

# North Santa Clara Resource Conservation District

## Electronic Signature Policy

### I. GENERAL PROVISIONS

- A. Governance. The Board of Directors (“Board”) for the North Santa Clara Resource Conservation District (“District”) consists of five members (“Director”) of the Board. As the governing body of the District, the Board reviews and approves District policies. The Board has delegated to the District Manager (“DM”) the authority to conduct the District’s day-to-day business. Acting under this delegation, the DM is responsible for establishing administrative and operating procedures, ensuring that the District functions efficiently and effectively, and implementing the policies and direction set by the Board.

Purpose of the Policy. The purpose of this Policy is to authorize the use of electronic signatures by the District as a replacement for a hand-written (wet) signature where permitted by law in order to improve administrative efficiency, reduce paper records, facilitate remote operations, and maintain secure and reliable business practices. For purposes of this Policy, electronic signatures include digital signatures subject to compliance with Government Code Section 16.5. Nothing in this Policy prevents the District from using its discretion to 1) determine when electronic signatures are appropriate for a particular transaction or 2) to require an original handwritten signature whenever it determines it is appropriate or required by law.

- B. Policy Revisions. The Board reviews District policies for compliance with applicable laws and regulations, as recommended by the DM. Any Director or the DM may make recommendations for changes to a policy at any time, but all policy changes require approval by the Board.
- C. Statement of Non-Discrimination. The District conducts its business on a non- discriminatory basis, without regard to race, religious creed, caste, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, reproductive health decisionmaking, or military and veteran status. (as those terms are defined by the California Fair Employment and Housing Act -- Government Code Sections 12900-12996).

### II. DEFINITIONS

- A. Digital Signature. “Digital Signature” means an electronic identifier created by computer in conformance with Government Code Section 16.5 and intended by the party using it to have the same force and effect as the use of a manual signature.
- B. Electronic Signature. “Electronic Signature” 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. Electronic signatures include digital signatures.

### III. ELECTRONIC SIGNATURES

- A. Use and Acceptance. The District may use or accept electronic signatures on District records and transactions whenever permitted by law and operationally appropriate. Electronic signatures may

be used for internal District documents as well as documents exchanged with outside parties, provided that:

- the signer intends to sign the document;
- the identity of the signer can be reasonably verified;
- the electronic signature method complies with applicable law;
- the integrity of the signed document is maintained after execution; and
- all parties required to sign electronically have consented to the use of electronic signatures where required by law.

B. Approved Signature Methods. The DM is authorized to approve electronic signature platforms and technologies used by the District. Where California law requires or the District elects to use a digital signature, the technology utilized must be capable of creating signatures that conform to the requirements set forth in California Government Code Section 16.5, specifically:

- it is unique to the person using it;
- it is capable of verification;
- it is under the sole control of the person using it;
- it is linked to data in such a manner that if the data are changed, the digital signature is invalidated; and
- it conforms to Title 2, Division 7, Chapter 10 of the California Code of Regulations.

C. Authorized Users. Electronic signatures may be used by:

- Members of the Board of Directors;
- Associate Directors;
- DM;
- employees authorized by the DM;
- contractors or consultants authorized by contract; and
- other parties conducting business with the District.

D. Appropriate Uses. Electronic signatures may be used for, including but not limited to:

- contracts, agreements, and their amendments;
- memoranda of understanding (MOU) or agreement (MOA);
- grant applications;
- purchase orders and invoices;
- personnel documents;
- Board correspondence;
- administrative approvals;
- policies and procedures;
- meeting minutes;
- Board resolutions;
- landowner consent; and
- other official District records permitted by law and authorized by the DM.

The DM or District Counsel may determine that particular documents require original handwritten signatures due to legal, operational, or risk management considerations.

E. Unauthorized Use. No individual may use another person's electronic signature or permit another person to use their own.

- Individuals authorized to use electronic signatures shall safeguard their authentication credentials.
- Passwords, authentication codes, digital certificates, and similar security credentials shall not be shared.
- Any suspected unauthorized use shall be reported immediately to the DM.

F. Exceptions. Unless otherwise authorized by law, electronic signatures shall not be used for:

- documents requiring notarization that cannot legally be completed electronically;
- documents requiring recording where electronic recording requirements have not been satisfied;
- documents that applicable law specifically requires to bear an original handwritten signature; or
- any document that the DM or District Counsel determines should be manually executed.

#### IV. ADDITIONAL PROVISIONS

- A. Administration Procedures. The DM may establish administrative procedures necessary to implement this Policy, including approval of electronic signature platforms, authentication standards, record retention practices, and other operational requirements, provided such procedures remain consistent with this Policy and applicable law.
- B. Authority to Execute Documents. Nothing in this Policy modifies or expands the authority of any Director, officer, employee, or agent to execute documents on behalf of the District. All existing delegations of authority remain in effect.

#### Policy Change Log:

| Date     | Action                |
|----------|-----------------------|
| 7/9/2026 | Board adopted policy. |
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