

City Of North Port Electronic Signatures and Transactions Manual

I. Introduction

- A. The City of North Port's Electronic Signatures and Transactions Manual shall govern the use of electronic transactions and electronic signatures of all departments and divisions under the City Manager's Office of the City of North Port.
- B. Electronic Signatures are authorized by Florida's Uniform Electronic Transaction Act as codified in Fla. Stat. § 668.50.
- C. The listing of policies, procedures, and practices set forth in this manual is intended to be comprehensive. Any actions not expressly permitted hereunder may be exercised only to the extent specifically authorized in writing by the City Manager or designee.
- D. Approval of the Electronic Signatures and Transactions Manual by the City Manager is pursuant to Resolution 2026-R-03 of the City of North Port.

Approved:_____

A. Jerome Fletcher II, ICMA-CM, MPA
City Manager

Effective Date:_____

- E. Modifications to this Manual require written approval by the City Manager and shall be effective on the date the City Manager provides written approval.

II. Use of Electronic Signatures and Transactions

- A. The City permits the use of Electronic Transactions, Digital Signatures, and Electronic Signatures between the City and other governmental agencies, and the public. The City permits the use of Digital Signatures between the City and vendors. The City also permits internal Electronic Transactions and signatures between the City and a City employee, or between two City departments.
- B. It is the preference of the City that City contracts are processed as Electronic Transactions, and that contracts are digitally signed.
- C. The City Manager can authorize City departments to use Electronic Transactions and signatures for their business processes. The Department Director shall prepare written procedures governing these actions for review and approval by the City Manager if they are using Electronic Signatures. The City Manager must approve any departmental procedure(s) for electronic signatures before use by a department.
- D. Contracts, leases, or any other type of agreement with another agency, vendor, or customer which are to be signed through an Electronic Transaction must be approved by the City

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Attorney's Office and IT as to the use of the Electronic Transaction method, in addition to any other required approvals, unless the agreement was generated by Procurement for the purchase of goods or services, construction and professional services as described in Section IV.

- E. It is the intent of the City to not mix Digital and Manual Signatures within a single document to have a fully auditable Electronic Record of a transaction. Internal transactions or documents are not subject to this restriction.

III. Internal Use of Electronic Signatures

- A. Digital Signatures are not required for documents used internally within the City and are permitted to be signed or approved electronically, unless specifically provided otherwise by this manual or other policy adopted by the City Manager. For applications which require unique logins, approvals by the user are acceptable Electronic Signatures or approvals. Examples of applications used internally include, but are not limited to, Adobe (certified signature), Foxit (certified signature), Naviline, Laserfiche, NeoGov, and ExecuTime.
- B. Where the application does not create the manner of signature or approval, or where there is no application in use, Adobe sign or Foxit are acceptable. Other methods of signing may be approved by IT and the City Manager upon request by a department. Requests may be submitted through a service desk ticket.
- C. The internal use of Electronic Signatures shall have the same force and effect as the use of a Manual Signature for documents which currently require a signature.

IV. External Use of Electronic Signatures

- A. The external use of Electronic Signatures is permitted and shall have the same force and effect as the use of a Manual or Wet Signature if the document and type of Electronic Signature has been approved by the City Manager and the department owning the document. External use means that the signed document involves a transaction with a non-City entity.
- B. It is the preference of the City that all external Electronic Transactions be conducted using a Digital Signature. DocuSign® is the currently permitted program for processing of Digital Signatures in the City where the City is initiating the transaction. Using a link to this program is permissible if it is derived from a trusted source via email. Use of DocuSign® may be limited to the external party, with another program used for the City signature. In such event, the other program must still provide a Digital Signature. Other programs may be used on a case-by-case basis if required by the other party to the transaction, and if approved by IT and the City Attorney's Office. Additional signing programs for general use by the City may be approved by IT and the City Attorney's Office from time to time.
- C. Real Estate Contracts. Electronic Signatures may be permitted on a case-by-case basis as approved by the City Attorney's Office.

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D. Surety bonds. Electronic Signatures are not accepted for surety bonds.

V. Technical Requirements

A. Any digital system or software (“System”) used to sign legally binding documents is required to use security tools to ensure that the signature appearing on the document was placed by the intended signatory. All such Systems used by the City for Digital Signatures must be reviewed and approved, prior to use, by IT to ensure compliance with this policy. Acceptance of an application or System for internal use does not mean that it is also approved for external use. The following requirements shall apply:

1. Auditable Signature Data

- a. Every System shall provide auditable secured metadata that stores and shows the logged in user, the date and time, and the computer name or IP address of who affixed/applied the approval/signature.
- b. Once the signature is applied, that signature and associated metadata cannot be removed or modified by anyone, including system or database administrators.
- c. Generic, group or role-based accounts, users, or names may not be used.

