City Council Meeting
08-10-26
Item 7.B.

Council Agenda Report

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

Prepared by: Jorge Rubalcava, Senior Civil Engineer

Reviewed by: Tatiana Holden, Assistant Public Works Director/City Engineer

Approved by: Joseph D. Irvin, City Manager

Date prepared: April 13, 2026 Meeting date: August 10, 2026

Subject: Review of Application Process for Additional Wastewater Allocation in the Civic Center Wastewater Treatment Facility (CCWTF)

RECOMMENDED ACTION: 1) Authorize the development of an application process for properties seeking additional wastewater allocation within Civic Center Wastewater Treatment Facility Phase One; and 2) Provide direction to staff on the development of such process.

FISCAL IMPACT: There is no fiscal impact associated with the recommended action. Should upgrades to the CCWTF be required, funding would be provided through the existing assessment district, which may require modification. Any costs associated with property-specific improvements or revisions would be the responsibility of the requesting property owner.

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

DISCUSSION: On November 5, 2009, the Regional Water Quality Control Board (RWQCB) approved a resolution prohibiting the use of septic systems in the Malibu Civic Center Area. On September 21, 2010, the State Water Resources Control Board (SWRCB) approved the action taken by the RWQCB, thereby amending the State Basin Plan. The plan established certain dates by which properties in the Civic Center area were required to cease discharge and provided for a municipally owned wastewater treatment facility to be constructed.

On June 27, 2011, the Council approved a Memorandum of Understanding (MOU) between the City, the RWQCB and the SWRCB regarding the implementation of the Basin Plan Amendment for the Malibu Civic Center Area Prohibition. The MOU was amended in December 2014 and again in February 2017 to extend certain dates. Under the amended MOU, properties in Phase One of the Prohibition Area (primarily the commercial core of the Civic Center) were required to connect to a centralized wastewater treatment facility by September 30, 2018. All of the developed properties in Phase One were successfully connected by the mandated date, and the facility is completely operational.

The CCWTF was designed with a modular approach, allowing additional equipment and infrastructure required for future Phases Two and Three to be incorporated as needed. The CCWTF was originally designed with a maximum day flow capacity of 276,000 gallons per day (gpd) and a maximum day biochemical oxygen demand (BOD) loading capacity of 668 pounds per day (lb/day). The projected Phase One buildout values assumed that vacant Phase One parcels would ultimately be developed in accordance with the assumptions outlined in the Assessment District (AD) Report, including projected future flows and loading conditions. Based on these projections, the estimated Phase One buildout maximum day flow would be approximately 215,439 gpd, utilizing approximately 78 percent of the facility's current hydraulic capacity. However, the projected Phase One buildout maximum day BOD loading would be approximately 665 lb/day, utilizing approximately 99 percent of the facility's current BOD treatment capacity. Therefore, it is assumed that the CCWTF has no excess treatment capacity within the existing Phase One facilities if all vacant Phase One parcels are fully developed as described in the AD Report.

If Phase One property owners seek to increase their wastewater flows or organic loading beyond the assumptions identified in the AD Report, the City would need to carefully evaluate the impacts on the treatment facility's capacity. This evaluation would include quantifying the additional BOD loading and hydraulic flows, assessing hydraulic and process impacts to the various treatment systems, and identifying any necessary facility upgrades required to accommodate the proposed increases.

The assigned wastewater allocations per the Modified Engineer's Report for each parcel are critical to ensuring that the wastewater treatment plant operates efficiently, remains within its permitted capacity, and complies with applicable regulatory standards.

During the Phase One implementation process, City staff conducted numerous stakeholder meetings. Property owners were provided with the opportunity at that time to negotiate and agree on wastewater allocation based on existing developments and anticipated future development plans.

The City received a land development application from the property owners of 3700 La Paz Lane (APN 4458-022-025) to construct a new single-family residence, a second-unit

guest house, and twenty proposed multi-family residential units on the parcel. The property is zoned Community Commercial. Per the Modified Engineer's Report (2015), this parcel has existing wastewater allocation of 1,469.3125 gpd. As proposed, the development has a total projected demand of 4,900 gpd. This demand exceeds the parcel's assigned wastewater allocation by 3,430.6865 gpd. As part of the review of the land development application, the applicant inquired about the potential availability of additional wastewater allocation for future development within the Phase One boundary.

