

RESOLUTION R-5452

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND AUTHORIZING THE USE AND RECEIPT OF ELECTRONIC SIGNATURES AND ELECTRONIC NOTARIZATION IN CONDUCTING CITY BUSINESS AND AUTHORIZING THE CITY MANAGER TO ADOPT ELECTRONIC SIGNATURE POLICIES AND PROCEDURES.

1 WHEREAS, chapter 1.80 RCW authorizes a city to utilize
2 electronic signatures in the conduct of governmental affairs and
3 other transactions and to establish a method and process for such
4 use; and
5

6 WHEREAS, an electronic signature is an electronic sound,
7 symbol, or process attached to or logically associated with a
8 contract or other record and executed or adopted by a person
9 with the intent to sign the record as if a signature were affixed by
10 hand; and
11

12 WHEREAS, electronic signatures can provide a convenient,
13 time- saving, and secure way of signing documents and can
14 reduce environmental impacts associated with handling physical
15 documents; and
16

17 WHEREAS, with appropriate criteria and requirements for
18 using and accepting electronic signatures, the City can have
19 reasonable assurance of the integrity, authenticity, and
20 nonrepudiation of electronic documents; and
21

22 WHEREAS, the value of electronic signatures has been
23 noticeable during the COVID-19 public health emergency, when
24 government business has been and continues to be largely
25 conducted via remote technologies due to the Governor's Stay
26 Home, Stay Safe Proclamation and subsequent orders and
27 directives; and
28

29 WHEREAS, to promote social distancing during the COVID-
30 19 pandemic and to increase the effectiveness and efficiency of
31 the City of Kirkland's business processes, the City intends to
32 leverage technology solutions that comply with the Uniform
33 Electronic Transactions Act; and
34

35 WHEREAS, the City Council desires to formally authorize
36 the use and acceptance of electronic signatures and digital
37 notarization in conducting City business.
38

39 NOW, THEREFORE, be it resolved by the City Council of the
40 City of Kirkland as follows:
41

42 Section 1. The City Council finds it to be in the public
43 interest to allow the use and acceptance of electronic records and
44 electronic signatures for City business to the fullest extent allowed

45 by law. The foregoing recitals are incorporated and fully made a
46 part of this Resolution.
47

48 Section 2. The City Manager is hereby authorized and
49 directed to adopt any administrative policies or processes
50 necessary to implement the use and acceptance of electronic
51 signatures by the City consistent with this Resolution and in
52 compliance with the provisions of chapter 1.80 RCW, the Uniform
53 Electronic Transactions Act, as presently enacted or hereafter
54 amended.
55

56 Section 3. Subject to the limitations in this Resolution, City
57 policy to be adopted by the City Manager, and state and federal
58 law, an electronic signature may be used with the same force and
59 effect as a signature affixed by hand.
60

61 Section 4. The City Council authorizes any City employee
62 or elected official who has been granted authority to sign records
63 on behalf of the City, and their designees, to affix electronic
64 signatures to conduct City business and further authorizes the City
65 to accept electronic signature from third parties, provided all of
66 the following criteria are met:

67 A. The individual is authorized to sign the document. Any
68 individual applying an electronic signature must use their
69 own name and must not have disclosed their password to
70 any other individual.

71 B. The signature technology has been approved by the City
72 Manager for use in conducting City business.

73 C. The appearance of the electronic signature contains, at
74 minimum, the following:

75 1. The identity of the individual, including all
76 information required by the administrative policy to
77 be adopted by the City Manager; and

78 2. A representation of the individual's signature or
79 acknowledgement of digital signature in-lieu of
80 physical signature (e.g., using an "I accept" or "I
81 agree" check box with an affirmation statement); and

82 3. The date and time of the signature, unless the
83 electronic signature technology is self-auditing.

84 D. The individual does not provide information they know to be
85 untrue.

86 Section 5. The use and acceptance of an electronic
87 signature affirmed by an electronic record notary public is
88 permitted if the notarization complies with chapter 42.45 RCW,
89 the Revised Uniform Law on Notarial Acts, as presently enacted
90 or hereafter amended.
91

92
93
94
95
96
97
98
99
100
101
102
103
104
105
106
107
108
109

Section 6. The use and acceptance of electronic signatures by the City of Kirkland prior to the effective date of this Resolution is hereby ratified and confirmed, provided such electronic signature is consistent with the terms of this Resolution.

Section 7. This Resolution 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 signatures affixed by hand.

Section 8. This Resolution shall take effect and be in force immediately upon its passage.

Passed by majority vote of the Kirkland City Council in open meeting this 17 day of November, 2020.

Signed in authentication thereof this 17 day of November, 2020.



Penny Sweet, Mayor

Attest:



Kathi Anderson, City Clerk