

ATTACHMENT B

Approved as to Form and Legality



Barbara J. Parker
Office of the City Attorney

**Emergency Order of the City of Oakland
Interim City Administrator/Director of the Emergency Operations Center**

Whereas, the City of Oakland (“City”) was subject to a ransomware attack between February 6 and February 9, 2023, and the City and its Information Technology Department (ITD) followed industry best practices to secure its network and launched an investigation to determine the scope and severity of the issue and develop and execute a response plan; and

Whereas, as a cautionary measure, ITD took certain non-emergency systems offline while it worked to secure and restore services safely, which may have resulted in delays in City services; and

Whereas, on February 14, 2023, the Interim City Administrator in his capacity as the Director of the Emergency Operations Center (“EOC”), issued a proclamation of local emergency due to the ransomware attack; and

Whereas, on February 16, 2023, the City Council adopted Resolution No. 89592 C.M.S., which confirmed and ratified the existence of a local emergency within the territorial limits of the City of Oakland pursuant to Oakland Municipal Code (“OMC”) Chapter 8.50 and California Government Code section 8630, which it subsequently extended on March 21, 2023, and the local emergency is ongoing; and

Whereas, the Interim City Administrator in his capacity as the Director of the EOC has authority “to promulgate orders, rules, and regulations on matters reasonably related to the protection of life and property and the preservation of public peace and order, in accordance with Article 14 of the California Emergency Services Act; and

Whereas, to the extent that the City’s emergency proclamation and/or the Emergency Services Ordinance codified at OMC Chapter 8.50.050 do not expressly or impliedly suspend or waive the following provisions of the City’s laws, policies or procedures, the Interim City Administrator in his capacity as the Director of the EOC hereby promulgates the following orders, rules and regulations;

Now, Therefore, I, Steven Falk, Interim City Administrator/Director of the Emergency Operations Center of the City of Oakland, in accordance with the authority vested in me pursuant to Oakland’s Emergency Services Act, OMC Chapter 8.50, specifically section 8.50.050.C.5(a), hereby order the following:

1. The due dates for any Parking Tax payments required to be remitted to City between February 8, 2023 and April 16, 2023 pursuant to OMC 4.16.110 are hereby extended to April 17, 2023.

The due dates for any Transient Occupancy Tax payments required to be remitted to City between February 8, 2023 and April 16, 2023 pursuant to OMC 4.24.070 are hereby extended to April 17, 2023.

The due dates for any Utility Users Tax payments required to be remitted to City between February 8, 2023 and April 16, 2023 pursuant to OMC 4.28.120 are hereby extended to April 17, 2023.

The Director of Finance shall have authority to adopt rules and regulations consistent with and necessary for the implementation of this order.

2. All timelines associated with reporting as required under section 11 of the City of Oakland Investment Policy for Fiscal Year 2022-23 are hereby suspended until July 31, 2023 or at such time as this order is rescinded or the City Council terminates the emergency, whichever is earlier. The report for the period ending June 30 shall include information for the two previous quarters (the period ending June 30 and the period ending March 30).
3. The provisions of OMC section 2.06.060.A and 206.060.C providing for an interest penalty for the failure to make timely payments in accordance with OMC Chapter 2.06 (Prompt Payment) are hereby suspended and shall not accrue for the duration of the local emergency or until such time as this order is rescinded, whichever is earlier.

I FURTHER DIRECT that as soon hereafter as possible, this Order shall be filed in the Office of the City Clerk, posted on the City of Oakland website, and that widespread publicity and notice of this Order shall be provided to the public.

IN WITNESS WHEREOF I have hereunto set my hand this 31 day of March, 2023



Steven Falk
Interim City Administrator/Director of Emergency
Operations Center, City of Oakland, California

Attest:



Asha Reed
City Clerk and Clerk of the City Council
City of Oakland, California