2. Internal Users using City Systems for Signature

- a. Documents may be approved/signed inside a system controlled exclusively by City personnel.
- b. The System shall use a combination of Microsoft Active Directory Single Sign-On (SAML-2.0, WS-Federation compliant), and/or System application security settings restricting access to the approval/signature function to only the authenticated user assigned to that role or step in the System.
- c. The signature user of a City System must be designated in writing by their department's director for said approval/signature role, unless the City Manager has already provided a written delegation individually or through adopted policy.
- d. A user who has a signature role in a System may assign, using their authenticated System login ID, the signature function to other users in the System within the same business unit, or their department's director, or a peer department manager, in accordance with City or departmental policy.
- e. The signature event metadata shall be stored in a City controlled System database, server, or external storage device for reference and auditing purposes.

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3. External Users using City Systems for Signature
 - a. All External Users must establish a valid City approved account for that System using the business rules of that System to establish the External User's role and rights in that System. This may require first time users to establish their account in person (with appropriate identification and letters of authorization) to the City's System representative.
 - b. External Users are required to sign a user agreement, either on paper and/or through the System's first-time user login account creation process, agreeing to the System's rules of use.
 - c. Under no circumstance shall the System allow an External User to create or delegate signature processes to others without the approval of the City's System Administrator. The System may provide a City- controlled mechanism for signature delegation.
 - d. At a minimum, the System's signature process shall use the System's login authentication method to ensure the validity of the signature.
 - e. The System's administrator shall from time-to-time run diagnostics to determine if System users are abiding by the user agreement of that System.
 - f. Misuse of the System account by an External User may result in suspension or revocation of the External User's access to that System.
4. City-provided Third-party Signature Solutions
 - a. IT has designated DocuSign® signature software to be integrated with the City's Accela and Laserfiche systems. DocuSign® software is compliant with AICPA SOC 1 Type 2, SOC 2 Type 2 requirements, and the United States Electronic Signatures in Global and National Commerce (ESIGN) Act. By using DocuSign® the City can:
 - i. Prove the vendor, contractor, or other External User intended to sign.
 - ii. Prove that the user agreed to sign the contract electronically.
 - iii. Maintain an association record of the signature, which proves the process by which the document was signed.
 - iv. Retain the record for reference and compliance with law.
5. External User-provided Third-party Signature Solutions
 - a. Only documents pertaining to official City business may be considered for Digital Signature execution in accordance with state and federal laws.

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- b. Only documents that have or can be reviewed prior to Digital Signature may be executed.
- c. Only City staff authorized by delegation resolution, City Manager policy, or named and authorized by a validly executed City of North Port contract may use Digital Signature Systems provided by said entity to execute ancillary documents governed by that contract or agreement.
- d. Documents requiring Digital Signature shall allow City staff to download, save, share, and print before, during and after the signature process.
- e. The Digital Signature document shall be retained in the City's system of record for such documents after signature.
- f. Programs like DocuSign® or Adobe Sign® are permitted for use in signing documents.

6. Alternatives

The City may accept electronic scans of manually signed documents or other types of non-digital Electronic Signatures where Digital Signatures are not available, on a case-by-case basis.

VI. Legal Requirements

- A. General Law. The use of an Electronic Signature or an Electronic Transaction must comply with Florida law.
- B. Records. City departments shall ensure that all laws, codes, and policies and procedures related to such Electronic Records are followed for all such records that are under their control and shall comply with Florida Statutes, Chapter 119.
- C. Form of Document and Review. The form of an electronically signed document must comply with the same requirements as a manually signed paper document would. If a paper document requires legal review of the form and content of the document, then that same review is required for an electronically signed document. Digitally signed documents must be maintained in digital form.
- D. Retention Period. The retention period for electronically signed documents and Electronic Records corresponds to the retention period for such records in paper form.
- E. Authority of Signatory. The approval authority for a transaction does not change with the use of Electronic Transactions and signatures. The signatory of an Electronic Record must possess the authority to sign the record, otherwise the signature is of no legal effect. If a person has

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the authority (either because of their position or through a written delegation) to sign a paper document, the person may also electronically sign the same document.

VII. Definitions

A. **Digital Signature.** A type of Electronic Signature that transforms a message using an asymmetric cryptosystem such that a person having the initial message and the signer's public key can accurately determine:

1. Whether the transformation was created using the private key that corresponds to the signer's public key.
2. Whether the initial message has been altered since the transformation was made.

