City Council Meeting
11-09-26
Item
1.B.7.

Council Agenda Report

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

Prepared by: Kelsey Pettijohn, City Clerk

Approved by: Joseph D. Irvin, City Manager

Date prepared: November 5, 2026 Meeting date: November 9, 2026

Subject: Resolution Extending the Declaration of the Existence of a Local Emergency Regarding Sea Level Drive Sinkhole

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RECOMMENDED ACTION: Adopt Resolution No. 26-76 extending the declaration of the existence of a local emergency as a result of a sinkhole and associated hazardous conditions along Sea Level Drive in the City of Malibu.

FISCAL IMPACT: There is no fiscal impact with the recommended action. The existence of the local emergency may help qualify the City for the possibility of reimbursement for disaster response expenditures should a Federal or State disaster be declared.

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: On September 8, 2026, a sinkhole emerged near 31630 Sea Level Drive. Based on available information, conditions associated with the sinkhole are believed to have begun developing on September 7, 2026. The sinkhole is approximately twenty-five to thirty feet deep and thirty by sixty feet wide.

The sinkhole poses an imminent danger to homes and residents along Sea Level Drive. Seven residences have been red-tagged due to hazardous conditions resulting from the sinkhole, and an additional 24 residences were identified for red-tagging due to the loss of safe vehicular access. Gas service to the affected area remains shut off, and water service may also be discontinued as conditions warrant. These circumstances have

significantly impaired access to affected properties and created conditions requiring immediate emergency response and protective measures.

Emergency personnel access is severely constrained and may be impassable due to the large portion of the roadway that has collapsed. The remaining intact portion of the roadway is too narrow to accommodate emergency response vehicles, including fire engines and other large apparatus. This creates a substantial risk to public safety and emergency response capabilities.

Due to the immediate and ongoing threat to persons and property, and the significant impact to access and emergency response capabilities, the Director of Emergency Services determined that conditions of extreme peril existed and proclaimed that a local emergency existed throughout the City of Malibu on September 8, 2026. On September 8, 2026, pursuant to his authority under Malibu Municipal Code Section 2.52.060, the Director of Emergency Services issued an Order establishing a mandatory and immediate evacuation for the western portion of Sea Level Drive beginning at 31615 Sea Level Drive through the end of the street, including residences on the north and south sides of the street. The Order applies to all persons, except emergency personnel engaged in official duties, including residents, guests, and visitors. The Los Angeles County Sheriff's Department, in its capacity as the City's local law enforcement agency, was directed to effectuate the Order. The Order was confirmed by the City Council on September 14, 2026, and remains in full force and effect.

On September 14, 2026, the City Council adopted Resolution No. 26-62, confirming the existence of the local emergency and ratifying the Proclamation of Existence of a Local Emergency.

Conditions are likely to continue to worsen with forecasted high tides and rains. An El Niño rainy season is forecasted for fall and winter 2026. According to the NOAA Climate Prediction Center, the El Niño weather pattern is strengthening, with a greater than 90 percent chance of a very strong, or "Super," event. A strengthening "Super" El Niño brings a high risk of record sea levels, severe coastal flooding, and dramatic beach narrowing to the California coast this winter.

Government Code Section 8630 requires that the City Council review the need for continuing a local emergency at least once every 60 days until the City Council terminates the local emergency.

As such, City staff recommends adopting Resolution No. 26-76 extending the declaration of the existence of a local emergency. If adopted, the City Council will review, and as needed renew, this action at least every 60 days.

ATTACHMENTS:

1. Resolution No. 26-76

RESOLUTION NO. 26-76

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MALIBU EXTENDING THE DECLARATION OF THE EXISTENCE OF A LOCAL EMERGENCY AS A RESULT OF A SINKHOLE AND ASSOCIATED HAZARDOUS CONDITIONS ALONG SEA LEVEL DRIVE IN THE CITY OF MALIBU

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

SECTION 1. Recitals.

A. On September 8, 2026, a sinkhole emerged near 31630 Sea Level Drive. Based on currently available information, conditions associated with the sinkhole are believed to have begun developing on September 7, 2026. The sinkhole is approximately twenty-five to thirty feet deep and thirty by sixty feet wide.

B. The sinkhole poses imminent danger to the homes and residents along Sea Level Drive. Seven residences have been red-tagged due to hazardous conditions resulting from the sinkhole, and an additional 24 residences were to be red-tagged due to the loss of safe vehicular access. Gas service to the affected area has been shut off and water service may also be discontinued as conditions warrant. These circumstances have significantly impaired access to affected properties and created conditions requiring immediate emergency response and protective measures.

D. Emergency personnel access is severely constrained and may be impassable due to the large portion of the road that has collapsed. The intact portion of the roadway is too narrow to accommodate emergency response vehicles, including fire engines and other large apparatus, creating a substantial risk to public safety and emergency response capabilities.

E. Conditions are likely to worsen with forecasted high tides and rains. An El Niño rainy season is forecasted for fall and winter 2026. According to the NOAA Climate Prediction Center, the El Niño weather pattern is strengthening, with a greater than 90% chance of a very strong (Super) event. A strengthening "super" El Niño brings a high risk of record sea levels, severe coastal flooding, and dramatic beach narrowing to the California coast this winter.

F. On September 8, 2026, pursuant to his authority under Malibu Municipal Code Section 2.52.060, the Director of Emergency Services issued an Order establishing a mandatory and immediate evacuation for the western portion of Sea Level Drive beginning at 31615 Sea Level Drive through the end of the street, including residences on the north and south sides of the street. The Order applies to all persons, except emergency personnel engaged in official duties, including residents, guests, and visitors. The Los Angeles County Sheriff's Department, in its capacity as the City's local law enforcement agency, was directed to effectuate the Order. The Order was confirmed by the City Council on September 14, 2026, and remains in full force and effect.

G. The Director of Emergency Services of the City proclaimed the existence of a local emergency on September 8, 2026.

H. On September 14, 2026, the City Council adopted Resolution No. 26-62, confirming the existence of the local emergency and ratifying the Proclamation of Existence of a Local Emergency.

SECTION 2. The City Council has reviewed the staff report and conditions justifying the state of local emergency in the City and finds that the declaration of a local emergency remains valid and necessary because accelerated erosion continues to create dangerous conditions that are expected to worsen during the anticipated super El Niño rainy season. Such conditions result in extreme peril to the safety of persons and property located in the City.

SECTION 3. The local emergency shall be deemed to continue and exist until its termination is proclaimed by the City Council. As required by law, the City Council shall review the need to continue the state of emergency every 60 days until this resolution is terminated.

SECTION 4. This Resolution shall become effective immediately upon its passage and adoption.

SECTION 5. 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 __ day of _____ 2026.

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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)