

# **NORTH WHATCOM FIRE PROTECTION DISTRICT #21**

## **Resolution 2020-09**

### **A RESOLUTION OF THE BOARD OF FIRE COMMISSIONERS OF WHATCOM COUNTY FIRE PROTECTION DISTRICT #21 AUTHORIZING THE USE OF ELECTRONIC SIGNATURES IN LIEU OF HANDWRITTEN SIGNATURES**

**WHEREAS**, the Electronic Authentication Act Chapter 19.360 RCW authorizes state and local agencies (including special purpose districts) to utilize electronic signatures in the conduct of governmental affairs and other transactions;

**WHEREAS**, a local agency may determine whether, and to what extent, the agency 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;

**WHEREAS**, whenever the use of a written signature is authorized or required by a local agency, an electronic signature may be used with the same force and effect as the use of a signature affixed by hand, as long as the electronic signature conforms to the definition in RCW [19.360.030](#) and the writing conforms to RCW [19.360.040](#);

**WHEREAS**, under RCW 19.360.030, an electronic signature is defined as 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;

**WHEREAS**, under RCW 19.360.040, a writing is a record, which is defined as 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;

**WHEREAS**, pursuant to RCW 19.360/020(1), an electronic signature may be used with the same force and effect as the use of a signature affixed by hand;

**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**, in light of the COVID-19 health crisis, the Governor's Stay-at-Home Proclamation, and Proclamation 20-08, the Board finds that is impracticable and/or impossible for commissioners to execute documents by hand.

**NOW, THEREFORE, THE BOARD OF COMMISSIONERS OF WHATCOM COUNTY FIRE PROTECTION DISTRICT NO. 21 (THE "DISTRICT") HEREBY RESOLVE AS FOLLOWS:**

**Section 1:** Pursuant RCW 19.36, the Commissioners of the District may sign any documents which are

approved by the Board of Fire Commissioners in open public session, including but not limited to vouchers, by electronic signature.

**Section 2:** An electronic signature, for purposes of this resolution, shall consist of the following: (1) an e-mail from District staff to a Commissioner at the Commissioner’s District e-mail account containing, as an attachment, the document which requires execution; and (2) the Commissioner’s reply to that e-mail in which the Commissioner writes (in substantially the following form): “Approved and Electronically Signed this \_\_ day of \_\_\_\_, 2020, by Commissioner \_\_\_\_\_.”

**Section 3:** With regards to approval of the vouchers, if Whatcom County allows a specific process for electronic approval of vouchers by the Commission, such County-approved process may be followed in lieu of (or in addition to) the process set forth in Section 2.

**Section 4:** Any electronic signature of a Commissioner conforming to this Resolution shall have the same force and effect of a signature affixed by hand and shall be deemed the equivalent of an original signed document.

**Section 5:** For purposes of the Public Records Act, the District Secretary shall print all electronic signatures and shall keep them attached to the written document that was approved. The District Secretary is authorized to fill in the date in the signature block, if applicable, and the District Secretary shall further insert on each signature line of the original document the following words: “Electronically signed.”

**PASSED AND APPROVED THIS 26TH DAY OF MARCH OF 2020 BY THE BOARD OF FIRE COMMISSIONERS OF WHATCOM COUNTY FIRE PROTECTION DISTRICT #21.**

**ATTEST:**

\_\_\_\_\_  
Bruce Ansell, Chairman

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Rich Bosman, Vice-Chairman

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Larry McPhail, Commissioner

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John Crawford, Commissioner

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Scott Fischer, Commissioner

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Jennie Sand, Board Secretary

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Jason Van der Veen, Acting Fire Chief