



## **CITY OF SALINAS COUNCIL STAFF REPORT**

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**DATE:** JANUARY 5, 2021

**DEPARTMENT:** POLICE SERVICE OF SALINAS

**FROM:** ADELE FRESÉ, CHIEF OF POLICE

**FROM:** JOHN MURRAY, POLICE COMMANDER  
CHRISTOPHER A. CALLIHAN, CITY ATTORNEY

**TITLE:** CANNABIS EMPLOYEE WORK PERMIT ORDINANCE

**RECOMMENDED MOTION:**

A motion to adopt an Ordinance updating the City's Cannabis Employee Work Permit regulations.

**RECOMMENDATION:**

It is recommended that the City Council adopt the proposed ordinance.

**EXECUTIVE SUMMARY:**

The proposed ordinance amends the Salinas Municipal Code regarding cannabis employee work permits. This ordinance eliminates the requirement that the Police Department conduct background investigations on all cannabis industry employees. The proposed ordinance maintains the requirement for all cannabis industry employees to have a background investigation but places the responsibility and cost with the cannabis business. The ordinance also requires the cannabis business to complete employee backgrounds in accordance with state law and their insurance provider requirements. Furthermore, the ordinance requires the business to provide the background to law enforcement upon request.

**BACKGROUND:**

The Salinas Police Department processes upwards of 30 – 100 cannabis employee work permit applications per month, with applicants paying a \$139 processing fee. The resulting background investigations and review process is burdensome and results in significant costs the City well in excess of the \$139 fee.

The current ordinance, and the resulting requirement that employee background investigations be conducted by the Salinas Police Department, is a remnant of the initial cannabis industry implementation process. The industry has progressed throughout the State and communities have moved away from conducting the background investigations and now place the onus on the employer. The cannabis industry has been successfully operating in Salinas for over three years and the businesses can provide this service themselves.

The proposed ordinance will amend the Salinas Municipal Code regarding cannabis employee work permits. The ordinance will eliminate the requirement that the Police Department conduct the background investigations on cannabis industry employees and place the responsibility and cost with the business. The ordinance also requires the cannabis business to complete employee backgrounds in accordance with state law, their insurance provider requirements, and to provide the background to law enforcement upon request.

The ordinance amendment will result in cost saving to the City of Salinas.

#### CEQA CONSIDERATION:

Not a Project. The City of Salinas has determined that the proposed action is not a project as defined by the California Environmental Quality Act (CEQA) (CEQA Guidelines Section 15378).

#### STRATEGIC PLAN INITIATIVE:

The City Council's adoption of the proposed ordinance supports the City Council's goals of Operational Efficiencies and Public Safety.

#### DEPARTMENTAL COORDINATION:

Implementation and enforcement of the proposed ordinance will require coordination among several City departments including Code Enforcement, Police Department, and City Attorney's Office.

#### FISCAL AND SUSTAINABILITY IMPACT:

The City Council's adoption of the proposed ordinance would not result in any additional costs to the City. Instead, the ordinance will result in cost savings by eliminating costs associated with background investigations and review which exceed the processing fee charged.

#### ATTACHMENTS:

Proposed Ordinance