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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 DECLARING 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 said city is affected or likely to be affected by a public calamity and 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, the following circumstances exist:

Conditions of extreme peril to the safety of persons and property have arisen as the result of a sinkhole on Sea Level Drive. These conditions, both actual and threatened, result from the circumstances described in MMC section 2.52.020 and explained more fully in this proclamation.

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. Conditions are continuing to be evaluated, and the full extent of the impacts is not yet known.

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The sinkhole poses imminent danger to the homes and residents along Sea Level Drive. As of the time of this proclamation, seven residences have been red-tagged due to hazardous conditions resulting from the sinkhole, and an additional 24 residences will 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.

Conditions are likely to worsen with forecasted high tides and rains. Hurricane Marie has caused increased rainfall and high surf. A Coastal Flood Advisory has been issued until 11:00 p.m. on September 8, 2026. 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.

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.

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

NOW, THEREFORE, THE ACTING DIRECTOR OF EMERGENCY SERVICES HEREBY does hereby find that a local emergency exists as discussed 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.

ADOPTED this 8th day of September 2026.

Signed by:
Joseph Irvin
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By: _____
Joseph D. Irvin, City Manager
Director of Emergency Services

ATTEST:

Signed by:
Kelsey Pettijohn
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_____
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 until September 15, 2026 on which date it expires unless the declaration of local emergency is ratified by the City Council within 7 days of this date.

REVIEWED AND APPROVED AS TO FORM:

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Trevor Rusin, Assistant City Attorney