



DATE: August 7, 2023
TO: Mayor and City Council
FROM: City Manager
SUBJECT: Adopt a Resolution Amending the Ratified Proclamation of Local Emergency Due to Cybersecurity Incident

RECOMMENDATION

That Council adopts a resolution (Attachment II) amending the ratified Proclamation of Local Emergency made on July 9, 2023 by the City Manager in her capacity as Director of Emergency Services.

SUMMARY

On July 9, 2023, the City Manager, in her capacity as Director of Emergency Services, proclaimed a local emergency due to a cyber event including attempts to disrupt portions of the City's computer systems and network. The Council then ratified an emergency proclamation on July 13, 2023 to empower the Director of Emergency Services to address the local emergency beyond seven (7) days from July 9, 2023. This report requests that the Council approve a resolution amending and re-confirming the Proclamation of a Local Emergency (Attachment III) to ensure the City can access necessary State and Federal resources, including reimbursement for expenditures already taken to address the cybersecurity incident.

DISCUSSION

On July, 9, 2023, the City became aware of a cybersecurity incident into its computer networks. City staff has taken steps to prevent any further attempts to disrupt City computer systems and networks such as turning off access to the public website, online municipal portals and email communications into the City. Staff is taking steps to restore computer systems and investigate the severity of the incident.

Under California Government Code Section 8630 and Hayward Municipal Code Section 3-2.12 the City Manager is empowered to proclaim a local emergency pursuant to. When a local emergency is proclaimed by the Director of Emergency Services, the Council must ratify the proclamation within seven (7) days or the proclamation has no further effect. This item requests that the City Council ratify the resolution for the Proclamation of Local Emergency due to the

cybersecurity incident.

A Proclamation of Local Emergency allows the Director of Emergency Services to make rules and regulations related to the protection of persons and property, obtain vital services, supplies and equipment needed for the to provide ongoing services to City residents, and to assure the safety and welfare of City employees, residents and property.

On July 13, 2023 the Council passed a resolution ratifying the Proclamation of Local emergency empowering the Director of Emergency Services to address the emergency beyond the seven day period.<https://hayward.legistar.com/gateway.aspx?M=F&ID=48ce03f3-1114-49b9-b5a7-83235c90b8c6.docx> Taking this action and amending the Proclamation ensures its transmittal to relevant State and Federal emergency agencies. Per the guidance by the Alameda County Emergency Operations Center this additional language is necessary to allow the City potential access to reimbursement from State and Federal sources for emergency related expenditures.

FISCAL IMPACT

This resolution enables the City Manager and assigned staff to efficiently allocate resources due to the ongoing and imminent threat. The overall fiscal impact of this event are currently unknown. As part of this declaration, the City will document the costs of responding to the emergency and will seek reimbursement from any available sources.

STRATEGIC INITIATIVES

This agenda item is a routine operational item and does not directly relate to one of the Council's Strategic Initiatives.

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