

CITY OF NORTHFIELD, MN
CITY COUNCIL RESOLUTION 2021-088

A RESOLUTION BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTHFIELD,
MINNESOTA ADOPTING THE CITY OF NORTHFIELD ELECTRONIC SIGNATURE POLICY

WHEREAS, Minnesota Statutes, section 325L.18 authorizes the City of Northfield (the “City”) to determine whether, and to what extent, it will send and accept electronic records and electronic signatures to and from other persons and otherwise create, generate, communicate, store, process, use and rely upon electronic records and electronic signatures subject to state record retention laws contained in Minnesota Statutes, sections 15.17 and 138.17; and

WHEREAS, the City Council has drafted the City of Northfield Electronic Signature Policy, which allows electronic signatures to be sent and accepted on behalf of the City subject to certain limitations contained therein; and

WHEREAS, permitting the use of electronic signatures pursuant to the City of Northfield Electronic Signature Policy is in the best interests of the City, its operations, citizens, and staff.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL THAT:
The City Council, pursuant to Minnesota Statute, section 325L.18, hereby adopts the City of Northfield Electronic Signature Policy (the “Policy”), attached hereto as Exhibit A, and authorizes the use of electronic signatures and records pursuant to the Policy.

PASSED by the City Council of the City of Northfield on this 21st day of September, 2021.

ATTEST

City Clerk

Mayor

VOTE: ___ POWNELL ___ GRABAU ___ NAKASIAN ___ NESS
 ___ PETERSON WHITE ___ REISTER ___ ZUCCOLOTTO

EXHIBIT A

City of Northfield, Minnesota	Policy Number:
	Adopted: September 21, 2021
ADMINISTRATIVE POLICY	Revised:
ELECTRONIC SIGNATURE POLICY	

ELECTRONIC SIGNATURE POLICY

I. PURPOSE:

- A. The purpose of the Electronic Signature Policy is to establish when an electronic signature may replace a paper document in official City of Northfield (the “City”) business. This policy has been adopted to implement Minnesota Statutes, Section 325L.18, which authorizes municipalities to develop and implement policies regarding the use of electronic signatures.

II. SCOPE:

- A. To the fullest extent permitted by law, the City may utilize electronic digital signatures as legally binding and equivalent to handwritten signatures whenever feasible, prudent, and efficient. This policy hereby adopts the definitions and requirements contained in the Minnesota’s Uniform Electronic Transactions Act (Minn. Stat. § 325L.01 et. seq.).
- B. This policy applies to, and City staff and elected officials are authorized to use electronic signatures for such documents, including but not limited to the following: City resolutions, ordinances, minutes, building permits, business licenses, grant agreements, service agreements, purchase orders, inventory, receiving, accounting entries, payment records, timesheets, expense reports, credit card logs, time off requests, permitting/licensing applications, and other customary and routine documents that are electronically generated.
- C. This policy does not apply to:
1. Certain documents and transactions governed by the Uniform Commercial Code; and
 2. Certain documents and transactions governed by Minn. Stat. § 507.24 relating to requirements for recording any conveyance, or other instrument affecting real estate.

III. POLICY:

- A. Approved Electronic Signature Method. A legible and acceptable electronic signature must comply with the following:

1. The electronic signature is capable of verification;
2. The electronic signature is under the sole control of the person using it;
3. The electronic signature is linked to the data in such a manner that it is readily ascertainable if the data is changed after the signature is applied;
4. The name of the signer can be applied in a manner to execute or validate the document;
5. The typed or printed name of the signer must appear below or adjacent to the signature;
6. The signer's corporate, managerial, or partnership title must appear as part of or adjacent to the digital signature when the signer is signing on behalf of an organization or legal entity;
7. When required or applicable, evidence of authentication of the signer's identity such as the text "digitally signed by" along with the software provider's seal/watermark, date and time of execution; or, have an authentication code or key identifying the software provider;
8. All documents submitted for electronic signature must be in PDF format or another acceptable electronic format authorized by the City Administrator; and
9. A font, size and color density that is clearly legible and reproducible when reviewed, copied, and scanned into a black on white format.

B. Use and Acceptance of Signatures

1. Where law or policy of the City requires that a record have the signature of a responsible person(s), that requirement is met when the electronic record has associated with it an electronic signature of the responsible person(s) using an approved electronic signature method.
2. Where law or policy of the City requires a written document, that requirement is met when an electronic records has associated with it an electronic signature of the responsible person(s) using an approved electronic signature method.

C. Other Technologies. The City Administrator may approve specific technologies and vendors under this policy consistent with industry best practices to ensure the security and integrity of the data and the electronic signature.

D. Use and Acceptance of e-Notarization. Where law or policy of the City requires that a record be notarized, that requirement is met when the electronic record is e-Notarized in compliance with Minnesota Statutes, chapters 358 and 359.

IV. OTHER REQUIREMENTS:

- A. Subject to the requirements of this policy, all legally binding electronic documents and agreements shall be executed in accordance with the Uniform Electronic Transactions Act ("UETA").
- B. City staff and elected officials may utilize third party certification methods to authenticate electronic or digital signatures with vendors, contractors, or other government departments and agencies whenever prudent or at the direction of the City Administrator or City Attorney.
- C. City staff are authorized to electronically sign documents provided by other entities so long as the document is accessed through a secure portal or email and if the system provides a date and time stamp for the electronic signature.
- D. All electronic signatures on behalf of the City must be in accordance with this policy.
- E. The City reserves the right to refuse to use or accept an electronic or digital signature that does not comply with this policy, the UETA, other applicable Minnesota Statutes, or other federal laws such as E-Sign and HIPAA.
- F. The City shall retain a copy of all electronically signed documents and agreements in accordance with the City's Record Retention Policy and Minn. Stat. §§ 15.17 and 138.17.