To evaluate if the process of allowing Phase One parcels to request additional allocations is feasible, staff reviewed the data demonstrating at what capacity the plant currently operates. At present, CCWTF operates below its permitted maximum capacity. On the highest recorded operating day, the plant has operated at approximately 47% of its maximum day design capacity.

However, this operating margin is largely attributable to the fact that Phase One has undeveloped parcels which are not connected to the treatment plant using their allocated wastewater flows. As additional parcels develop and connect using their assigned allocations, this operational buffer will decrease proportionally.

While sufficient hydraulic capacity currently exists within the treatment plant, the wastewater allocation framework established under Phase One was designed to manage long-term buildout conditions and ensure equitable distribution of capacity among properties within the service area.

Staff is seeking Council direction to develop and implement an application process for property owners within the Phase One boundary to request additional wastewater allocation. If approved, the following steps will be implemented:

1. Staff will conduct public outreach to notify property owners within Phase One of the additional wastewater allocation request procedure.
2. Staff will create and distribute the application form for a 60-day period.
3. The submitted requests will be evaluated using engineering, operational, and regulatory criteria to determine whether additional allocation capacity may be available within Phase One. If it is determined that additional capacity can be accommodated within Phase One, modifications to Assessment District will be required.
4. If evaluation results reveal that upgrades to the Treatment Plant are necessary and feasible, staff will report back to Council to seek further direction.

ATTACHMENTS:

1.) Approved Modified Engineer's Report, December 2015

MODIFIED
ENGINEER'S REPORT
CITY OF MALIBU
ASSESSMENT DISTRICT NO. 2015-1
(CIVIC CENTER WASTEWATER TREATMENT FACILITY – PHASE 1)

December 9, 2015

Prepared for

CITY OF MALIBU
23825 Stuart Ranch Road
Malibu, CA 90265

Prepared by

DAVID TAUSSIG & ASSOCIATES, INC.
5000 Birch Street, Suite 6000
Newport Beach, CA 92660

MODIFIED ENGINEER'S REPORT

ASSESSMENT DISTRICT NO. 2015-1
(CIVIC CENTER WASTEWATER TREATMENT FACILITY - PHASE 1)
CITY OF MALIBU

Pursuant to the provisions of the "Municipal Improvement Act of 1913," being Division 12 of the Streets and Highways Code of the State of California and as amended (the "Act"), and in accordance with the Resolution Ordering Changes to the Engineer's Report, being Resolution No. 15-51, adopted by the CITY COUNCIL of the City of Malibu (the "City Council"), STATE OF CALIFORNIA, in connection with the proceedings for ASSESSMENT DISTRICT NO. 2015-1 (Civic Center Wastewater Treatment Facility - Phase I) (hereinafter referred to as the "Assessment District"), the undersigned herewith submits the Modified Engineer's Report for the Assessment District (the "Modified Report"), consisting of seven (7) parts ("Parts") as follows:

PART I - PLANS AND SPECIFICATIONS AND DESCRIPTION OF IMPROVEMENTS

The plans and specifications for the proposed improvements are on file in the Offices of the City Clerk and the Director of Public Works of the City of Malibu (the "City") and are referenced herein and incorporated as if attached and a part of this Modified Report. This Part also contains a description of the proposed improvements to be installed by the Assessment District.

PART II - IMPROVEMENT COST ESTIMATE

This Part contains an estimate of the cost of the proposed improvements, including incidental costs and expenses in connection therewith.

PART III - ANNUAL ADMINISTRATIVE COSTS

This Part contains the maximum annual amount to be assessed to pay costs associated with the administration and collection of assessments, administration or registration of bonds, and/or reserve or other related funds.

PART IV - ASSESSMENT ROLL

This Part contains the following information:

1. A proposed assessment of the total amount of the costs and expenses of the proposed improvements upon the several subdivisions of land within the Assessment District, in proportion to the estimated benefits to be received by such subdivisions, from said improvements, as set forth upon the assessment roll filed herewith and made a part thereof; and

2. A proposed maximum annual assessment upon the several subdivisions of land within the Assessment District to pay costs incurred by the City and not otherwise reimbursed which result from the administration and collection of assessments.

