

RESOLUTION 2010 – 34

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LEMOORE
AUTHORIZING THE LEMOORE POLICE DEPARTMENT ACCESS TO SUMMARY
CRIMINAL HISTORY INFORMATION FOR EMPLOYMENT, LICENSING, OR
CERTIFICATION PURPOSES**

At a Regular Meeting of the City Council of the City of Lemoore duly called and held on November 2, 2010 at 7:30 p.m. on said day, it was moved by Council Member _____ and seconded by Council Member _____ and carried that the following Resolution be adopted:

WHEREAS, Penal Code Section 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 Lemoore Police Department is hereby authorized to access state and federal level summary criminal history information for employment (including volunteers and contract employees), licensing of concealed weapons permits, massage parlor/establishment permits, peddler license permits, gun dealer permits, taxicab driver permits or certification for bail bondsman purposes and may not disseminate the information to a private entity; and

BE IT FURTHER RESOLVED that the City of Lemoore Police 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), or licensing; except that such conviction may be disregarded if it is determined that mitigating circumstances exist, or that the conviction is not related to the employment, volunteer or license in question.

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Passed and adopted at a Regular Meeting of the City Council of the City of Lemoore held on the 2nd day of November, 2010 by the following vote:

Ayes:

Noes:

Absent:

Abstaining:

Approved:

John F. Murray
Mayor

Attest:

Nanci C.O. Lima, CMC
City Clerk

CERTIFICATE

STATE OF CALIFORNIA)
COUNTY OF KINGS ss.)
CITY OF LEMOORE)

I, Nanci C.O. Lima, City Clerk of the City of Lemoore, do hereby certify the foregoing Resolution of the City Council of the City of Lemoore was duly passed and adopted at a Regular Meeting of the City Council held on November 2, 2010.

DATED: November 3, 2010

Nanci C.O. Lima, City Clerk