

**KING COUNTY WATER DISTRICT NO. 90
KING COUNTY, WASHINGTON**

RESOLUTION NO. 1085

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF KING COUNTY WATER DISTRICT NO. 90, KING COUNTY, WASHINGTON AUTHORIZING THE USE OF DIGITAL AND ELECTRONIC SIGNATURE TECHNOLOGY, AND ADOPTING POLICIES FOR THE USE OF ELECTRONIC SIGNATURES.

WHEREAS, King County Water District No. 90 ("District") is a special purpose water district existing pursuant to Title 57 Revised Code Washington (RCW) providing municipal water service; and

WHEREAS, RCW 19.360.020 authorizes municipalities in Washington to utilize electronic signatures in the conduct of governmental affairs and other transactions where their use has been authorized by the legislative body; and

WHEREAS, during the 2020 legislative session, the Washington state legislature adopted the Uniform Electronics Transactions Act, ESSB 6028, effective June 11, 2020, which repeals and replaces Chapter 19.360 RCW but continues to allow 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, the use of electronic signature technologies can benefit the District by decreasing the District's reliance on paper transactions and physical documents, lessening administrative demands, improving efficiency, leveraging the District's investments in digital technology, and saving time and reducing costs associated with conducting District business; and

WHEREAS, the District has the capability to utilize various electronic signature technologies, including industry leader DocuSign and other companies; and

WHEREAS, the District Board of Commissioners desires to authorize the use and receipt of electronic signatures, and to adopt policies for the implementation of this authorization to provide reasonable assurances for the integrity, authenticity, and nonrepudiation of electronic documents when electronic signatures are used;

NOW THEREFORE, BE IT RESOLVED, by the Board of Commissioners of King County Water District No. 90, King County, Washington, as follows:

Section 1. The District Board of Commissioners finds it to be in the public interest to allow the use of electronic signatures for District business to the fullest extent allowed by law. An electronic signature may be used with the same force and effect as a signature affixed by hand, subject to the limitations in this section and under state and federal law. The District Board of Commissioners authorizes the District Manager or their designees, and Board members to affix electronic signatures to electronic records, or accept such electronic signatures, provided that:

- A. The electronic signature is affixed or accepted in accordance with the policy attached hereto as Exhibit A, and incorporated herein by reference.
- B. The individual is authorized to sign the document.
- C. The electronic signature contains, at a minimum:
 - a. The signatory's full first and last name, and for District employees, elected officials, or representatives of an entity, the signatory's title;
 - b. A representation of the individual's signature or acknowledgment of digital signature in lieu of physical signature (e.g., using an "I accept" or "I agree" check box with an affirmation statement); and
 - c. The date and time of the signature, unless the electronic signature technology is self-auditing.


Section 2. An electronic signature may not be used on any record that shall not be executed by electronic signature pursuant to a federal, state, or local law, or where a wet signature is otherwise required.


Section 3. The District Board of Commissioners directs the District Manager to adopt any necessary administrative processes to implement the use of electronic signatures by the District consistent with this resolution and attached policy, and in compliance with the provisions of state and federal law.

Section 4. The District Board of Commissioners hereby ratifies the District's use and receipt of electronic signatures that comply with the policy adopted herein.

Section 5. Nothing in this Resolution or the attached policy shall be construed to prohibit or otherwise limit the use of electronic signatures where otherwise authorized by law, except as otherwise provided in the policy.

ADOPTED by the Board of Commissioners of King County Water District No. 90, King County, Washington, at a regular open public meeting thereof on the 20th day of October, 2020.


Byron Murgatroyd, President


Pete Eberle, Vice-President

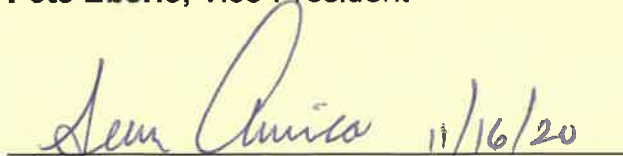

Sam Amira, Secretary

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ELECTRONIC SIGNATURE POLICY

A. Authorization. The District Manager or their designees, and Board members, are authorized to utilize electronic signatures, for the execution of records, except as indicated in this section. An electronic signature may be used with the same force and effect as a signature affixed by hand, subject to the limitations in this section and under state and federal law.

B. Definitions. Except where specifically defined in this section, all words in this section shall have the meaning commonly associated therewith.

1. Record. A record is defined information that is inscribed on tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form.
2. Electronic Signature. An electronic sound, symbol, or process attached to or logically associated with an electronic record and executed or adopted by a person with the intent to sign the record. "Intent to sign" shall be demonstrated by either email confirmation from the signor authoring the signors signature; confirmation in the minutes of meetings or adopting resolution that use of the signature was authorized; or, via other electronic acknowledgment that indicates consent of the signor.

C. Requirements for Use of Electronic Signature. Consistent with the Board's authorization, an electronic signature may be utilized in lieu of a handwritten signature, when the following requirements are met:

1. The electronic signature shall be in the form of either a digitized graphical image of a handwritten signature or a digital signature using a private user signing key and public validation key.
2. The electronic signature shall be accompanied on the record by the date and time of the signature, unless the electronic signature technology is self-auditing.
3. The identification and authentication of the signer shall be possible based on the electronic signature;
4. The signer shall intend to sign;
5. The electronic signature shall be reliably associated with the record;
6. The signed record shall have integrity (e.g., legibility, no indication of alteration, secure and reliable storage process, access limited to

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authorized persons), which shall be ensured by using an integrity control measure, including but not limited to encrypted transport protocols, message encryption, or multifactor authentication methods.

- D. Restrictions on use of Electronic Signature. An electronic signature may be used on any record other than a record requiring a wet signature pursuant to federal, state, or local law, or where a wet signature is otherwise required.