

CITY OF LAFAYETTE, COLORADO

DECLARATION OF LOCAL DISASTER EMERGENCY IN AND FOR THE CITY OF LAFAYETTE, COLORADO, REGARDING CYBERATTACK ON CITY COMPUTER INFRASTRUCTURE

WHEREAS, this Declaration is issued pursuant to the authority granted to the City Administrator of the City of Lafayette, Colorado (“Lafayette”), as the chief executive/principal executive officer of Lafayette under Section 4.16 of the Charter of the City of Lafayette, Article II of Chapter 5 of the Lafayette Code of Ordinances, and the Colorado Disaster Emergency Act, C.R.S. § 24-33.5-701 *et seq.* (the “Act”); and

WHEREAS, this Declaration is issued with the support of the Mayor of Lafayette; and

WHEREAS, the Act authorizes the City Administrator to declare a local disaster to activate the response and recovery aspects of any and all applicable local and interjurisdictional disaster emergency plans, to authorize the furnishing of aid and assistance under such plans, and to provide for cooperation and coordination by agencies and officers of the state and its political subdivisions in disaster response and recovery; and

WHEREAS, under the Act, an “emergency” is an unexpected event that places life or property in danger and requires an immediate response through the use of state and community resources and procedures; and

WHEREAS, under the Act, a “disaster” includes the occurrence of widespread or severe damage, injury, or loss of property resulting from a cause of human origin and requiring emergency action to avert danger, damage, or a condition of invasion existing in a city in the state; and

WHEREAS, on July 26, 2020, Lafayette’s computer infrastructure was compromised via a malware cyberattack; and

WHEREAS, as a direct result of the cyberattack, it was necessary for Lafayette to immediately shut down and disconnect its computer infrastructure, including computers, servers, networked telephones, and its e-mail exchange, and all such systems remain offline as Lafayette continues to assess the disaster and determine resources needed for recovery; and

WHEREAS, the cyberattack has caused a major disruption in Lafayette government operations and services and has resulted in a loss of productivity, which may continue for a prolonged period of time; and

WHEREAS, outside assistance is needed from the state, neighboring jurisdictions, and private contractors with the necessary technological expertise to aid Lafayette in its response and recovery due to the severity and magnitude of the disaster; and

WHEREAS, funds are needed for the expenditures Lafayette incurs to respond to and recover from the disaster; and

WHEREAS, the cost and magnitude of resources necessary to respond to and recover from the impact of the cyberattack are far in excess of the City's available financial and human resources; and

WHEREAS, pursuant to C.R.S. § 24-33.5-709, declaration of a local disaster emergency will assist and permit Lafayette's access to local emergency funds; federal, state, and county assistance; and adjustments to policies, procedures, and ordinances to ensure the public's health, safety, and welfare, and the continuity of government operations and services; and

WHEREAS, it is appropriate and in the interests of the public health, safety, and welfare of Lafayette and its residents to rapidly address the impacts of the cyberattack on government operations and services, and to further protect the health and safety of the public by declaring an emergency in the City of Lafayette; and

WHEREAS, the City Administrator of the City of Lafayette, as principal executive officer of Lafayette, is authorized to unilaterally declare a local disaster pursuant to C.R.S. § 24-33.5-709 and Section 4.16 of the Lafayette Charter, and to activate the emergency management and operations plans of the City.

NOW, THEREFORE, I, Fritz Sprague, City Administrator for the City of Lafayette, Colorado, pursuant to the authority vested in me by the statutes of the State of Colorado and the Charter and Code of Ordinances of the City of Lafayette:

1. Hereby declare a local disaster emergency in the City of Lafayette, Colorado, commencing on July 27, 2020, caused by the malware cyberattack on Lafayette's computer infrastructure, in order to address the severe damage, injury, or loss of property resulting from the cyberattack, and which requires emergency action to address the cost and magnitude of financial and human resources necessary to respond to and recover from the cyberattack.
2. The effect of this Declaration shall be to activate the response and recovery aspects of any and all applicable local and interjurisdictional disaster emergency plans and to seek and authorize the furnishing of aid and assistance under such plans and from the federal government, State of Colorado, Boulder County, and other neighboring jurisdictions, and for the City Administrator and other appropriate City staff to exercise those functions and be vested with such authority as set forth in C.R.S. § 24-33.5-709 and in the Lafayette Charter and Code of Ordinances.
3. This Declaration shall be effective upon the date and time given below, and shall remain in effect for a period of seven days unless rescinded or extended by the Lafayette City Council prior to expiration.
4. The City Clerk or her designee shall forthwith:

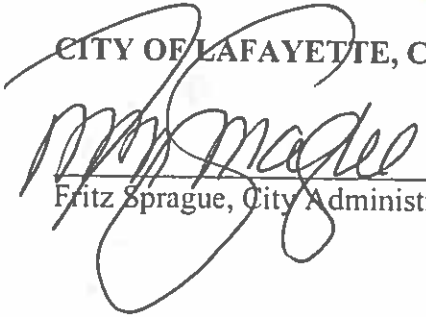
City of Lafayette
Declaration of Local Disaster Emergency
August 3, 2020

a. Publish and disseminate this Declaration to the public, including but not limited to on the City's website and to the local news media;

b. File a copy of this Declaration of Local Disaster Emergency in the Office of the City Clerk, and immediately file copies of this Declaration with the Boulder County Office of Emergency Management and the State of Colorado Office of Emergency Management.

SIGNED and made immediately effective this 3rd day of August, 2020, at 9:30 a.m./p.m.

CITY OF LAFAYETTE, COLORADO



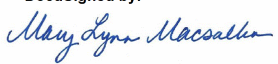
Fritz Sprague, City Administrator

ATTEST:



Lynette Beck, CMC, City Clerk

APPROVED AS TO FORM:

DocuSigned by:

CC3735D085094AE...
Mary Lynn Macsalka, City Attorney