

RESOLUTION NO. 20-34

Resolution Of The City Council Of The City Of Emeryville Approving The Use Of Digital Signatures To Execute City Council Legislation And On Letters In Support Of Or Opposition To State Legislation

WHEREAS, the City desires to implement industry best practices using electronic records and digital signatures to effectively manage the execution of official documents; and

WHEREAS, the use of a State of California-compliant digital signing application for the digital signing of City Council legislation and correspondence sent on behalf of the Council would complement our current process and further support creation of an accurate legislative record and the timely dissemination of public records; and

WHEREAS, Federal and State regulations have provided guidelines to allow for the implementation of digital signatures for official documents, and technology solutions have developed to a level of sophistication to enable secure and verifiable digital signatures; and

WHEREAS, current law has clarified that government agencies may use digital signatures, in accordance with California Government Code Section 16.5, and that the use of a digital signature shall have the same force and effect as the use of a manual signature if the following attributes are present:

1. It is unique to the person using it.
2. It is capable of verification.
3. It is under the sole control of the person using it.
4. It is linked to data in such a manner that if the data are changed, the digital signature is invalidated.
5. It conforms to regulations adopted by the Secretary of State; and

WHEREAS, the City will only implement the use of a provider of digital signature technology that appears on the Secretary of State's Approved List of Digital Signature Certification Authorities and is therefore an authorized provider that meets the requirements; now, therefore, be it

RESOLVED, by the City Council of the City of Emeryville that the use of digital signatures, as defined in Section 16.5 of the California Government Code, on official City legislation, including ordinances and resolutions, as well as correspondence sent on behalf of the City Council, is approved.

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ADOPTED, by the City Council of the City of Emeryville at a regular meeting held Tuesday, April 21, 2020, by the following vote:

AYES:	<u>5</u>	Mayor Patz, Vice Mayor Martinez, and Council Members Bauters, Donahue, and Medina
NOES:	<u>0</u>	
ABSTAIN:	<u>0</u>	
ABSENT:	<u>0</u>	

DocuSigned by:

Christian R. Patz

MAYOR

ATTEST:

DocuSigned by:

Sheri Hartz

CITY CLERK

APPROVED AS TO FORM:

Michael Guiraud

CITY ATTORNEY