

ORDINANCE NO. 1179

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CAMARILLO AMENDING THE CAMARILLO MUNICIPAL CODE BY ADDING CHAPTER 2.53 USE OF ELECTRONIC SIGNATURES, AMENDING SECTION 3.32.020 FORM OF CLAIM AND ADDING SECTION 3.32.025 MANNER OF PRESENTATION OF CLAIMS AND NOTICES

The City Council of the City of Camarillo ordains as follows:

SECTION 1: The City Council of the City of Camarillo finds as follows:

A. The use of electronic and digital signatures, in lieu of manual signatures, has become widespread in the private sector and has increased efficiencies and overall customer service.

B. In 2000, the Uniform Electronic Transaction Act (UETA) became effective in the State of California. This act authorizes use of an electronic signature for transactions and contracts among parties in California, including a government agency. The State Legislature passed AB 2296 in 2016 to clarify that a digital signature may also be used to satisfy the requirements of an electronic signature under the UETA. The mainstream acceptance of signing documents electronically in place of wet signatures has led to increased efficiencies and better customer service. As a result, a growing number of governmental agencies have also embraced the use of electronic and digital signatures.

C. Claims against public entities must be presented in accordance with specific procedures set forth in the Government Code. Effective January 1, 2020, SB 1473 amended California's Government Code Section 915 (a) to allow public agencies to accept electronic service of government claims and to send notices in response to those claims to the claimant, if the public entity expressly authorizes such service by resolution or ordinance.

D. In an effort to assist the public in conducting their business with the City and to increase internal efficiencies, the City desires to incorporate the use of electronic and digital signatures to all appropriate areas of City business, including, but not limited to, the execution of agreements, ordinances, resolutions, minutes, licenses and permits, and to allow for the electronic submission of claims and sending notices to claimants electronically.

SECTION 2: Chapter 2.53 is hereby added to Title 2 "Administration and Personnel" of the Camarillo Municipal Code as follows:

"Chapter 2.53

ELECTRONIC SIGNATURES

2.53.010 Purpose

Electronic signatures are widely used in business settings and increase efficiency and overall customer service. They allow for the expedited execution of documents, cut down

on the use of paper, and provide a more seamless document management process. The purpose of this section is to allow the city to utilize electronic signatures in compliance with California law.

2.53.020 Definitions

When used in this chapter the definitions set forth in this section will apply.

“Electronic signature” has the same meaning as in Section 1633.2 of the California Civil Code, as may be amended.

“Digital Signature” has the same meaning as in Section 16.5 of the California Government Code, as may be amended.

“UETA” means the Uniform Electronic Transactions Act, commencing at Section 1633.1 of the California Civil Code.

2.53.030 Use of Electronic Signatures

- A. Electronic Signatures. Whenever a signature is required, the City may agree that an electronic signature, which includes, but is not limited to, a digital signature, satisfies that requirement, provided it is in accordance with the UETA.
- B. This section is intended to enable the City to use electronic signatures to the fullest extent allowed by law and does not limit the City's ability to use electronic or digital signatures in any way.
- C. Exception. This section does not apply to check disbursements which require an original signature per City Council Policy 3.02 Disbursement Processing.”

SECTION 3: Amendment of Code. Section 3.32.020 of the Camarillo Municipal Code is amended to read as follows: (redline below shows amended language)

“3.32.020 Form of claim.

All claims must be made in writing and verified by the claimant or by the claimant's guardian, conservator, executor, or administrator. No claim may be filed on behalf of a class of persons unless it is verified by every member of that class of persons. All claims must be made on a form provided by the city, contain the information required by Government Code section 910, and must be filed with the city ~~clerk.~~”

SECTION 4: Amendment of Code. Section 3.32.025 is hereby added to Title 3, Chapter 3.32, "Claims" of the Camarillo Municipal Code, as follows: (redline below shows amended language)

"3.32.025 Manner of Presentation of Claims and Notices.

Claims will be presented in the manner indicated in Government Code Section 915. The City authorizes claims being submitted electronically. Additionally, notices provided for in the Government Code can be submitted electronically if the claim or application is submitted electronically, by sending the notice to the electronic address from which the

claim or application was received unless the person presenting the claim or making the application requests notice to be sent to an alternative electronic address.”

SECTION 5. Severability. If any section, subsection, subdivision, sentence, clause, phrase, or portion of this ordinance, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have adopted this ordinance, and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

SECTION 6: The city clerk must certify the adoption of this Ordinance and cause the same to be published in the manner prescribed by law. This Ordinance becomes effective 30 days from its adoption.

PASSED, APPROVED, AND ADOPTED June 23, 2021.



Mayor

Attested to on 6/23/21



City Clerk

I, Jeffrie Madland, City Clerk of the City of Camarillo, certify Ordinance No. 1179 was introduced by the City Council at a meeting held June 9, 2021, and subsequently passed and adopted by the City Council at a regular meeting held June 23, 2021, by the following vote:

YES: Councilmembers: Kildee, Mulchay, Santangelo, Trembley, Mayor Craven
NO: Councilmembers: None
ABSENT: Councilmembers: None



City Clerk

