

**CITY OF WHITE SALMON, WASHINGTON**

**RESOLUTION NO. 2023-05-561**

**A RESOLUTION OF THE CITY OF WHITE SALMON, WASHINGTON, ADOPTING THE ELECTRONIC SIGNATURE POLICY TO ESTABLISH A METHOD AND PROCESS FOR THE USE OF ELECTRONIC SIGNATURE TECHNOLOGY.**

**WHEREAS**, Chapter 1.80 RCW, authorizes municipalities to utilize electronic signatures and allows municipalities to determine whether, and the extent to which, the agency will send and accept electronic signatures in the conduct of its business; and

**WHEREAS**, RCW 1.80.160 authorizes cities to determine whether, and the extent to which, cities will create and retain electronic records and convert written records to electronic records; and

**WHEREAS**, RCW 1.80.170 authorizes cities to determine whether, and the extent to which, cities 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; and

**WHEREAS**, using electronic signature technologies can benefit the City of White Salmon by decreasing reliance on paper transactions and physical documents, thereby saving time and reducing the cost associated with conducting City business; and

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

**NOW THEREFORE BE IT RESOLVED**, the City Council for the City of White Salmon hereby adopts the following revised policies as described in Exhibit "A", attached hereto and incorporated by reference, for the benefit of the city, which will establish the Electronic Signature Policy.

APPROVED AND PASSED by the City Council of the City of White Salmon, Washington at its regular meeting this 3<sup>rd</sup> day of May 2023.


\_\_\_\_\_  
Marla Keethler, Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Stephanie Porter, Clerk/Treasurer

\_\_\_\_\_  
Shawn MacPherson, City Attorney

 <h2 style="text-align: center;">City of White Salmon Legislative Policy/Procedure</h2>	
<b>Title:</b> Electronic Signature Policy	<b>Page Number:</b> 1
<b>Department:</b> Clerk/Finance Department	<b>Effective Date:</b>
<b>Revised Date:</b> N/A	<b>Revised by:</b> N/A

### Purpose

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

- Promote efficiency in order to conserve public resources;
- Begin transition to Electronic Records in compliance with the Resolution 2021-03-517 Declaring a Global Climate Crisis;
- 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.

### References

RCW Ch. 1.80	Uniform Electronic Transaction Act
15 U.S.C Ch. 96	Electronic Signatures in Global and National Commerce Act

### Definitions

<b>Designee:</b>	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.
<b>Electronic Signature:</b>	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.
<b>Record:</b>	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.
<b>Wet Signature:</b>	A signature created when a person physically marks a document with the intent to sign the record.

## EXHIBIT A

### 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. 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 City Clerk/Treasurer.
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.