



Council Agenda Report

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

Prepared by: Kelsey Pettijohn, City Clerk

Approved by: Steve McClary, City Manager

Date prepared: April 5, 2023 Meeting date: April 24, 2023

Subject: Termination of the State of a Local Emergency for the 2023 Winter Storms

RECOMMENDED ACTION: Adopt Resolution No. 23-18 terminating the state of local emergency declared as a result of the 2023 Winter Storms.

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

WORK PLAN: This item was not included in the Adopted Work Plan for Fiscal Year 2022-2023. This project is part of normal staff operations.

DISCUSSION: On January 8, 2023, a rainstorm began that delivered more than 4 inches of rain in many areas of the City, which came after receiving more than 5 inches of rain in the prior weeks. This series of storms caused rock and mudslides on canyon roads and street flooding and created unsafe conditions for passage. Public Works crews worked throughout the day and night monitoring City streets, inspecting and clearing City storm drains, and clearing significant storm related debris including rocks, mud, sediment, and downed trees and branches.

On January 9, 2023, the President of the United States declared a federal emergency as a result of successive and severe winter storms, flooding, and mudslides. Additionally, on January 16, 2023, California Governor Gavin Newsom declared a State of Emergency as a result of the severe winter storms.

The Director of Emergency Services of the City proclaimed the existence of a local emergency on January 17, 2023.

On January 23, 2023, the City Council adopted Resolution No. 23-04 ratifying the proclamation of the existence of a local emergency.

On March 13, 2023 the City Council adopted Resolution No. 23-13 extending the declaration of the existence of a local emergency due to additional rain forecasted for the coming weeks, which was likely to increase flooding and rock and mudslide risks.

Government Code Section 8630 requires that the governing body proclaim the termination of the local emergency at the earliest possible date that conditions warrant. Although debris removal continues, no significant rain is forecasted and City streets and storm drains have been cleared. The situation resulting from the conditions of extreme peril are now within the control of the normal protective services, personnel, equipment, and facilities of and within the City of Malibu.

Since the conditions that prompted the emergency declaration have improved significantly, staff recommends adoption of Resolution No. 23-18 terminating the state of local emergency.

ATTACHMENTS: Resolution No. 23-18

RESOLUTION NO. 23-18

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MALIBU
TERMINATING THE STATE OF THE LOCAL EMERGENCY DECLARED
DUE TO THE 2023 WINTER STORMS

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

SECTION 1. Recitals.

A. On January 8, 2023, a rainstorm began that delivered more than 4 inches of rain in many areas of the City, which came after receiving more than 5 inches of rain in the prior weeks, and caused rock and mudslides on canyon roads and street flooding, creating unsafe conditions for passage.

B. Public Works crews worked throughout the day and night monitoring City streets, inspecting and clearing City storm drains, and clearing significant storm related debris including rocks, mud, sediment, and downed trees and branches.

C. The Director of Emergency Services of the City proclaimed the existence of a local emergency on January 17, 2023.

D. On January 23, 2023, the City Council adopted Resolution No. 23-04 ratifying the proclamation of the existence of a local emergency.

E. On March 13, 2023, the City Council adopted Resolution No. 23-13 extending the declaration of the existence of a local emergency due to additional rain forecasted for the coming weeks, which was likely to increase flooding and rock and mudslide risks.

F. Although debris removal continues, no significant rain is forecasted and City streets and storm drains have been cleared. The situation resulting from the conditions of extreme peril are now within the control of the normal protective services, personnel, equipment, and facilities of and within the City of Malibu.

SECTION 2. The City Council does hereby terminate the state of a local emergency.

SECTION 3. 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 ___ 2023.

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