PART V - ASSESSMENT DIAGRAM

This Part contains a diagram showing the Assessment District, the boundaries and the dimensions of the subdivisions of land within said Assessment District, as the same existed at the time of the passage of the Resolution No. 15-27 ("Resolution of Intention"), and is filed herewith and made a part hereof, and part of the assessment.

PART VI - REPORT UNDER PART 7.5 OF DIVISION 4 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE

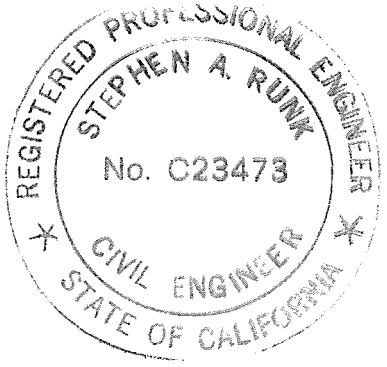
This Part satisfies the requirements of Part 7.5 of the "Special Assessment Investigation, Limitation and Majority Protest Act of 1931," which is Division 4 of the Streets and Highways Code of the State of California. This Part identifies the total principal amount of all unpaid special assessments required or proposed to be levied, the total true value of the parcels within the Assessment District, and the total amount of the principal sum of unpaid special assessments proposed by this Assessment District.

PART VII - CERTIFICATES

This Part shall consist of sub-parts with the following information:

A. Rights-of-way certificate; and
B. Environmental certification.

Dated this 9 day of DEC., 2015.



David Taussig & Associates, Inc.

Steve Runk
R.C.E. C23473
Assessment Engineer
City of Malibu
State of California

PRELIMINARY APPROVAL BY THE CITY COUNCIL OF THE CITY OF MALIBU, CALIFORNIA, ON THE 9th DAY OF June, 2015.

Lisa Pope

City Clerk
City of Malibu
State of California

FINAL APPROVAL BY THE CITY COUNCIL OF THE CITY OF MALIBU, CALIFORNIA, ON THE 25th DAY OF January 2016.

Lisa Pope

City Clerk
City of Malibu
State of California

MODIFIED ENGINEER'S REPORT

ASSESSMENT DISTRICT NO. 2015-1
(CIVIC CENTER WASTEWATER TREATMENT FACILITY - PHASE 1)
CITY OF MALIBU

PART I

PLANS AND SPECIFICATIONS AND DESCRIPTION OF IMPROVEMENTS

The plans and specifications which describe the general nature, location, and extent of the improvements for the Assessment District are on file in the Offices of the City Clerk and the Director of Public Works of the City and are referenced herein and incorporated as if attached and a part of this Modified Report. A map showing the general location and improvements for the Assessment District is attached as Exhibit A. A general description of the improvements is set forth below.

DESCRIPTION OF WORKS OF IMPROVEMENT

The works of improvements to be financed by the Assessment District will include the design and construction of the wastewater treatment plant, wastewater collection and recycled water distribution system, and a recycled water injection system required pursuant to the Memorandum of Understanding Regarding Phased Implementation of Basin Plan Amendment Prohibiting On-Site Wastewater Disposal Systems in the Malibu Civic Center Area entered into by and between the City of Malibu, the Regional Water Quality Control Board, Los Angeles, and the State Water Resources Control Board (the "MOU"). It should be noted that the purpose of the recycled water distribution and injection system is the disposal of treated wastewater. The Assessment District will also finance the acquisition of the land on which the wastewater treatment plant will be located.

