City Council Meeting
10-26-26
Item 1.B.8.

Council Agenda Report

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

Prepared by: Kelsey Pettijohn, City Clerk

Reviewed by: Kellan Martz, Assistant City Attorney

Approved by: Joseph D. Irvin, City Manager

Date prepared: October 23, 2026 Meeting date: October 26, 2026

Subject: Declaration of Local Emergency Due to Tropical Storm Rachel

---

RECOMMENDED ACTION: Adopt Resolution No. 26-71 declaring the existence of a local emergency due to the impacts of Tropical Storm Rachel.

FISCAL IMPACT: There is no direct fiscal impact with the recommended action. The existence of the local emergency may help qualify the City for possibile reimbursement for disaster response expenditures when a State of Emergency has been declared by the Governor.

STRATEGIC PLAN IMPLEMENTATION: This item supports the City's 2025-2028 Strategic Plan Goal 3: Advance Infrastructure Resilience.

Goal 3: Advance Infrastructure Resilience
Objective 3.1: Develop and fund a comprehensive Infrastructure Resilience Plan.
Strategy: Coastal Resiliency Infrastructure

DISCUSSION: The City has adopted an emergency plan that includes an emergency services structure that is activated in the event of natural disasters. This structure allows the City to respond quickly and coordinate City functions with other public agencies, organizations, and persons affected by the emergency. California Government Code section 8630 and Malibu Municipal Code Chapter 2.52 authorize the City Council to proclaim a local emergency when actual or threatened conditions of disaster or extreme peril exist within the City.

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 September 10, 2026, the National Weather Service Climate Prediction Center issued an advisory stating that El Niño is strengthening, with a greater than 90% chance of a very strong event during fall and winter 2026-2027 and a 75% chance of a historic event exceeding the strength of previous El Niño events dating back to 1950. Conditions of this type are historically associated with more frequent and intense rainstorms, flooding, mudslides, landslides, storm surges, coastal erosion, and coastal flooding. Although the precise impacts cannot yet be known, the forecast presents a substantial threat to persons, property, and critical infrastructure throughout Malibu.

El Niño conditions may affect multiple areas of Malibu, including the Palisades Fire burn area, Pacific Coast Highway, and beachfront properties. Heavy rainfall may destabilize burned slopes and increase the risk of flooding, mudslides, and debris flows, while Kelvin waves, high tides, and increased wave activity may worsen coastal erosion.

On September 28, 2026, the City Council adopted Resolution No. 26-68 declaring the existence of a local emergency due to the threat of extreme weather conditions caused by the forecasted 2026-2027 El Niño event. This emergency declaration addresses threatened conditions of extreme peril and gives the City greater ability to quickly respond without delay, coordinate with other governmental agencies, and obtain resources needed to prepare for, mitigate, and respond to emergency conditions. On September 21, 2026, California Governor Gavin Newsom proclaimed a State of Emergency to support El Niño preparedness; however, that proclamation did not provide reimbursement for local agency emergency expenses under the California Disaster Assistance Act.

County officials have advised the City to issue an incident-specific local emergency proclamation for each storm, document damages for the applicable incident period, and use that documentation when requesting assistance.

On October 9, 2026, Tropical Storm Rachel brought strong, gusty winds; heavy rainfall; and life-threatening surf and rip-current conditions. Combined with high tides and ocean swells, the storm caused significant erosion and damaged private property and public infrastructure. At Westward Beach Road, which had already sustained damage from Hurricane Genevieve and Tropical Storm Marie, the storm caused additional roadway damage, including undermining of the roadway, County water main, watermain (fire

hydrant and mainline. These conditions may also affect ingress and egress to Birdview Avenue and access to the Point Dume Beach parking lot.

On October 15, 2026, California Governor Gavin Newsom proclaimed a State of Emergency in response to Tropical Storm Rachel. The proclamation authorized assistance to local governments under the California Disaster Assistance Act.

Additional, urgent repairs in and around Westward Beach Road, including emergency revetment work, will be necessary in the coming days and/or weeks to alleviate the present conditions of disaster or extreme peril to the safety of persons and property related to Tropical Storm Rachel. Upcoming storm surges and high tides associated with the forecasted 2026-2027 El Niño event create a serious risk of further damage, likely exacerbating the damages and other concerns related to Tropical Storm Rachel.

Resolution No. 26-71 will declare the existence of a local emergency arising from Tropical Storm Rachel. If adopted, the City Council will review, and as needed renew, this action at least every 60 days. The declaration will enable City staff to take actions to respond to the conditions created by the storm and will assist the City in obtaining aid and other assistance.

