



AGENDA REPORT

TO: Steven Falk
Interim City Administrator

FROM: Angela Robinson Piñon
Deputy City Administrator

SUBJECT: Renew and Continue a Declaration of
a Local Emergency Due to
Ransomware Attack

DATE: April 26, 2023

City Administrator Approval

Date: May 4, 2023

RECOMMENDATION

Staff Recommends That The City Council Adopt A Resolution Renewing And Continuing The City Council's Declaration Of Local Emergency Within The Territorial Limits Of The City Of Oakland Due To A Ransomware Attack Pursuant To Oakland Municipal Code Chapter 8.50 And Government Code Section 8630.

EXECUTIVE SUMMARY

The purpose of this resolution is to renew and continue the City's local emergency due to a ransomware attack. By adopting this resolution, the City Council would find and proclaim that a local emergency continues to exist pursuant to [California Government Code Section 8630](#).

BACKGROUND / LEGISLATIVE HISTORY

On February 14, 2023, the City Administrator acting as Director of the Emergency Operations Center (EOC) declared a local emergency within the territorial limits of the City of Oakland due to a ransomware attack (**Attachment A**).

On February 16, 2023, the City Council confirmed and ratified the existence of a local emergency within the territorial limits of the City of Oakland pursuant to [Oakland Municipal Code Chapter \(OMC\) 8.50](#) and Government Code section 8630 ([Resolution No. 89592 C.M.S.](#)).

On March 21, 2023, the City Council renewed and continued the declaration of the local emergency and adopted [Resolution No. 89463 C.M.S.](#)

On March 31, 2023, the City Administrator, as Director of the EOC, issued additional emergency orders (**Attachment B**): 1) extending the due dates for certain tax payments; 2) suspending timelines for reporting under section 11 of the City of Oakland Investment Policy; and 3) suspending the provisions of [OMC section 2.06.060 A and C](#), which provide for an interest penalty for failure to make timely payments and the latter two orders are still required

City Council
May 16, 2023

By adopting this resolution, the City Council will affirm that a local emergency continues to exist due to the ransomware attack and directs the City to take measures to respond to the emergency.

ANALYSIS AND POLICY ALTERNATIVES

The City has made significant progress in recovering from the ransomware attack, including threat containment, restoration of City applications, file servers, and access to critical documents; and public-facing applications. The overall recovery, however, is not yet complete, including the addition of critical safeguards. As a result, City Administrator has determined that the recovery effort may require the continued procurement of professional services, equipment and materials, the activation of emergency workers, and/or the promulgation of orders on an expedited basis and that need is ongoing. Payments will also need to be made for services presently underway. Furthermore, continued examination of data files continues, and the Emergency Operation Center remains activated and ready to respond to any facet of this local emergency, as required.

Pursuant to Government Code section 8630, the City must renew the local emergency every 60 days. Failure to adopt the resolution may limit the City's access to resources, including funding, from the state and federal government that are needed to respond and recover from the ransomware attack.

FISCAL IMPACT

There is no fiscal impact directly associated with this action; however, the declaration of a local emergency is a requirement for a local jurisdiction to be eligible for funding to support disaster recovery post-emergency.

PUBLIC OUTREACH / INTEREST

There was no public outreach required beyond the posting and noticing of this agenda item.

COORDINATION

Production of this ordinance was coordinated between the Oakland City Attorney's Office and the City Administrator's Office.

SUSTAINABLE OPPORTUNITIES

Economic: As noted, declaration of a local emergency is often a pre-requisite to receive disaster recovery funding.

Environmental: There are no direct environmental opportunities associated with the proposed resolution.

Race & Equity: Declaration of a local emergency may allow the City to access funds that may be used to mitigate the direct effects of a local emergency. These funds, once received, could be targeted to address the immediate needs of Oakland's most vulnerable residents.

ACTION REQUESTED OF THE CITY COUNCIL

Staff Recommends That The City Council Adopt A Resolution Renewing And Continuing The City Council's Declaration Of Local Emergency Within The Territorial Limits Of The City Of Oakland Due To A Ransomware Attack Pursuant To Oakland Municipal Code Chapter 8.50 And Government Code Section 8630.

For questions regarding this report, please contact Angela Robinson Piñon, Deputy City Administrator, at arobinsonpinon@oaklandca.gov.

Respectfully submitted,



ANGELA ROBINSON PIÑON
Deputy City Administrator
City Administrator's Office

Attachments (2):

- A. February 14, 2023 Proclamation of a Local Emergency
- B. March 31, 2023 Emergency Order Suspending Deadlines