

RESOLUTION NO. 25-49

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MALIBU DECLARING THE EXISTENCE OF A LOCAL EMERGENCY AND INITIATING A PROGRAM FOR REDUCING THE RISK OF FIRES ASSOCIATED WITH INDIVIDUALS ENGAGED IN UNPERMITTED CAMPING

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

SECTION 1. Recitals.

- A. Wildfires are a frequent disaster in California, causing significant harm and loss to individuals, communities, and wildlife. Malibu is among the areas devastated by wildfire - losing hundreds of homes and acres of vegetation and suffering hundreds of millions of dollars in damages in the 2025 Palisades Fire.
- B. A vegetation fire in Malibu at any time of the year poses a danger to life and property. A vegetation fire during a Red Flag event poses extreme peril to the safety of persons and property within Malibu. Historically, the most devastating wildfires in Malibu have occurred between September and January when the wildland and chaparral are at their driest, the Santa Ana winds are most prevalent, and the humidity is at its lowest.
- C. CAL Fire has identified three zones based on increasing fire hazard severity: medium, high, and very high. Considering various factors such as historical fire patterns, proximity to wildland and parkland, abundant chaparral, and severe drought, CAL FIRE has classified the entire area where the City of Malibu is situated as a Very High Fire Hazard Severity Zone (VHFHSZ).
- D. Live fuel moisture (LFM) is a common indicator of fire risk and an LFM of 60% or lower is considered critical. Each year, local fire risk conditions have continually hit critical levels. And as climate change extends and exacerbates our local fire season, the risk of harm or loss of life for individuals increases.
- E. Individuals engaged in unpermitted camping in the VHFHSZ are at significant risk of loss of life due to being trapped by wildfires since they are not likely to receive traditional emergency alerts sent through cell phones. In addition, individuals who are attempting to leave the mountainous region during a wildfire could be trapped by fires that start from the ember cast that precedes the fire front in a wind-driven fire. This situation also increases the risk that emergency responders may have to divert resources from fighting the fire to assist these individuals.
- F. Individuals engaged in unpermitted camping in the VHFHSZ may be reliant on fires for everyday activities, including cooking food and keeping warm. These activities increase the risk of nearby brush catching fire and rapidly spreading.
- G. Malibu has experienced numerous vegetation fires linked to individuals engaged in unpermitted camping in areas designated as VHFHSZ and in 2021, Malibu experienced more than twenty-three fires attributed to this cause.

- H. On June 24, 2024, the City Council adopted Resolution 24-30 which established criteria for declaring the existence of a local emergency and initiating a program for reducing the risk of fires associated with individuals engaged in unpermitted camping in VHFHSZ and establishing criteria for when to terminate the local emergency.
- I. The criteria for declaring the existence of a local emergency were set at an LFM of 65% or less as determined by the Los Angeles County Fire Department Forestry Division for Santa Monica Mountains Chamise.
- J. On September 10, 2025, the Los Angeles County Fire Department Forestry Division posted an LFM of 63% for Santa Monica Mountains Chamise.

SECTION 2. It is hereby proclaimed that:

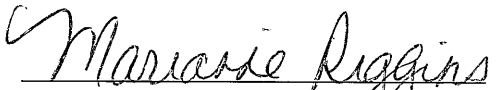
1. The criteria for declaring the existence of a local emergency have been met. As such, the City Council finds that a declaration of local emergency is necessary and will remain in effect until the extreme danger of wildfire subsides.
2. To prevent the occurrences of fire and loss of life and property, unpermitted camping is prohibited in areas designated as a VHFHZ in Malibu.
3. City staff is directed to act in collaboration with the Malibu Outreach Team, Los Angeles County Sheriff's Department (LASD), and the LASD Homeless Outreach Services Team (HOST) to implement a program for reducing the risk of fires associated with individuals who are engaged in unpermitted camping.
4. City staff is directed to work with LASD to remove all individuals engaged in unpermitted camping in any and all areas designated as VHFHZ in Malibu. If necessary to accomplish this object, such individuals should be arrested and prosecuted to the fullest extent permissible by law.

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 and the actions taken and/or proposed herein are not a project pursuant to the California Environmental Quality Act (CEQA) since they are activities that are excluded from the definition of a project by section 21065 of the California Public Resources Code and section 15378(b) of the State CEQA Guidelines. The proposed actions are organizational or administrative activities of government which will not result in direct or indirect physical changes in the environment. In the alternative, find that the actions are exempt from CEQA as specific actions necessary to prevent or mitigate an emergency pursuant to section 21080(b)(4) and section 15269(c) of the State CEQA Guidelines.

SECTION 5. The City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

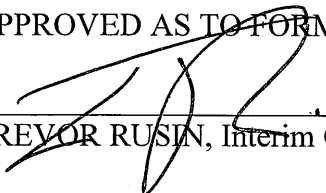
PASSED, APPROVED, and ADOPTED this 29th day of September 2025.


MARIANNE RIGGINS, Mayor

ATTEST:


KELSEY PETTIJOHN, City Clerk
(seal)

APPROVED AS TO FORM:


TREVOR RUSIN, Interim City Attorney

I CERTIFY THAT THE FOREGOING RESOLUTION NO. 25-49 was passed and adopted by the City Council of the City of Malibu at the Regular meeting thereof held on the 29th day of September 2025 by the following vote:

AYES:	5	Councilmembers:	Conrad, Stewart, Uhring, Silverstein, Riggins
NOES:	0		
ABSTAIN:	0		
ABSENT:	0		


KELSEY PETTIGOHN, City Clerk
(seal)