

RESOLUTION NO. 2026-61

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COACHELLA, CALIFORNIA, AUTHORIZING THE CITY OF COACHELLA COMMUNITY DEVELOPMENT DEPARTMENT TO ACCESS STATE LEVEL SUMMARY CRIMINAL HISTORY INFORMATION

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 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, that the City of Coachella Community Development Department is hereby authorized to access state summary criminal history information of any person who is an owner of a commercial cannabis business or retail cannabis businesses for licensing purposes in connection with the City of Coachella for commercial cannabis regulatory permits and retail cannabis regulatory permits issued pursuant to Chapters 5.68 and 5.69 of the Coachella Municipal Code, and may not disseminate the information to a private entity; and

BE IT FURTHER RESOLVED that, for the purposes of this Resolution, “owner” has the meaning set forth in Chapters 5.68 and 5.69 of the Coachella Municipal Code, consistent with California Business and Professions Code Section 26001 and Title 4, California Code of Regulations Section 15003, and means any of the following:

(1) A person with an aggregate ownership interest of twenty (20) percent or more in the person applying for a regulatory permit or a permittee, unless the interest is solely a security, lien, or encumbrance;

(2) The chief executive officer of a nonprofit or other entity;

(3) A member of the board of directors of a nonprofit; and

(4) An individual who will be participating in the direction, control, or management of the person applying for a regulatory permit, including but not limited to a general partner of a partnership, a non-member manager or managing member of a limited liability company, and an officer or director of a corporation.

For purposes of this definition, “management” means the process of directing, controlling, and overseeing the day-to-day operations of a cannabis business, including making strategic decisions, managing personnel, setting policies, and allocating resources; and

BE IT FURTHER RESOLVED that, City of Coachella Community Development Department, shall not consider a person who has been convicted of a violent or serious felony or misdemeanor eligible for employment (including volunteers and contract employees, if applicable) and commercial cannabis regulatory permit or a retail cannabis regulatory permit consistent with the standards set forth in the Coachella Municipal Code. Pursuant to Coachella Municipal Code Sections 5.68.050, 5.68.070, 5.69.040, and 5.69.060, evidence that an applicant, permittee, or owner of a cannabis business has been convicted of any of the following offenses shall be grounds for denial or revocation of a regulatory permit and/or disqualification from serving as an owner with a cannabis business permittee in the City of Coachella:

(1) a violent felony, as defined by California Penal Code Section 667.5 or equivalent offense in other states;

(2) a serious felony, as defined by California Penal Code Section 1192.7 or equivalent offense in other states;

(3) a felony for hiring, employing, or using a minor in transporting, carrying, selling, giving away, preparing for sale, or peddling any controlled substance to a minor, or selling, offering to sell, furnishing, offering to furnish, administering, or giving any controlled substance to a minor;

(4) a felony for drug trafficking with enhancements pursuant to California Health and Safety Code Sections 11370.4 or 11379.8; or

(5) a felony involving fraud, deceit, or embezzlement; and

BE IT FURTHER RESOLVED that the persons subject to a background check under this Resolution are all owners, as defined herein and in Chapters 5.68 and 5.69 of the Coachella Municipal Code, of applicants for and holders of the following permit types:

1. Commercial Cannabis Regulatory Permit (Coachella Municipal Code Chapter 5.68), including indoor and outdoor cultivation, manufacturing, testing, distribution, and non-retail microbusiness; and

2. Retail Cannabis Regulatory Permit (Coachella Municipal Code Chapter 5.69), including non-storefront retail microbusiness, non-storefront retailer, storefront retailer, and storefront retail microbusiness.

The Clerk of the City shall certify as to the adoption of this Resolution.

PASSED, APPROVED, AND ADOPTED this 14th day of October 2026.

Dr. Frank Figueroa,
Mayor

ATTEST:

Angela M. Zepeda,
City Clerk

APPROVED AS TO FORM:

BEST BEST & KRIEGER

City Attorney

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF COACHELLA)

I HEREBY CERTIFY that the foregoing Resolution No. 2026-61 was duly adopted by the City Council of the City of Coachella at a regular meeting thereof, held on the 14th day of October, 2026, by the following vote of Council:

AYES:

NOES:

ABSENT:

ABSTAIN:

Angela M. Zepeda,
City Clerk