



Council Agenda Report

To: Mayor Stewart and the Honorable Members of the City Council

Prepared by: Kelsey Pettijohn, City Clerk

Approved by: Joseph D. Toney, Acting City Manager

Date prepared: February 28, 2025 Meeting date: March 4, 2025

Subject: Confirmation of the Director of Emergency Services Order Relating to the Palisades Fire Recovery

RECOMMENDED ACTION: Confirm the Order of the Director of Emergency Services dated February 28, 2025, directing law enforcement to set up and police resident-only access checkpoints at specified roads in response to the Palisades Fire recovery and extending the order through March 14, 2025.

FISCAL IMPACT: No additional appropriation is required. Potential costs include Los Angeles County Sheriff's resources.

STRATEGIC PRIORITY: This item supports the Public Safety and day-to-day operations identified in the Adopted FY 2024-25 Strategic Priority Project List. Responding to disasters such as the Palisades Fire and supporting community recovery is the City's most immediate and top priority as part of the city's fundamental operations.

DISCUSSION: The Palisades Fire has had a devastating impact on Malibu, requiring significant coordination with multiple agencies, stakeholders, and community members to address recovery, preparedness, and safety concerns. An unfortunate outcome of the fire has been thefts from empty homes in evacuation zones. The Los Angeles County Sheriff's Department has made a number of arrests.

To combat this sad trend, Governor Newsom issued Executive Order N-12-25 directing the California Highway Patrol (CHP), in consultation with the Governor's Office of Emergency Services (OES), to engage local law enforcement agencies to develop a plan for enforcing, and support them in enforcing, relevant state laws, including, but not limited to, Penal Code section 602 (prohibiting trespassing) and Penal Code section 647(h) (prohibiting loitering with intent to commit crimes of opportunity), and Chapter 9 of Division

11 of the Vehicle Code, as well as relevant local laws and ordinances, in areas previously subject to mandatory evacuation orders, in order to protect private property and minimize the impacts on ongoing recovery efforts.

Following the Executive Order and pursuant to his authority under Government Code Section 8634 and Malibu Municipal Code Section 2.52.060(A)(1), the City's Director of Emergency Services issued the order attached to this report ("Order") on February 13, 2025. The Order directed law enforcement to set up and police resident-only access checkpoints at the following roads off Pacific Coast Highway:

1. Carbon Canyon
2. Rambla Vista (two entrances)
3. Rambla Pacifico
4. Las Flores
5. Big Rock
6. Tuna Canyon
7. Pena Road
8. Carbon Beach Terrace

The Order was confirmed by the City Council on February 24, 2025 and was in effect until February 28, 2025.

On February 26, 2025, the California National Guard deployment was extended through March 14, 2025.

On February 28, 2025, City's Director of Emergency Services issued an order extending the resident-only access order through March 14, 2025.

Malibu Municipal Code Section 2.52.060(A)(1) requires the City Council to confirm the Order at the earliest practicable time. As today's meeting is the earliest practicable time for the City Council to act, it is recommended the Council confirm the Order.

ALTERNATIVES: Do not confirm the Director of Emergency Services Order and terminate the order.

ATTACHMENTS:
Director of Emergency Services Order, dated February 28, 2025

ORDER OF THE DIRECTOR OF EMERGENCY SERVICES
FOR THE CITY OF MALIBU

WHEREAS, on January 7, 2025, Governor Newsom proclaimed a State of Emergency to exist in Los Angeles and Ventura Counties due to fire and windstorm conditions that caused several fires including the Palisades Fire;

WHEREAS, on January 7, 2025, the Director of Emergency Services issued a Proclamation of Existence of Local Emergency in response to the Palisades Fire, later ratified by the City Council;

WHEREAS, an unfortunate outcome of the fire has been thefts from empty homes in evacuation zones for which the Los Angeles County Sheriff’s Department has made a number of arrests;

WHEREAS, on January 19, 2025, as part of fire recovery efforts, Governor Newsom issued Executive Order N-12-25 directing the California Highway Patrol, in consultation with the Governor’s Office of Emergency Services, to engage local law enforcement agencies to develop a plan for enforcing, and support them in enforcing, relevant state laws, including, but not limited to, Penal Code section 602 (prohibiting trespassing) and Penal Code section 647(h) (prohibiting loitering with intent to commit crimes of opportunity), and Chapter 9 of Division 11 of the Vehicle Code, as well as relevant local laws and ordinances, in areas previously subject to mandatory evacuation orders, in order to protect private property and minimize the impacts on ongoing recovery efforts that may be caused by entry of large numbers of individuals who do not reside in these neighborhoods;

WHEREAS, on February 13, 2025, the City’s Director of Emergency Services issued an order directing law enforcement to set up and police resident-only access checkpoints at the following roads off Pacific Coast Highway (“Checkpoints”):

1. Carbon Canyon
2. Rambla Vista (two entrances)
3. Rambla Pacifico
4. Las Flores
5. Big Rock

- 1 6. Tuna Canyon
- 2 7. Pena Road
- 3 8. Carbon Beach Terrace

4 WHEREAS, on February 25, 2025, the City Council confirmed the Order at the earliest
5 practicable time, as required by Malibu Municipal Code Section 2.52.060(A)(1);

6 WHEREAS, recitals in the Order not restated in this order are hereby incorporated by
7 reference.

8 WHEREAS, the Order is set to expire on February 28, 2025 unless extended by the Director
9 of Emergency Services;

10 WHEREAS, under the jurisdiction of the Los Angeles County Sheriff's Department (LASD),
11 LASD personnel and the California National Guard (CNG) remain actively engaged in a range of
12 operations, including traffic control, home checks, humanitarian relief, looter suppression, and roving
13 saturation security patrols;

14 WHEREAS, CNG soldiers are currently deployed at the Checkpoints and City has requested
15 the CNG to extend their presence beyond the expiration of the Order to protect life and property from
16 increased thefts of empty homes and other criminal activity spurred by the Palisades Fire; and

17 WHEREAS, the CNG has approved extending its deployment through March 14, 2025.

18 NOW THEREFORE, IT IS HEREBY PROCLAIMED AND ORDERED by the Director of
19 Emergency Services of the City of Malibu that the Order be extended through March 14, 2025. Any
20 amendment to or rescission of this extension the Order shall be in writing and given widespread publicity
21 and notice.

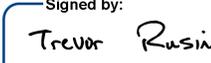
22 Dated: 2/28/2025
23 _____

24 Approved as to Form:

25 Dated: 2/28/2025
26 _____

Signed by:


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 Joseph D. Toney, Acting City Manager
 Director of Emergency Services
 City of Malibu

Signed by:


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 Trevor Rusin
 City Attorney