MODIFIED ENGINEER'S REPORT

ASSESSMENT DISTRICT NO. 2015-1
(CIVIC CENTER WASTEWATER TREATMENT FACILITY - PHASE 1)
CITY OF MALIBU

PART II

IMPROVEMENT COST ESTIMATE

This Part presents the estimated cost of the works of improvements. Table II-1 shows the gross and net cost of the works of improvements. There are three adjustments made to the gross cost of the works of improvements to arrive at the net assessable costs. First, pursuant to Article XIII D, Section 1(a) of the California Constitution, the cost of the works of improvements necessary to serve only those parcels within the Assessment District is separated from the total cost of the works of improvements. In the case of the works of improvements for the Assessment District, the wastewater collection system and recycled water distribution system have been oversized in order to accommodate potential wastewater flow and recycled water attributable to property located in future phases identified in and subject to the provisions of the MOU. This Assessment District will not pay for the cost of this oversizing. Second, excess County of Los Angeles sewer project funds in the amount of $1,172,652 are applied as a credit against the estimated design cost of the works of improvements. Third, the estimated cost of the works of improvement are adjusted to reflect the funding of a portion of the design costs by Community Facilities District No. 2012-1 of the City of Malibu ("CFD 2012-1"). In January of 2013, CFD 2012-1 issued $6,500,000 in bonds to fund $5,000,000 of design costs. The Assessment District will pay off and refinance the CFD No. 2012-1 indebtedness. Therefore, the cost of the retirement of the CFD 2012-1 indebtedness ($6,346,324.27) is added and the amount of the design costs funded by CFD 2012-1 ($5,000,000) are deducted from the cost of the works of improvements. Fourth, the estimated cost of the works of improvement are further adjusted to reflect the funding of a portion of the construction costs by a grant through the Water Recycling Funding Program of the California State Water Resources Control Board.

The estimated assessment amount corresponding to the financing of the net cost of the works of improvements is shown in Table II-2. The net improvement costs will be assessed to each property in accordance with the Method of Assessment set forth in Exhibit B. The Assessment Roll identifying each parcel of real property within the Assessment District and its assessment is included in Exhibit C. As with the description of the improvements, the improvement costs are preliminary estimates.

TABLE II-1

ASSESSMENT DISTRICT NO. 2015-1
(CIVIC CENTER WASTEWATER TREATMENT FACILITY - PHASE 1)
IMPROVEMENT COST ESTIMATE

	Gross Costs	Adjustments	Net Assessable Costs
I. Construction			
A. Wastewater Treatment Plant	$22,305,666.00		$21,889,666.00
1. Grant		($416,000.00)	
B. Wastewater Treatment Plant Site	$4,100,000.00		$4,100,000.00
C. Collection/Distribution System			$17,825,684.00
1. Collection System	$14,076,845.00		
2. Distribution System	$6,933,372.00		
3. Oversizing Credit		($1,600,533.00)[1]	
4. Grant		($1,584,000.00)[1]	
D. Recycled Water Injection System	$2,186,445.00		$2,186,445.00
II. Design	$7,416,873.00		$7,391,545.27
1. Oversizing Credit		($199,000.00)	
2. Los Angeles County Credit		($1,172,652.00)	
3. CFD 2012-1 Credit		($5,000,000.00)	
4. Payoff of CFD 2012-1		$6,346,324.27	
III. CM/Engineering Services	$4,017,000.00		$4,017,000.00
TOTAL	**$61,036,201.00**	**($3,625,860.73)**	**$57,410,340.27**

[1] The oversizing credit and grant shown under I.C are allocated between the wastewater collection system and the recycled water distribution system in proportion to the associated hard costs.

TABLE II-2

ASSESSMENT DISTRICT NO. 2015-1
(CIVIC CENTER WASTEWATER TREATMENT FACILITY - PHASE 1)
BOND ASSESSMENT ESTIMATE

Description	Estimated Costs and Expenses	
	As Preliminarily Approved	As Confirmed
I. Total Amount to Assessment	**$49,725,000.00**	**$63,688,774.33**
II. Facility Construction		
A. Treatment Plant	$19,893,500.00	$25,989,666.00
B. Collection/Distribution System	$8,532,000.00	$20,012,129.00
C. Design/CM/Engineering Services	$11,291,225.13	$11,408,545.27
III. Assessment District Procedural and Formation Costs	$158,990.00	$158,990.00
IV. Bond Issuance Costs		
A. Capitalized Interest/Construction Period Interest	$5,469,750.00	$1,547,708.33
B. Bond/Loan Reserve Fund	$3,709,114.62	$4,244,648.73
C. Underwriting, Legal, Professional Costs	$670,420.25	$327,087.00

TABLE II-3

ASSESSMENT DISTRICT NO. 2015-1
(CIVIC CENTER WASTEWATER TREATMENT FACILITY - PHASE 1)
RECAPITULATION OF IMPROVEMENT COSTS AND AMOUNT TO ASSESSMENT

Description	Estimated Costs and Expenses	
	As Preliminarily Approved	As Confirmed
I. Total Amount to Assessment	$49,725,000.00	$63,688,774.33
II. Works of Improvements Design and Construction	$39,716,725.13	$57,410,340.27
III. Assessment District Procedural and Formation Costs	$158,990.00	$158,990.00
IV. Bond/Loan Issuance Costs	$9,849,284.87	$6,119,444.06

