

AGENDA REQUEST FORM

**Return completed form and complete agenda item to the Clerk of the Board
Yakima County Commissioners' Office, Room 232**

Prepared by:
Josephina Mesa, Deputy Pros. Attorney

Department: Corporate Counsel

Requested Agenda Date: 06/15/2021

Presenting: Josephina Mesa

Document Title:

In the Matter of Authorizing the Use of Electronic Signatures

Board of County Commissioners Record Assigned

145-2021

APPROVED FOR AGENDA:
 Consent Regular
Board of County Commissioners Determined

Action Requested: *Check Applicable Box*

PASS RESOLUTION EXECUTE or AMEND **AGREEMENT** CONTRACT or GRANT
 ISSUE PROCLAMATION PASS ORDINANCE OTHER _____

Describe Fiscal Impact:

N/A

Background Information:

Summary & Recommendation:

Motion:

Department Head/ Elected Official


Signature

AGREEMENT Attached Is Approved as to Form
Corporate Counsel Initial



Late Agenda Requests Require BOCC Chairman Signature:

BOARD OF YAKIMA COUNTY COMMISSIONERS RESOLUTION

**IN THE MATTER OF AUTHORIZING
THE USE OF ELECTRONIC
SIGNATURES.**

145-2021

WHEREAS, Yakima County is authorized by applicable federal and state law, specifically RCW Chapter 1.80, to use electronic signature technology and to establish policy to do so; and

WHEREAS, RCW 1.80.010(10) defines an “electronic signature” as “an electronic sound, symbol, or process attached to or logically associated with a record and executed or adopted by a person with the intent to sign the record”; and

WHEREAS, RCW 1.80.010(9) defines an “electronic record” as “a record created, generated, sent, communicated, received, or stored by electronic means”; and

WHEREAS, RCW 1.80.070 provides that “[a] record or signature may not be denied legal effect or enforceability solely because it is in electronic form,” that “[a] contract may not be denied legal effect or enforceability solely because an electronic record was used in its formation,” that “[i]f a law requires a record to be in writing, an electronic record satisfies the law,” and that “[i]f a law requires a signature, an electronic signature satisfies the law; and

WHEREAS, to promote social distancing during the COVID-19 pandemic, and to increase the effectiveness and efficiency of Yakima County’s business processes, the County desires to utilize DocuSign to apply authenticated electronic signatures to legally enforceable electronic records as allowed by RCW Chapter 1.80.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners for Yakima County, Washington as follows:

Section 1. The Board of County Commissioners finds it to be in the public interest to allow the use of electronic records and electronic signatures for County business to the fullest extent allowed by law.

Section 2. The Board of County Commissioners recognizes that whenever the use of a non-electronic signature, or a 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 otherwise required by law.

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

Section 4. Yakima County employees are hereby authorized to use the DocuSign electronic signature platform to affix electronic signatures to electronic records.

Section 5. The Board of County Commissioners and County employees who are designated to sign County documents as authorized by County policy are hereby authorized, but not required to, sign County documents digitally if such an option is available.

Section 6. The Board of County Commissioners may adopt any administrative policies or processes necessary to implement the use of electronic signatures by Yakima County consistent with this Resolution and in compliance with the provisions of RCW Chapter 1.80 and any other applicable law.

Section 7. A County document that may be electronically signed is not required to be electronically signed, and this Resolution in no way affects the County's continued ability to conduct any and all transactions using non-electronic signatures.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately.

DONE this day of 2021

EXCUSED

Ron Anderson, Chairman

Amanda McKinney

Amanda McKinney, Commissioner

LaDon Linde

LaDon Linde, Commissioner
*Constituting the Board of County Commissioners
for Yakima County, Washington*

Julie Lawrence

Attest: Julie Lawrence
Clerk of the Board