A "key pair" is a private key and its corresponding public key in an asymmetric cryptosystem, under which the public key verifies a digital signature the private key creates. An "asymmetric cryptosystem" is an algorithm or series of algorithms which provide a secure key pair.

B. **Electronic Record.** A record created, generated, sent, communicated, received, or stored by electronic means, pursuant to F.S. §668.50.

C. **Electronic Signature.** 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, pursuant to F.S. §668.50.

D. **Electronic Transaction.** A transaction that occurs wholly electronically and is signed by all parties electronically.

E. **External User.** A user of the electronic signing system who is not signing on behalf of the City, but for themselves or another entity.

F. **Internal User.** A user, typically a City employee, who is signing the document on behalf of the City, in accordance with their job duties.

G. **Manual Signature/Wet Signature.** A signature that is directly applied by hand to a paper document.

VIII. Allowed Programs and Transactions.

A complete list of programs and transactions, not otherwise identified herein, which are approved for electronic signatures is attached hereto as Exhibit A. Exhibit A may be updated from time to time by approval of the City Manager or designee. The list shall indicate if all documents produced by a program may be signed electronically, or only some.

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EXHIBIT A

Finance

- Contracts/Procurement contracts
- Agreements
- Work Assignments
- Amendments/Change Orders
- Contract Renewals and Terminations
- Procurement Forms
- Fixed Asset Inventory Lists
- Property Disposal Form
- *Disposition of Surplus Assets (this may be a duplicate of the Property Disposal Form, however since Fleet handles all rolling-stock dispositions, this may be something specific to them)
- CID Request Form
- Change of Custodian Form
- Property Transfer Form
- Adjusting Journal Form
- Cash Overage (Shortage) Form
- Payment Authorizations
- Vendor invoices with department approval to pay
- Travel Forms-Travel Authorization Summary Form
- Budget Transfer Form
- Budget Amendment Request
- Commercial Card Claims – Statement of Disputed Item Form
- Lost Receipt Affidavit
- Notification of Lost or Stolen Purchasing Card
- Notification of Purchasing Card Policy Violation
- Purchasing Cardholder Information Form
- Address Change Form
- Comp Time Payout Form
- Direct Deposit Form
- Fire Voluntary Fund Enrollment/Stop Form
- Police Voluntary Fund Enrollment Form
- Police Voluntary Fund Stop Form
- W-4 Employee Withholdings
- Finance Memorandums
- Finance Policies and Procedures

Parks and Recreation:

- Deposit Refund Forms
- Recreation Program Instructor Agreements

Fire Rescue:

- Educational Reimbursement

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- Memorandum
- Employee Warning Report
- Immunization Consent or Decline Form
- Probationary Employee Performance Evaluation
- Officer Performance Appraisal Report
- Probationary Employee Performance Evaluation: Orientation
- Record of First Responder PTSD Event
- Vaccination Consent Form
- Exposure Report Form
- Post Exposure Prophylaxis for HIV
- Treatment/Post Exposure Prophylaxis Declination Form
- Leather Helmet Personal Protection Equipment Release Form
- Complaint Form
- Facility Safety Checklist
- Controlled Substance Request Form
- Training/Travel/Equipment Request Form
- Training Course Lesson Plan Approval Form
- Firefighters Request for Engineer Task Book Checklist
- North Port Public Safety Training Facility Training Tower Activity Report
- North Port Public Safety Training Facility Training Facility Incident Report
- Performance Improvement Plan
- Professional Development Plans

Public Utilities:

- Liens and lien releases
- Acceptance and/or termination of easements
- Developer Agreements – specifically Utilities Developer Agreements.
- Memorandum of Understanding/Agreement

Grants:

- Grant contracts and subrecipient agreements
- Intergovernmental agreements and contracts
- Grant applications and grant related non-binding documents

Public Works:

- Real estate purchase agreements
- Real estate documents such as Settlement Statements
- HUDs
- LOIs for Fleet
- Consent to Acquisition of Real Property

Human Resources:

- Termination
- Pay Above Entry
- Flexible Work Schedule Request/Agreement

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- Remote Working Request/Agreement
- Classification Requests
- Policies and Procedures
- Accident Reports

Social Services:

- Budget Transfer Forms
- Document Signature Checklists

City Clerk:

- Resolutions
- Ordinances
- Minutes
- Agreements
- Contracts
- Letters
- Proclamation/Certificate
- Work Assignment
- Authorization Form
- Medicare Enrollment Form
- Disposition of Surplus Assets