

RESOLUTION NO. 12-08-881

**A RESOLUTION OF THE BOARD OF DIRECTORS OF
WEST BASIN MUNICIPAL WATER DISTRICT
AUTHORIZING THE DISTRICT TO ACCESS 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 criminal history information for employment, licensing or certification 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, 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, or governing body of a city, county or district to specifically authorize access to summary criminal history information for employment, licensing or certification purposes.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF WEST BASIN MUNICIPAL WATER DISTRICT, that the district is hereby authorized to access state and federal level summary criminal history information for employment (including volunteers and contract employees) and may not disseminate the information to a private entity; and

BE IT FURTHER RESOLVED, that the district 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), 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 on December 22, 2008.

President

ATTEST:

Secretary

(SEAL)

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