City Council Meeting
10-21-26
Item
1.A.

Council Agenda Report

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

Prepared by: Kelsey Pettijohn, City Clerk

Reviewed by: Jesse Mays, Assistant City Manager

Approved by: Joseph D. Irvin, City Manager

Date prepared: October 19, 2026 Meeting date: October 21, 2026

Subject: Bryson Fire – Director of Emergency Services' Proclamation of the Existence of a Local Emergency

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RECOMMENDED ACTION: 1) Receive and file this report regarding the Director of Emergency Services' proclamation of a local emergency in response to the Bryson Fire; or 2) If conditions of disaster continue to exist, confirm the existence of a local emergency and ratify the proclamation by resolution or minute order.

FISCAL IMPACT: There is no fiscal impact associated with the recommended action.

STRATEGIC PLAN IMPLEMENTATION: N/A.

DISCUSSION: The City has adopted an emergency plan that includes an emergency services organization that is activated in the case of natural disasters. This organization allows the City to quickly respond and coordinate the functions of the City with other public agencies/organizations and those affected by the disaster. Title 2, Chapter 2.52 of the Malibu Municipal Code empowers the Director of Emergency Services to proclaim the existence of a local emergency when the City is affected by a public calamity and the City Council is not in session. The Director's proclamation must be ratified by the City Council within seven days or it will expire.

Per Malibu Municipal Code section 2.52.020 an emergency is defined as: "the actual or threatened existence of conditions of disaster or of extreme peril to the safety of persons and property within this city caused by such conditions as air pollution, fire, flood, storm, landslide, epidemic, riot, or earthquake, or other conditions, including conditions resulting

from war or the imminent threat of war, but other than conditions resulting from a labor controversy, which conditions are or are likely to be beyond the control of the services, personnel, equipment, and facilities of this city, requiring the combined forces of other political subdivisions to combat."

On October 15, 2026, at approximately 4:50 p.m., the Bryson Fire began burning near Encinal Canyon Road and Mulholland Highway and was moving south-southwest toward the City. The fire, combined with Red Flag Warning conditions and power outages, created conditions of extreme peril to the safety of persons and property. The Director of Emergency Services proclaimed the existence of a local emergency on October 15, 2026, after evacuation warnings were issued for two of the City's four evacuation zones, MAL-C113 and MAL-C114. The City activated its Emergency Operations Center at 5:00 p.m. that day. The center operated with 24-hour staffing until 7:00 p.m. on October 17, 2026, while the City monitored conditions and distributed public information. Although the Red Flag conditions contributed to rapid fire growth during the first several hours, firefighters, supported by aerial resources, held the containment line and prevented further spread. As of the date of this report, the fire is 83% contained at 146.2 acres, all evacuation orders and warnings have been lifted, and no property within the City of Malibu was damaged. Power has also been restored to all circuits following the Public Safety Power Shutoff event.

The Director of Emergency Services' proclamation is scheduled to expire on October 22, 2026, unless ratified by the City Council. As described in this report, the conditions necessitating the state of local emergency no longer exist and staff recommends that the City Council receive and file this report and allow the proclamation to expire.

If existing conditions of disaster are identified after the date of this report, the City Council may ratify the Director's proclamation and declare a state of local emergency. If the proclamation is ratified, the City Council would need to review, and as needed renew, this action at least every 60 days.

ATTACHMENTS:

1. Proclamation of Existence of a Local Emergency

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City of Malibu

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PROCLAMATION OF EXISTENCE OF LOCAL EMERGENCY
(By the Director of Emergency Services)

AN EXECUTIVE ORDER OF THE DIRECTOR OF EMERGENCY SERVICES OF THE CITY OF MALIBU PROCLAIMING THE EXISTENCE OF A LOCAL EMERGENCY

The Director of Emergency Services for the City of Malibu does hereby find, order and declare as follows:

