

**RESOLUTION NO. \_\_\_\_\_**

**BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA**

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**RESOLUTION AUTHORIZING THE USE OF ELECTRONIC SIGNATURES IN  
CONNECTION WITH ADOPTION OF RESOLUTIONS BY THE BOARD OF  
SUPERVISORS**

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**RESOLVED**, by the Board of Supervisors of the County of San Mateo, State of California, that

**WHEREAS**, the County seeks to expedite document approval processes that involve the Board of Supervisors; and

**WHEREAS**, the Board of Supervisors has legal authority to use electronic signatures in lieu of manual or “wet” signatures to certify adoption of resolutions; and

**WHEREAS**, an electronic signature is defined under California law as 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 and includes facsimile signatures created using an electronic means, such as an electronic pad, tablet computer, or similar device; and

**WHEREAS**, California law further defines “Digital signature” to mean a type of electronic signature that consists of an electronic identifier, created by computer, intended by the party using it to have the same force and effect as the use of a manual signature, that is unique to the person using it; capable of verification; under the sole control of the person using it; is linked to data in such a manner that if the data are changed, the digital signature is invalidated; and it conforms to regulations adopted by the California Secretary of State at 2 CCR § 20000; and

**WHEREAS**, use of electronic signatures is permitted by public entities under both the Uniform Electronics Act (“UETA”) and under Government Code § 16.5 (“Digital Signatures”); and

**WHEREAS**, Government Code § 25103 states that “a board may by resolution authorize the use of a facsimile signature of the chairperson of the board acting in any capacity, where the board sits as the governing body, agency, or entity on all papers, documents, or instruments requiring the signature of the chairperson of the board, including all resolutions, orders, ordinances, contracts, minutes, notices, deeds, leases, papers, and records of the board except that the original copy thereof, or the copy thereof filed in the office of the clerk of the board, shall bear the personal signature of the chairperson or shall have been delivered to him or her, and those papers, documents, or instruments bearing the facsimile signature shall be accorded the same force and effect as though personally signed by the chairperson. A certificate by the clerk that a copy of that document has been delivered to the chairperson of the board shall be prima facie evidence of the delivery”; and

**WHEREAS**, Government Code § 25105 states that “In the event the authorization provided herein is granted, the personal signatures required by Section 25103, if technically feasible, may be reproduced by the authorized process, and the reproduced signatures shall be deemed to satisfy the requirement of Section 25103. If the documents are signed using a digital signature, reproduced documents shall be considered authenticated if the reproduced documents are created by a trusted system, as defined in pertinent digital signature regulations”; and

**WHEREAS**, County Administrative Memo B-29 (“Electronic and Facsimile Signatures” dated July 13, 2013) permits use of an electronic or facsimile signature in lieu of an original/wet signature for various internal and external County activities; and

**WHEREAS**, it is the intent of the Board to permit use of electronic signatures entered into a computer by an authorized person with the intent to show authorship or to sign a record for approval, acceptance, or certification in connection with resolutions by this Board, provided that the electronic signature is unique to the person using it; capable of verification; under the sole control of the person using it; is linked to data in such a manner that if the data are changed, the digital signature is invalidated; and it conforms to regulations adopted by the California Secretary of State at 2 CCR § 20000.

**NOW, THEREFORE, IT IS HEREBY DETERMINED AND ORDERED** that the Board of Supervisors is authorized to use electronic signatures to show authorship or to sign a record for approval, acceptance, or certification (in the case of the President of the Board) in connection with the adoption of resolutions by this Board.

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