MODIFIED ENGINEER'S REPORT

ASSESSMENT DISTRICT NO. 2015-1
(CIVIC CENTER WASTEWATER TREATMENT FACILITY - PHASE 1)
CITY OF MALIBU

PART III

ANNUAL ADMINISTRATIVE COSTS

NOTICE IS HEREBY GIVEN that, pursuant to Subdivision (f) of Section 10204 of the Streets and Highways Code of the State of California, an Annual Administrative Assessment shall be levied on each parcel and subdivision of land within the Assessment District to pay for the necessary costs and expenses incurred, and not otherwise reimbursed, resulting from the administration and collection of assessments and from the administration or registration of any bonds and/or reserve or other related funds.

The maximum amount of such Annual Administrative Assessment for the Assessment District shall not exceed a total of $25,000 which may increase annually at a compound rate beginning January 1, 2016 by the lesser of (i) five percent (5%), or (ii) the annualized positive change, if any, in the U.S. Consumer Price Index, All Urban Consumers, for Los Angeles – Riverside – Orange County, as of January 1 of each year. The Annual Administrative Assessment for each such parcel of land shall be computed based on that parcel's proportionate share of the total annual assessment (exclusive of the Annual Administrative Assessment). The Annual Administrative Assessment is in lieu of the $8.00 per assessment installment allowed by law.

MODIFIED ENGINEER'S REPORT

ASSESSMENT DISTRICT NO. 2015-1
(CIVIC CENTER WASTEWATER TREATMENT FACILITY - PHASE 1)
CITY OF MALIBU

PART IV

ASSESSMENT ROLL

WHEREAS, on June 8, 2015, the City Council did, pursuant to the provisions of the Act, adopt its Resolution of Intention declaring its intention to order the construction of certain improvements, together with appurtenances and appurtenant work in connection therewith, and to form the Assessment District; and,

WHEREAS, said Resolution of Intention, as required by law, did direct the appointed Assessment Engineer to make and file a report (the "Engineer's Report"), consisting of the following:

1. Plans;
2. Specifications;
3. General Descriptions;
4. Cost estimate;
5. Assessment Diagram showing the Assessment District and the subdivisions of land contained therein; and
6. A proposed assessment of the costs and expenses of the works of improvement levied upon the parcels and lots of land within the boundaries of the Assessment District.

For particulars, reference is made to the Resolution of Intention as previously adopted; and

WHEREAS, on June 8, 2015, the City Council did adopt its Resolution No. 15-28 heretofore preliminarily approving the Engineer's Report; and,

WHEREAS, subsequent to June 8, 2015, (i) RMC Water and Assessment Engineer notified the City that there was an error in the methodology it used to determine the organic load (the "BOD"), (ii) the City has agreed to purchase the site on which the wastewater treatment facility will be constructed for $4,100,00 rather than $5,892,500 as set forth in the Engineer's Report, (iii) the wastewater treatment facility will be constructed for $13,001,0000 rather than $14,001,0000 as set forth in the Engineer's Report, and (iv) the property owner of Assessment No. 3 (APN 4452-011-035) has petitioned the City to increase the flow allocated to its parcel from 1,118 gallons per day to 2,300 gallons per day (collectively, the "Changes"); and,

WHEREAS, on August 10, 2015, the City Council did, pursuant to the provisions of the Act, adopt its Resolution No. 15-51 to direct the Assessment Engineer to revise and modify the Engineer's Report to reflect the Changes; and,

WHEREAS, on October 14, 2015, the City Council did, pursuant to the provisions of the Act, adopt Resolution No. 15-65 continuing the Public Hearing to January 25, 2016 and ordering further changes to the Assessment Engineer's Report for the City of Malibu Assessment District No. 2015-1 (Civic Center Wastewater Treatment Facility — Phase One) to reflect the opening of construction bids on December 8, 2015; and

WHEREAS, the assessments for the parcels identified herein as Assessment No. 36 and Assessment No. 37 have been reduced to zero as they were acquired by the County of Los Angeles (the "County") for purposes of road right-of-way and are anticipated to be quitclaimed by the County to the City with the condition that the property can only be used for those purposes authorized in Sections 2 and 9 of Article XIX of the California Constitution and Section 2101 of the California Streets and Highways Code thereby rendering these properties undevelopable for private purposes.

