

**RESOLUTION NO. 08-08-2017**

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**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE MALAGA COUNTY  
WATER DISTRICT ADOPTING POLICIES REQUIRED BY THE STATE OF  
CALIFORNIA DEPARTMENT OF JUSTICE TO SUBMIT AND RECEIVE LIVE SCAN  
INFORMATION FOR THE PURPOSE OF PRE-EMPLOYMENT SCREENING**

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**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 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, district or joint powers authorities to specifically authorize access to summary criminal history information for employment, licensing, or certification purposes; and

**WHEREAS**, the Board of Directors of the Malaga County Water District hereby finds and declares that access to State and County criminal history information (Penal Code Sections 11105 and 13300) is necessary and will be required as part of the employment process of the District and finds that said access is necessary because each District employees, including volunteer positions requires one or more of the following: supervision and/or interaction with minors, seniors, or at-risk populations; care, maintenance, or supervision of use of public facilities; entry into the property or homes of residents and businesses within the District related to the provision of District services; handling and protection of public funds; maintenance, use, and/or supervision of use of heavy machinery or other dangerous equipment; employment in safety sensitive positions; positions requiring licensing and certifications and positions related to the delivery of safe and reliable potable water, treatment and disposal of wastewater, and other services related to the health, safety, and welfare of the community and protection of the environment.

**NOW THEREFORE, BE IT RESOLVED**, that the Board of Directors of the Malaga County Water District as follows:

1. That the foregoing recitals are true and correct and are incorporated by this reference herein as though fully set forth at this point.

2. That the District is hereby authorized pursuant to Penal Code Sections 11105(b)(11) and 13300(b)(11) to access State and local summary criminal history information for employment, licensing or certification purposes.
  
3. That the General Manager, who serves as the custodian of records for the District, is authorized to prepare and submit any and all necessary applications, forms, requests, or any other document or fulfill any other requirements on behalf of the District to access such information and that the provisions of this Resolution be incorporated into the District's Policies and Procedures.

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Passed and adopted by the Board of Directors of the Malaga County Water District at their meeting held on this 8<sup>th</sup> day of August 2017, by the following vote:

AYES:

NOES:

ABSENT:

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Charles Garabedian, Jr., President  
Malaga County Water District

ATTEST:

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James D. Anderson, General Manager-  
Secretary of the Board of Directors  
Malaga County Water District