

FILED
OFFICE OF THE CITY CLERK
OAKLAND

OAKLAND CITY COUNCIL


City Attorney

2010 FEB 24 PM 2:02

RESOLUTION No. 82383 C.M.S.

Introduced by Councilmember _____

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO APPROVE THE FIRE CHIEF AND/OR HIS DESIGNATED REPRESENTATIVE TO ACCESS SUMMARY CRIMINAL HISTORY INFORMATION OF OAKLAND FIRE DEPARTMENT SWORN PERSONNEL FOR EMERGENCY MEDICAL TECHNICIAN LICENSING AND CERTIFICATION PURPOSES AS REQUIRED BY ADOPTION OF ASSEMBLY BILL 2917 (TORRICO) DURING THE 2007-2008 SESSION, WHICH AMENDED SECTIONS OF THE HEALTH AND SAFETY CODE REGARDING EMERGENCY MEDICAL SERVICES PERSONNEL

WHEREAS, Assembly Bill 2917 (Torrico) was adopted during the 2007-2008 session and amends the Health and Safety Code regarding emergency medical services personnel; and

WHEREAS, the City of Oakland Fire Department is an approved Emergency Medical Technician I certifying authority within the provisions of California Code of Regulations, Title 22, Division 9, Chapter 2, Sections 100057 and 100058; and

WHEREAS, Penal Code Sections 11105(b) (11) and 13300 (b) (11) authorizes cities 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 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 the City Council of the City of Oakland to specifically authorize access to summary criminal history information for employment, licensing, or certification purposes of Emergency Medical Technican I ; now, therefore be it

RESOLVED: that the City of Oakland is hereby authorized to access state and federal level summary criminal history information for employment, licensing or certification of sworn personnel for emergency medical technician, and may not disseminate information to a private entity; and be it

FURTHER RESOLVED: That the City of Oakland shall consider a person who has been convicted of a felony or misdemeanor involving moral turpitude ineligible for licensing or certification; 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 license or certification in question.

IN COUNCIL, OAKLAND, CALIFORNIA, NOV 3 2009, 20

PASSED BY THE FOLLOWING VOTE:

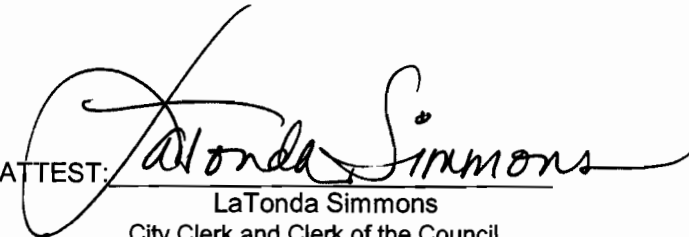
AYES - BROOKS, ~~DE LA FUENTE~~, KAPLAN, KERNIGHAN, NADEL, QUAN, REID, and PRESIDENT BRUNNER - 7

NOES - 0

ABSENT - 0

ABSTENTION - 0

Excused - De La Fuente - 1

ATTEST: 
LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California