ATTACHMENTS:

1. Resolution No. 26-71

RESOLUTION NO. 26-71

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MALIBU DECLARING THE EXISTENCE OF A LOCAL EMERGENCY DUE TO THE IMPACTS OF TROPICAL STORM RACHEL

The City Council of the City of Malibu does hereby find, order and resolve as follows:

SECTION 1. Recitals.

A. On October 9, 2026, Tropical Storm Rachel brought strong, gusty winds, heavy rainfall, and life-threatening surf and rip-current conditions to the City of Malibu. Combined with high tides and ocean swells, the storm caused significant coastal erosion and damaged private property and public infrastructure, creating conditions of disaster and extreme peril to the safety of persons and property within the City.

B. Tropical Storm Rachel caused additional damage at Westward Beach Road, which had previously sustained damage from Hurricane Genevieve and Tropical Storm Marie, including undermining of the roadway, the County water main, a fire hydrant, and the mainline. These conditions may impair ingress and egress to Birdview Avenue and access to the Point Dume Beach parking lot.

C. Additional repairs in and around Westward Beach Road, including emergency revetment work, are necessary to alleviate the present conditions of disaster or extreme peril to the safety of persons and property. Upcoming storm surges and high tides associated with the forecasted 2026-2027 El Niño event create a serious risk of further exacerbating the damage from Tropical Storm Rachel.

D. On October 15, 2026, the Governor of California proclaimed a State of Emergency in response to Tropical Storm Rachel and authorized assistance to local governments under the California Disaster Assistance Act.

E. The conditions caused by Tropical Storm Rachel require immediate action to protect life and property, repair and stabilize damaged public infrastructure, coordinate with other governmental agencies, and obtain equipment, materials, services, construction work, aid, and other assistance without the delay attendant to ordinary procedures.

G. California Government Code Section 8630 and Malibu Municipal Code Chapter 2.52 authorize the City Council to proclaim the existence of a local emergency when actual or threatened conditions of disaster or extreme peril exist within the City. California Government Code Section 8634 further authorizes the City Council to promulgate orders and regulations necessary to protect life and property during the local emergency.

SECTION 2. It is hereby proclaimed that:

A. The above recitals are true and correct.

B. The impacts of Tropical Storm Rachel have caused conditions of disaster and extreme peril to the safety of persons and property within the City, including significant coastal erosion and damage to private property and public infrastructure.

C. The damage at and around Westward Beach Road, including undermining affecting the roadway and water infrastructure and potential impacts to ingress, egress, and public access, requires emergency stabilization, repair, and protective work. Anticipated storm surges and high tides create a serious risk of additional damage.

D. The conditions of disaster and extreme peril caused by Tropical Storm Rachel warrant and necessitate the proclamation of the existence of a local emergency.

E. The City Director of Emergency Services, or designee, is directed and authorized to address any and all impacts and conditions caused by the emergency and to obtain any and all aid and assistance from local, county, state, or federal agencies, including but not limited to aid and assistance pursuant to the California Disaster Assistance Act, California Government Code Section 8690.

F. The City Manager, as the Purchasing Officer of the City pursuant to Malibu Municipal Code Section 2.56.040 (B) is authorized to make purchases of supplies or services exceeding sixty thousand dollars ($60,000.00) in compliance with Malibu Municipal Code, Chapter 2.56.

SECTION 3. It is hereby proclaimed that a local emergency arising from the impacts of Tropical Storm Rachel now exists throughout the City. It is further proclaimed and ordered that during the existence of this local emergency the powers, functions, and duties of the Director of Emergency Services and the emergency organization of this City shall be those prescribed by State law and by the ordinances and resolutions of this City.

SECTION 4. The local emergency shall continue until its termination is proclaimed by the City Council. As required by law, the City Council shall review the need to continue the local emergency at least every 60 days until it is terminated.

SECTION 5. This Resolution shall become effective immediately upon its passage and adoption.

SECTION 6. The City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

PASSED, APPROVED, and ADOPTED this 26th day of October 2026.

_____
BRUCE SILVERSTEIN, Mayor

ATTEST:

KELSEY PETTIJOHN, City Clerk
(seal)

APPROVED AS TO FORM:

THIS DOCUMENT HAS BEEN REVIEWED
BY THE CITY ATTORNEY'S OFFICE

TREVOR RUSIN, Interim City Attorney
(seal)