



## Legislation Text

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Report regarding two Ordinances that would add section 2.16.050 to Title 2, Chapter 2.16 and section 2.22.050 to Title 2, Chapter 2.22 of the South San Francisco Municipal Code pertaining to electronic filing of campaign statements and use of electronic signatures. (Tony Barrera, Director of Information Technology)

### **RECOMMENDATION**

**It is recommended that the City Council waive reading and introduce: (1) an Ordinance to add section 2.16.050 to Title 2, Chapter 2.16 of the South San Francisco Municipal Code to accept electronic filing of campaign statements and (2) an Ordinance to add section 2.22.050 to Title 2, Chapter 2.22 of the South San Francisco Municipal Code to use and accept electronic signatures.**

### **BACKGROUND/DISCUSSION**

Over the past several years, the City of South San Francisco has invested in and continues to improve citywide business processes. As we move forward with encouraging the use of paperless electronic documents, the next step is to create a policy that allows for digital signatures.

Staff recommends adopting two ordinances to accept electronic signatures for all documents, including but not limited to, contracts, legal documents, and campaign files. An electronic signature is defined as an electronic symbol used in contracts and other documents with the intent to sign a record for approval, acceptance, or certification. The electronic signatures must use digital signature cryptographic protocols to detect forgery or tampering, and to verify authenticity of the document.

The first ordinance to add to the Municipal Code is section 2.16.050. This section will allow the City to accept digital campaign statements, reports and other documents by elected officers, candidates committees, or other persons who are required to file documents under Title 9, Chapter 4 of the Government Code, and who have received contributions and have made expenditures totaling less than two thousand dollars (\$2,000) in a calendar year. The City has entered into an agreement with Granicus LLC, which provides an online electronic filing system approved by the California Secretary of State.

The second ordinance would add section 2.22.050 to the Municipal Code. This section would allow the City to use and accept electronic signatures on legally binding documents. The policy would apply to all signatures used in processing independent contracts and requests for proposals as well as internal communications, routing slips, external correspondence, and other official activities. In 1999, California adopted a version of the Uniform Electronic Transactions Act (UETA) in Civil Code sections 1633.1 to 1633.17, giving electronic signatures the same legal effect as manual or "wet" signatures.

The use of electronic signatures on legally binding documents has become increasingly prevalent in the private sector and is gaining popularity among public agencies. Some of the benefits of electronic signatures include a reduction in the use of paper, and a reduction in the time and costs associated with transmitting, approving, tracking, and ultimately storing physical documents.

The City desires to benefit from the efficiencies of electronic signatures, while using technology approved by the Secretary of State.

While both of the ordinances codify the City policy on electronic signatures, City staff will develop administrative policies and procedures to operationalize the use of electronic signatures if approved by City Council.

#### FISCAL IMPACT

There is no fiscal impact for this item.

#### RELATIONSHIP TO STRATEGIC PLAN

Approval of the use of digital signatures is the first step in the implementation of the City's electronic contract management system, as described in the 2020 Strategic Plan.

#### CONCLUSION

The City of South San Francisco recommends waiving reading and introducing two ordinances to accept the use of electronic signatures for all documents, not limited to, contracts, legal documents, and campaign files.