

RESOLUTION NO. 09-26

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA CAÑADA FLINTRIDGE, CALIFORNIA, AUTHORIZING THE CITY MANAGER AND/OR DESIGNEE TO ACCESS SUMMARY CRIMINAL HISTORY INFORMATION FOR EMPLOYMENT PURPOSES

WHEREAS, 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 purposes; and

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

WHEREAS, Penal Code Sections 11105(b)(11) and 13300(b)(11) require that there be a requirement or exclusion from employment 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, or governing body of a city, county or district to specifically authorize access to summary criminal history information for employment purposes.

NOW, THEREFORE, the City Council of the City of La Cañada Flintridge does resolve as follows:

1. Resolution No. 09-16 is hereby rescinded.
2. The City Manager and/or designee of the City of La Cañada Flintridge are hereby authorized to access state and federal level summary criminal history information for employment (including volunteers and contract employees) purposes and may not disseminate the information to a private entity; and
3. That the City Council of the City of La Cañada Flintridge shall not consider a person who has been convicted of a felony or misdemeanor involving moral turpitude 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 or volunteer in question.

PASSED, APPROVED and ADOPTED this 3rd day of August, 2009.



Laura Olhasso, Mayor

ATTEST:



Sylvia Baca, City Clerk

State of California)
County of Los Angeles) ss.
City of La Cañada Flintridge)

I, Sylvia Baca, City Clerk of the City of La Cañada Flintridge, California, do hereby certify that the foregoing Resolution No. 09-26 was duly adopted by the City Council of the City of La Cañada Flintridge at a Regular Meeting held on the 3rd day of August 2009, by the following vote:

AYES: COUNCILMEMBERS: BROWN, DEL GUERCIO, SPENCE, VOSS, OLHASSO
NOES: COUNCILMEMBERS: NONE
ABSENT: COUNCILMEMBERS: NONE
ABSTAIN: COUNCILMEMBERS: NONE

Dated: August 4, 2009



Sylvia Baca, City Clerk