

CITY OF BELLEVUE, WASHINGTON

RESOLUTION NO. 9484

A RESOLUTION authorizing the use of digital and electronic signatures in the City of Bellevue.

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES RESOLVE AS FOLLOWS:

WHEREAS, the terms “digital signature” and “electronic signature” are defined in the Washington Electronic Authentication Act, Chapter 19.34 RCW; and

WHEREAS, an electronic signature is 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; and

WHEREAS, a digital signature is one type of electronic signature that contains a digital certificate, issued by a licensed certificate authority, behind the signature and offers authentication when sending a “signed” electronic document; and

WHEREAS, RCW 19.34.010(4), states that electronic signatures may be used for “official public business to provide reasonable assurance of the integrity, authenticity, and nonrepudiation of an electronic communication;” and

WHEREAS, in addition to the Electronic Authentication Act, Chapter 19.360 RCW, authorizes state agencies to utilize electronic signatures in the conduct of governmental affairs and other transactions; and

WHEREAS, RCW 19.360.010 specifically provides that “the legislature, to the extent not already authorized by federal or state law, authorizes electronic dealings for governmental affairs” and “intends to promote electronic transactions and remove barriers that might prevent electronic transactions with governmental entities;” and

WHEREAS, a digital signature under Washington Electronic Authentication Act is as legal, valid, effective, and enforceable as a written signature if the digital signature meets the requirements of RCW 19.34.320; and

WHEREAS, a valid digital signature that complies with the provisions of the Washington Electronic Authentication Act and is issued by a certificate authority provides the following protections:

(1) Verifies the signer is who they represent themselves to be because the signer has had to prove their identity to a certificate authority to obtain the digital signature;

(2) Confirms the signature was applied to the document and not copied from another document because the signature file is cryptographically bound to the document; and

(3) Ensures the document was not altered after it was signed.

WHEREAS, pursuant to RCW 19.34.330, a digitally-signed document is an original of the document; and

WHEREAS, the private key used to create a digital signature pursuant to RCW 19.34.240 is the personal property of the subscriber and is exempt from public inspection and copying under Chapter 42.56 RCW; and

WHEREAS, pursuant to RCW 19.360.020(5), “[t]he method and process for electronic submissions and the use of electronic signatures must be established by ordinance, resolution, policy, or rule;” and

WHEREAS, digital and electronic signatures provide a convenient, time-saving, and secure way of signing electronic documents; and

WHEREAS, the use of digital and electronic signatures for City documents and to conduct City business, where appropriate and permitted by law, will lessen administrative demands, improve efficiency, increase access to public information for all Bellevue citizens, leverage the City’s investments in digital technology, and provide for predictable processes throughout the City; and

WHEREAS, during the City Council’s October 8, 2018 extended study session, Council discussed and considered the draft Resolution to authorize the use of digital and electronic signatures in the City of Bellevue, along with the attendant fiscal and policy considerations of increased use of digital and electronic signatures to conduct City business; now, therefore,

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES RESOLVE AS FOLLOWS:

Section 1. Pursuant to the Washington Electronic Authentication Act, Chapter 19.34 RCW, and statutory provisions regarding Electronic Signatures and Records, RCW 19.360.020(5), City of Bellevue employees who are designated by the City Council, the City Manager, or a Department Director to sign City documents may sign City documents digitally if such an option is available, provided the following:

- A. The City employee is authorized by the City Council, the City Manager, or a Department Director to sign the document;

- B. The digital certificate utilized by the City employee in connection with the digital signature is obtained from a certification authority licensed by the Washington Secretary of State;
- C. The digital certificate is not expired when the authorized City employee signs the document digitally;
- D. The City employee does not provide information to the certification authority they know to be untrue; and
- E. The digital signature contains the following information:
 - 1. A hand-written representation of the City employee's signature;
 - 2. A typed representation of the City employee's name and title;
and
 - 3. The date and time of the signature.

Section 2. In addition to the foregoing, the City Manager, or their designee, may approve use of an electronic signature for official public business conducted by a City of Bellevue Department if the process employed for the electronic signature provides for security, authentication, record integrity, and non-repudiation of the electronic communication.

Section 3. A City document that is required by law to be signed in non-electronic media may not be digitally or electronically signed.

Section 4. An electronically or digitally signed document shall be deemed the equivalent of an original signed document if the individual or entity signing the document has complied with the provisions of this Resolution.

Passed by the City Council this _____ day of November, 2018, and signed in authentication of its passage this _____ day of November, 2018.

(SEAL)

John Chelminiak, Mayor

Attest:

Charmaine Arredondo, City Clerk