WHEREAS, the California Emergency Services Act, Government Code section 8550, et seq., authorizes the proclamation of a local emergency when conditions of disaster or extreme peril to the safety of persons and property within the territorial limits of a city exist; and

WHEREAS, Title 2, Chapter 2.52 of the City of Malibu's Municipal Code (MMC) empowers the Director of Emergency Services to proclaim the existence or threatened existence of a local emergency when the City Council is not in session; and

WHEREAS MMC section 2.52.020 defines an "emergency" as the actual or threatened existence of conditions of disaster or of extreme peril to the safety of persons and property within the City caused by such conditions as air pollution, fire, flood, storm, landslide, epidemic, riot, or earthquake, or other conditions, including conditions resulting from war or the imminent threat of war, but other than conditions resulting from a labor controversy, which conditions are or are likely to be beyond the control of the services, personnel, equipment, and facilities of this city, requiring the combined forces of other political subdivisions to combat; and

WHEREAS, conditions of disaster and/or extreme peril to the safety of persons and property have arisen and/or are threatened as the result of the Bryson Fire which started at approximately 4:50 p.m. near Encinal Cyn Road & Mulholland Highway. These conditions, both actual and threatened, meet the definition of an emergency as defined in MMC section 2.52.020 and are detailed more fully in this proclamation including as follows:

(1) A Red Flag Warning was issued by the National Weather Service for October 15, 2026 at 6:00 a.m. and continuing to October 17, 2026 at 8:00 p.m. due to expected strong Santa Ana Winds and low humidity; and

(2) The fire is currently burning out of control at 101.5 acres and moving South-Southwest towards the City. The City is experiencing conditions of extremely low humidity, high winds, high temperatures, and the effects of multiple years of severe drought; and

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(3) Public Safety Power Shutoffs are being experienced throughout the City, affecting the Galahad, Maguire, Cuthbert, Merlin, Seabound, and Serra circuits, and their surrounding areas--impacting thousands of Southern California Edison customers. The power outages are also impacting major intersections along evacuation routes, with many traffic signals running on limited battery or generator power; and

(4) Hard road closures are in place at the following intersections: Pacific Coast Highway (PCH) and Encinal, PCH and Decker Road, Kanan Road and Mullholland Highway, and Decker Road and Mullholland Highway; and

(5) Evacuation warnings have been issued for two out of the four evacuation zones in the City, MAL-C113 and MAL-C114; and

(6) The City Council of the City of Malibu is not in session (and cannot immediately be called into session);

NOW, THEREFORE, THE DIRECTOR OF EMERGENCY SERVICES does hereby find that a local emergency exists due to the conditions currently existing in the City and surrounding area, including those listed above, and proclaims that a local state of emergency now exists throughout the City; and

IT IS FURTHER PROCLAIMED AND ORDERED that during the existence of said local emergency, the powers, functions, and duties of the emergency organization of this City shall be those prescribed by city and state law, by ordinances, and resolutions of this city, and by the City of Malibu Emergency Operations Plan, as approved by the City Council on October 14, 2024, and Resolution No. 24-65 designating additional successors to the position of Director of Emergency Services.

In accordance with the California Disaster Assistance Act, the City further requests that the Governor declare an emergency in Los Angeles County and waive regulations that may hinder response and recovery efforts; and that recovery assistance be made available under the California Disaster Assistance Act, and access to State and Federal resources be expedited by the State.

ADOPTED this 15th day of October 2026.

By: Signed by: Joseph D. Irvin F849C5C36AED48F...

Joseph D. Irvin, City Manager
Director of Emergency Services

ATTEST:

Signed by: Kelsey Pettijohn BB0853E696394F4...

Kelsey Pettijohn, City Clerk
(seal)

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This proclamation has been issued in accordance with applicable law, is in effect and carries the force of law through October 22, 2026 after which it will expire unless this proclamation of local emergency is ratified by the City Council before its expiration.

REVIEWED AND APPROVED AS TO FORM:

Signed by:
Trevor L. Rusin
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Trevor Rusin, City Attorney