

**CITY OF SULTAN
SULTAN, WASHINGTON
RESOLUTION 21-01**

**A RESOLUTION OF THE CITY OF SULTAN, WASHINGTON, ESTABLISHING
A METHOD AND PROCESS FOR THE USE OF ELECTRONIC SIGNATURE
TECHNOLOGY.**

WHEREAS, the Uniform Electronic Transaction Act (UETA) allows a city to permit the use of electronic signature technologies, and to establish a method and process for such use by ordinance, resolution, policy, or rule; and

WHEREAS, using electronic signature technologies can benefit the City of Sultan (the "City") by decreasing the City's reliance on paper transactions and physical documents, thereby saving time and reducing the costs associated with conducting City business; and

WHEREAS, City staff have conducted a preliminary business assessment and risk analysis of electronic signature providers in order to provide reasonable assurances of the integrity, authenticity, and nonrepudiation of electronic documents when electronic signatures are used; and

WHEREAS, City staff recommends the use of DocuSign as the City's initial electronic signature service provider; and

WHEREAS, the City Council has considered how the use of electronic signatures may impact or improve citizen's access to and ability to participate in governmental affairs, and reliance on City business conducted electronically.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF SULTAN:

Section 1. The foregoing recitals are incorporated and fully made a part of this Resolution.

Section 2. The City Council finds it to be in the public interest to allow the use of electronic records and electronic signatures for City business to the fullest extent allowed by law.

Section 3. The City Council recognizes that whenever the use of a written, affixed by hand, or "wet" signature created when a person physically marks a document with the intent to sign the record is authorized or required, an electronic signature may be used with the same force and effect, except as required otherwise by law.

Section 4. The City Council authorizes the Mayor, Mayor Pro Tempore, and their designees, to use an electronic signature platform or any future replacement of such platform to affix electronic signatures to electronic records.

Section 5. The City Council authorizes the City Administrator and designees to use an electronic signature platform or any future replacement of such platform to affix electronic signatures to electronic records.

Section 6. The City Council directs the City Administrator to adopt any necessary administrative policies or processes to implement the use of electronic signatures by the City consistent with this resolution and in compliance with the provisions of the Uniform Electronic Transactions Act.

Section 7. This resolution shall take effect and be in force immediately upon its passage.

PASSED AND ADOPTED this 14th day of January, 2021.

CITY OF SULTAN



Russell Wiita, Mayor

ATTEST/AUTHENTICATED:



Tami Pevey, City Clerk



City of Sultan

ELECTRONIC SIGNATURE POLICY

Purpose

To establish an electronic signature policy for the City developed to:

- Promote efficiency in order to conserve public resources;
- Establish guidelines for the use of electronic signatures for certain City transactions;
- Provide reasonable assurance of the integrity, authenticity, and nonrepudiation of electronic documents when electronic signatures are used by the City; and
- Determine the scope of the City's use of the current electronic signature provider DocuSign as the approved method for affixing an electronic signature to an electronic record. These policies will apply to any future replacement of the DocuSign platform.

Reducing the City's reliance on paper-based transactions will further improve information security and sharing, allow faster approval of and access to documents, and reduce costs and environmental impact. Streamlining the processes described herein that require wet signatures and replacing them with electronic signatures, when practicable, is consistent with the intent of Washington State law to promote electronic transactions and remove barriers that might prevent the use of electronic transactions by governmental entities.

Definitions

Designee: A City employee who has been designated by the City Administrator, City Clerk, or City Attorney to sign City records on their behalf using an electronic signature.

Electronic Signature: An electronic sound, symbol, or process attached to or logically associated with a contract or other record and executed or adopted by a person with the intent to sign the record.

Record: Information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form, except as otherwise defined for the purpose of state or local agency record retention, preservation, or disclosure.

Wet Signature: A signature created when a person physically marks a document with the intent to sign the record.

Policy

1. The City encourages electronic transactions and the use of electronic signatures and recognizes electronic signatures as legally binding and equivalent in force and effect as a wet signature.
2. Pursuant to Sultan City Council Resolution 21-01, the City authorizes the use of the DocuSign electronic signature platform, or any future replacement of such platform, to affix electronic signatures to City records.
3. The City Administrator, City Clerk, City Attorney, Department Directors, and their designees are authorized to use the DocuSign electronic signature platform or any future replacement of such platform to affix electronic signatures to City records as provided in this policy.
4. The DocuSign electronic signature platform, or any future replacement of such platform, is authorized to affix electronic signatures to the following records: Minutes of City Council Meetings, Resolutions and Ordinances Adopted by the City Council, Claim Vouchers Approved by the City Council, and any and all contracts and agreements to which the City is a party.
5. Electronic signatures may be used on City records requiring execution by a third party.
6. This policy may be modified, rescinded, or replaced at any time by the Chief Financial Officer.
7. Electronic signatures cannot be applied using another employee's name. Records signed on behalf of the City Administrator, City Clerk, City Attorney, or Department Director by a designee shall use their own electronic signature.
8. An electronic signature is an acceptable substitute for a wet signature on records requiring the signature of any record whenever the use of a wet signature is authorized or require, except as provided herein.
9. If an electronic signature is used for interstate transactions or for documents required by the US Federal government, the electronic signature shall comply with the requirements of the Electronic Signatures in Global and Electronic Commerce Act.
10. This policy in no way affects the City's ability to conduct a transaction using a physical medium and shall not be construed as a prohibition on the use of wet signatures.