



Electronic Signature	Administrative Regulation No. 1.02
Effective Date: Revised/Superseded: 12/14/2020; 4/9/2021	

Approved by City Manager:

DocuSigned by:
Jovan Grogan
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1. Overview of Purpose and Scope of this Regulation.

- 1.1. This Regulation is to establish acceptable technologies and procedures for the use of electronic signatures in City-related business.
- 1.2. This Regulation balances the need for efficient services against the risks of unauthorized activities by providing the approved electronic signature method and guidelines for certain documents and transactions.
- 1.3. This Regulation applies to the use of electronic signatures for internal City documents and the City's acceptance of electronic signatures from parties outside of the City as well as the use of electronic signatures on documents executed on behalf of the City. These are minimum standards. Depending upon the circumstances, the City may require a higher level of signature verification. Nothing in this policy prohibits a City official or employee, with the consent from the City Manager, from requiring a hand-written (wet) signature or higher form of secure electronic signature if they believe it is prudent or necessary.
- 1.4. The City Manager may accept or authorize the acceptance of an electronic signature when, in their discretion, the circumstances surrounding the transaction adequately address authentication and security concerns and conform to the most recent provisions of Government Code section 16.5, Civil Code section 1633 et seq., and the regulations adopted in 2 CCR section 22000 et seq.
- 1.5. This Regulation is an implementation of the City Manager's authority derived from the City of San Bruno Municipal Code, resolutions of the City Council, and other minute order direction from the City Council.

2. Definitions.

- 2.1. The words, terms and phrases, when used in this Regulation, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.
"Electronic" means relating to technology, having electrical, digital, magnetic, wireless, optical, electromagnetic, or similar capabilities.

“Electronic Record” means a record created, generated, sent, communicated, received or stored by electronic means.

“Electronic signature”, or “eSignature”, means an electronic sound, symbol, or process attached to or logically associated with an electronic record and executed or adopted by a person with the intent to sign the electronic record. A digital signature, as defined by Government Code Section 16.5, is a type of electronic signature.

“Record” means information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form.

3. Procedures.

3.1. The City may accept any signature and execute any document using the digital signature technology with a certificate authority as approved by the California Secretary of State on the Approved List of Digital Signature Certification Authorities.

3.2. All parties must consent to the use of electronic signatures by any party.

4. Security and Legal Compliance.

4.1. The use of e-forms and e-signature provides a secure method of signing and transferring documents electronically. A document cannot be altered after the signer has completed the e-signature.

4.2. Civil Code Section 1633.3 contains a list of transactions for which electronic signatures are not available. If a transaction is in this category of documents, employees shall confer with the City Attorney’s Office prior to accepting electronic signatures. Categories include: Medical Information, Property Owner/Tenant notices of default, Mortgage foreclosures, Termination of Utility Services, Termination of Insurance Coverages and Initiative Petitions.

5. Storage and Archiving of Electronically-Signed Documents

5.1. It is the responsibility of the initiating department to retain and store signed documents in accordance with the requirements detailed in the City’s records retention policy, unless the City Clerk’s Office is the office of record.