

PORT OF COUPEVILLE

ISLAND COUNTY, WASHINGTON

RESOLUTION NO. 282

A RESOLUTION of the Board of Commissioners of the Port of Coupeville, Island County, Washington, AUTHORIZING THE USE OF ELECTRONIC AND DIGITAL SIGNATURES FOR THE PORT OF COUPEVILLE.

WHEREAS, in Chapter 19.360 RCW, the Washington State Legislature, to the extent not already authorized by federal or state law, authorized electronic dealings for governmental affairs and established the implementation framework for electronic governmental affairs and governmental transactions; and

WHEREAS, in March 2020, through Engrossed Substitute Senate Bill 6028 (“ESSB 6028”), the Washington State Legislature repealed Chapter 19.360 RCW and adopted the Uniform Electronic Transactions Act, which is intended to facilitate use of electronic transactions consistent with other applicable law, and to bring consistency to reasonable practices concerning electronic transactions and with the continued expansion of those practices; and

WHEREAS, ESSB 6028 took effect on June 11, 2020; and

WHEREAS, ESSB 6028 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, ESSB 6028 defines an “electronic record” as “a record created, generated, sent, communicated, received, or stored by electronic means”; and

WHEREAS, ESSB 6028 provides that “[a] record or signature may not be denied legal effect or enforceability solely because it is in electronic form; a contract may not be denied legal effect or enforceability solely because an electronic record was used in its formation; if a law requires a record to be in writing, an electronic record satisfies the law; and if a law requires a signature, an electronic signature satisfies the law”; and

WHEREAS, the method and process for electronic submissions and the use of electronic signatures must be established by ordinance, resolution, policy, or rule; and

WHEREAS, to increase the effectiveness and efficiency of the Port of Coupeville’s business processes, the Port desires to leverage technology solutions which are in compliance with the Uniform Electronic Transactions Act to apply authenticated electronic signatures to legally enforceable electronic records as allowed by ESSB 6028.


NOW, THEREFORE, BE IT RESOLVED as follows:

- A. The foregoing recitals are incorporated and fully made a part of this Resolution.
- B. The Port Commission finds it to be in the public interest to allow the use of electronic records and electronic signatures for Port business to the fullest extent allowed by law.
- C. The Port Commission recognizes that in many situations the use of a written, affixed by hand, or "wet" signature created when a person physically marks a document with the intent to sign the record could be replaced with an electronic signature which would have the same force and effect, except as required otherwise by law.
- D. The Port Commission authorizes the Executive Director and other designees, to use the Adobe Sign electronic signature platform or any future replacement of such platform, either of which follow the Standards adopted by the Port, to affix electronic signatures to electronic records.
- E. The Port Commission directs the Executive Director to adopt any necessary administrative policies or processes to implement the use of electronic signatures by the Port and prescribe when and how such signatures will be allowed consistent with this resolution and in compliance with the provisions of RCW Chapter 19. 360 and Engrossed Substitute Senate Bill 6028 ("Uniform Electronic Transactions Act").
- F. This resolution shall take effect and be in force immediately upon its passage.

ADOPTED by the Board of Commissioners of the Port of Coupeville at the regular public meeting thereof held this 24th day of March 2021 and duly authenticated in open session by the signatures of the Commissioners being present and voting.


David Day (Mar 27, 2021 09:24 PDT)

David Day


John Mishasek (Mar 27, 2021 09:14 PDT)

John Mishasek


Mohammad Mostafavinassab (Mar 30, 2021 19:11 PDT)

Mohammad Mostafavinassab

Attest: This 26 day of March 2021


Chris Michalopoulos (Mar 26, 2021 13:08 PDT)

Chris Michalopoulos, Executive Director











Resolution #282 - Electronic and Digital Signatures for signature


Final Audit Report

2021-03-31


Created:	2021-03-26
By:	April Booth (adminassistant@portofcoupeville.org)
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-  Document created by April Booth (adminassistant@portofcoupeville.org)
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-  Document emailed to David Day (commissioner1@portofcoupeville.org) for signature
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-  Document emailed to John Mishasek (commissioner2@portofcoupeville.org) for signature
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-  Document emailed to Mohammad Mostafavinassab (commissioner3@portofcoupeville.org) for signature
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