

## CITY COUNCIL SPECIAL SESSION MINUTES

November 9, 2021

The City Council of the City of Norman, Cleveland County, State of Oklahoma, met in a Special Session at 5:00 p.m. hosted in the Municipal Building Council Chambers on the 9th day of November, 2021, and notice and agenda of the meeting were posted in the Municipal Building at 201 West Gray 48 hours prior to the beginning of the meeting.

PRESENT:	Councilmembers Foreman, Hall, Holman, Lynn, Peacock, Schueler, Studley, Tortorello, Mayor Clark
ABSENT:	None

Item 1, being:

DISCUSSION REGARDING THE USE OF CONSENSUAL, AUTHORIZED ELECTRONIC SIGNATURES AND ELECTRONIC RECORDS THAT COMPLY WITH THE REQUIREMENTS OF THE OKLAHOMA UNIFORM ELECTRONIC TRANSACTION ACT AND CITY POLICY IN CITY TRANSACTIONS AND COMMUNICATIONS.

Ms. Heather Poole, Assistant City Attorney, said the City of Norman is receiving numerous forms and documents that have been signed and scanned rather than receiving a document with an original “wet” signature. The benefits of electronic signatures are simple and numerous and includes cutting down on paper, time, and costs associated with transmitting and approving physical documents and offers an easily accessible audit trail of when documents are modified and when they are signed. The Electronics Signatures in Global and National Commerce Act was signed into law in June 2000, and many states, including Oklahoma, passed similar laws based on federal regulation.

Ms. Poole said the City of Norman currently only accepts “wet” signatures that are notarized or attested to so if the City accepts electronic signatures, the City can also accept an electronic notary acknowledgment or attestation. She said State law allows each government agency of the State to determine if they will accept electronic signatures. She said it is becoming more difficult to obtain “wet” signatures on documents the City is currently requiring.

Oklahoma’s Uniform Electronic Transactions Act was enacted in 2000, and covers all electronic records and electronic signatures relating to a transaction. This Act only applied to transactions related to business, commercial (including consumer) and governmental matters. Electronic signatures cannot be accepted for wills, codicils or testimony trusts, items covered by the Uniform Commercial Code except those relating to leases, sales of goods and other consumer protection laws of Oklahoma.

Ms. Poole said this Act applies to any electronic record or electronic signature created, generated, sent, communicated, received, or stored. It also only applies to transactions between parties each of which has agreed to conduct transactions by electronic means.

Item 1, continued:

Councilmembers were in favor of allowing electronic signatures on documents. This ordinance will move forward for formal consideration.

Items submitted for the record

1. Memorandum dated November 9, 2021, from Heather Poole, Assistant City Attorney, through Kathryn Walker, City Attorney
2. Draft Ordinance O-2122-26
3. Legislatively notated copy of Ordinance O-2122-26
4. Oklahoma Statutes Citationized, Title 12A. Uniform Commercial Code, Article 15 – Uniform Electronic Transaction Act, Section 15-101 – Short Title

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Item 2, being:

CONSIDERATION OF ADJOURNING INTO AN EXECUTIVE SESSION AS AUTHORIZED BY OKLAHOMA STATUTES, TITLE 25 § 307(B)(3) TO DISCUSS THE ACQUISITION OF REAL PROPERTY LOCATED IN CONNECTION WITH THE GROUNDWATER BLENDING PROJECT.

Item 2 was withdrawn and not discussed.

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ADJOURNMENT

The Mayor adjourned the meeting at 5:07 p.m.

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ATTEST:

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City Clerk

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Mayor