

RESOLUTION NO. 2017-215

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE
AUTHORIZING ACCESS TO LOCAL, STATE, AND FEDERAL CRIMINAL HISTORY
INFORMATION FOR THE PURPOSE OF PERFORMING BACKGROUND
VERIFICATION ON POTENTIAL CANDIDATES FOR CITY EMPLOYMENT,
CONTRACTING, LICENSING OR CERTIFICATION, AND VOLUNTEER SERVICES**

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

WHEREAS, Penal Code Sections 11105(b)(11) and 13300(b)(11) require that there be a requirement for 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 Council of the City of Elk Grove hereby:

Section 1. Authorizes access to local, state, and federal level summary criminal history information for:

- 1) Employment purposes;
- 2) Volunteer services;
- 3) Contract staff; and
- 4) Licensing of the following types of businesses:
 - a. Circuses and carnivals, including the maintenance of animals for display to, riding by or petting by children.
 - b. Clowns, mascots or legal adults with facial disguise engaged in business at or in relation to events tailored to minors.
 - c. Massage establishments and massage technicians.
 - d. Solicitors.
 - e. Vendor Solicitor Permit.
 - f. Peddlers License.

Section 2. The City shall not consider a person who has been convicted of a felony or misdemeanor involving moral turpitude eligible for employment, including contractors, licensees, certificates, and volunteer services except that such

conviction may be disregarded by authorized City staff if it is determined that mitigating circumstances exist, or that the conviction is not related to the work in question.

Section 3. The City shall not disseminate criminal history information to a private entity.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 13th day of September 2017.




STEVE LY, MAYOR of the
CITY OF ELK GROVE

ATTEST:



JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:



JONATHAN P. HOBBS,
CITY ATTORNEY

**CERTIFICATION
ELK GROVE CITY COUNCIL. RESOLUTION NO. 2017-215**

STATE OF CALIFORNIA)
COUNTY OF SACRAMENTO) ss
CITY OF ELK GROVE)

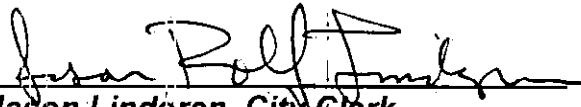
I, Jason Lindgren, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on September 13, 2017 by the following vote:

AYES: COUNCILMEMBERS: Ly, Hume, Nguyen, Suen

NOES: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: Detrick



**Jason Lindgren, City Clerk
City of Elk Grove, California**