



AGENDA SUMMARY PAGE
RECOMMENDING COMMITTEE MEETING OF: AUGUST 19, 2008

DEPARTMENT: CITY ATTORNEY
DIRECTOR: BRADFORD R. JERBIC

Consent Discussion

SUBJECT:
Bill No. 2008-41 Amends provisions of the Municipal Code pertaining to certain fingerprint checks to include more detailed references to State law in order to meet new requirements of the Federal Bureau of Investigation, and to expressly set forth the City's authority to require and process Federal fingerprint checks for business license applicants within certain license categories. Proposed by: Bradford R. Jerbic, City Attorney

Fiscal Impact

- No Impact Augmentation Required
 Budget Funds Available

Amount:
Funding Source:
Dept./Division:

PURPOSE/BACKGROUND:

The City Council recently adopted an ordinance setting forth the circumstances under which the City is authorized to require and process fingerprint checks through the Federal Bureau of Investigation (FBI). This bill will amend those provisions to 1) include more detailed references to State law in order to meet new FBI requirements, and 2) expressly set forth the City's authority to require and process Federal fingerprint checks for business license applicants within certain license categories.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2008-41

Motion made by RICKI Y. BARLOW to Approve as Do Pass as a First Amendment to include two additional business license categories (reflexology and wedding chapels)

Passed For: 2; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0
LOIS TARKANIAN, RICKI Y. BARLOW; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

COUNCILWOMAN TARKANIAN declared the Public Hearing open.

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CHIEF DEPUTY CITY ATTORNEY VAL STEED explained that the City was required to adopt an ordinance, which set forth the City's authority to require fingerprint checks through the Federal Bureau of Investigations (FBI) for employment applications and certain work card category employees. Unfortunately, the list of business license applicants was not included. As a result, the exact paragraph provisions have been added, per the FBI and state requirements, which allows for detailed language within the Code. He believes the City is in compliance now and noted that two additional categories will be added to this list pertaining to reflexology and wedding chapels.

JIM DiFIORE, Manager of Business Services, supports the additional types of licenses that will be required to have FBI fingerprinting and background checks on applicants/principals. During the drafting of the proposed ordinance change, two categories were left out, which were reflexology and wedding chapels. Relative to reflexology, there is an abundance of problems due to out-of-state licenses applying. In addition, due to the recent activities within the wedding industry, he believed it was appropriate to include wedding chapel licensees. Staff believes all concerns have been addressed relative to City license classifications for these types of privileged licenses.

COUNCILMAN BARLOW asked if these additional categories can be presented before the Council, should the item move forward. MR. DiFIORE replied that a first amendment will be provided to the Council at the next City Council meeting. CHIEF DEPUTY CITY ATTORNEY STEED added that a verbal, not written, communication will be provided at that meeting.

COUNCILWOMAN TARKENTIAN declared the Public Hearing closed.

