certified to be a true copy of a resolution duly
17 adopted by said Board of Supervisors on the date therein set forth.

18 Kecia R. Harper, Clerk of said Board

19 By 
20 Deputy