

OLIVEHURST PUBLIC UTILITY DISTRICT

RESOLUTION NO. 2158

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
OLIVEHURST PUBLIC UTILITIES DISTRICT AUTHORIZING THE
DISTRICT TO ACCESS STATE AND LOCAL SUMMARY CRIMINAL HISTORY
FOR NEW EMPLOYEE BACKGROUND INFORMATION THROUGH THE
DEPARTMENT OF JUSTICE**

WHEREAS, Penal Code Sections 11105(b)(10) and 13300(b)(10) authorize cities, counties and districts to access state and local summary criminal history information for employment licensing or certification purposes; and

WHEREAS, Penal Code Section 11105(b)(10) 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)(10) and 13300(b)(10) 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)(10) and 13300(b)(10) require the city council, board of supervisors, or governing body of a city, county or district or specifically authorize access to summary criminal history information for employment, licensing, or certification purposes.

NOW, THEREFORE, BE IT RESOLVED, that the (city/county/district) are hereby authorized to access state and federal level summary criminal history information for employment (including volunteers and contract employees), licensing, or certification purposes and may not disseminate the information to a private entity; and

BE IT FURTHER RESOLVED, that the (city/county/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), 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.


PASSED AND ADOPTED THIS 17th DAY OF MAY 2007.

OLIVEHURST PUBLIC UTILITY DISTRICT



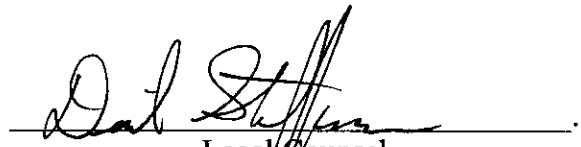
President, Board of Directors
Olivehurst Public Utility District

ATTEST:



District Clerk & ex-officio Secretary

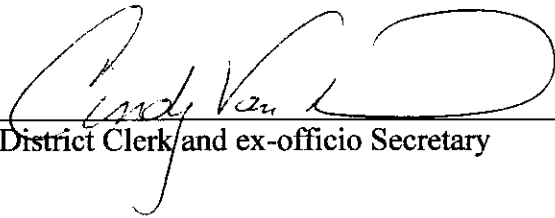
APPROVE AS TO FORM AND LEGAL
SUFFICIENCY



Legal Counsel

I hereby certify that the foregoing is a full, true, and correct copy of an Ordinance duly adopted and passed by the Board of Directors of the Olivehurst Public Utility District, Yuba County, California, at a meeting thereof held on the 17th day of May, 2007, by the following vote:

AYES, AND IN FAVOR THEREOF:		Director Morrison, Miller, Hollis, Patty, and Carpenter.
NOES	:	None.
ABSTAIN	:	None.
ABSENT	:	None.


District Clerk and ex-officio Secretary