

RESOLUTION NO. 6127(17)

**A Resolution of the City Council of the City of Lompoc,
County of Santa Barbara, State of California,
Rescinding Resolution Nos. 4983(02) and 5040(02) and
Directing and Authorizing Access to State and Federal Level Summary
Criminal History Through Live Scan**

WHEREAS, California Penal Code (PC) subdivisions 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, PC subdivision 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 to be transmitted to the Federal Bureau of Investigation; and

WHEREAS, PC subdivisions 11105(b)(11) and 13300(b)(11) require there be a requirement or exclusion from employment, volunteerism, licensing, or certification, based on specific criminal conduct on the part of the subject of the record; and

WHEREAS, PC subdivisions 11105(b)(11) and 13300(b)(11) require the City Council specifically authorize access to summary criminal history information for employment, licensing, or certification purposes.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LOMPOC, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. Resolutions No. 4983(02) and 5040(02) are hereby rescinded in their entirety.

SECTION 2. The Human Resources Division of the City of Lompoc (i) is hereby directed and authorized to access state and federal level summary criminal history information for employment verification purposes (including new hires, promotions, transfers, volunteers, and contract employees), and shall not disseminate that information to a private entity, unless otherwise required to do so by law or court order.

SECTION 3. The Human Resources Division of the City of Lompoc (i) is hereby directed and authorized to access state and federal level summary criminal history information for licensing and certification purposes, including Emergency Medical Technician (EMT) Certification for Fire safety personnel, and (ii) shall not disseminate that information to a private entity, unless otherwise required to do so by law or court order.

SECTION 4. Effective Date. This Resolution is effective on the day of its adoption.

The foregoing Resolution was proposed by Councilmember _____, seconded by Councilmember _____, and was duly passed and adopted by the Council of the City of Lompoc at its regular meeting on July 18, 2017, by the following vote:

AYES: Councilmember(s):

NOES: Councilmember(s):

ABSENT: Councilmember(s):

Bob Lingl, Mayor
City of Lompoc

ATTEST:

Stacey Haddon, City Clerk
City of Lompoc