NOW, THEREFORE, I, the undersigned, authorized representative of David Taussig & Associates, Inc., the duly appointed ASSESSMENT ENGINEER, pursuant to the Act, do hereby submit the following:

1. Pursuant to the provisions of law and the Resolution of Intention, I have assessed the modified costs and expenses of the works of improvements to be performed in the Assessment District upon the parcels of land in the Assessment District benefited thereby in direct proportion and relation to the estimated benefits to be received by each of said parcels. For particulars as to the identification of said parcels, reference is made to the Assessment Diagram, a copy of which is attached hereto as Exhibit D;

2. As required by law, the Assessment Diagram is hereto attached, showing the Assessment District, as well as the boundaries and dimensions of the respective parcels and subdivisions of land within said Assessment District as the same existed at the time of the passage of said Resolution of Intention, each of which subdivisions of land or parcels or lots respectively have been identified by Assessor's Parcel Number and Assessment Number upon said Assessment Diagram and in said Assessment Roll;

3. The subdivisions and parcels of land and the numbers shown on the respective Assessment Diagram as attached hereto correspond with the numbers as appearing on the Assessment Roll as contained herein as Exhibit C;

4. NOTICE IS HEREBY GIVEN that serial bonds to represent unpaid assessments, which bear interest at a fixed or variable interest rate and term of not to exceed twelve percent per annum or such higher maximum interest rate as may be permitted by law, may be issued in the manner provided in Division 10 of the Streets and Highways Code (the Improvement Bond Act of 1915) and the last installment of such bonds shall mature in not to exceed 39 years from the second of September next succeeding 12 months from their date and/or one or more contracts for loans funded by the State (the "State Loans") and secured by the assessments to be levied on property in the Assessment District may be entered

into pursuant to Section 10550 of the 1913 Act. The alternate procedure for collecting assessments and advance retirement of bonds as set forth in Part 11.1 of Division 10 of the Streets and Highways Code shall apply to these proceedings. Pursuant to Section 8650.1 of said Code, the City Council may determine to issue said bonds so that other than an equal annual proportion of the principal amount shall mature each year;

5. NOTICE IS HEREBY GIVEN that, pursuant to Subdivision (f) of Section 10204 of the Streets and Highways Code of the State of California, an annual assessment shall be levied on each parcel and subdivision of land within the Assessment District to pay for the necessary costs and expenses incurred, and not otherwise reimbursed, resulting from the administration and collection of assessments and from the administration or registration of any bonds and/or reserve or other related funds (the "Annual Administrative Assessment");

   The maximum amount of such Annual Administrative Assessment for the Assessment District shall not exceed a total of $25,000 which may increase annually at a compound rate beginning January 1, 2016, by the lesser of (i) five percent (5%), or (ii) the annualized positive change, if any, in the U.S. Consumer Price Index, All Urban Consumers, for Los Angeles – Riverside – Orange County, as of January 1 of each year. The Annual Administrative Assessment for each such parcel of land shall be computed based on that parcel's proportionate share of the total annual assessment (exclusive of the Annual Administrative Assessment). The Annual Administrative Assessment is in lieu of the $8.00 per assessment installment allowed by law;

6. By virtue of the authority contained in the Act and by further direction and order of the legislative body, I hereby make the following Assessment to cover the costs and expenses of the works of improvements for the Assessment District based on the costs and expenses as set forth below:

TABLE IV-1

ASSESSMENT DISTRICT NO. 2015-1
(CIVIC CENTER WASTEWATER TREATMENT FACILITY - PHASE 1)
BALANCE TO ASSESSMENT

Description	As Preliminarily Approved	As Confirmed
I. Total Amount to Assessment	$49,725,000.00	$63,688,774.33
II. Treatment Plant	$19,893,500.00	$25,989,666.00
III. Collection/Distribution System	$8,532,000.00	$20,012,129.00
IV. Design, Construction Management, and Engineering Services	$11,291,225.13	$11,408,545.27
V. Assessment District Procedural and Formation Costs	$158,990.00	$158,990.00
VI. Capitalized Interest/Construction Period Interest	$5,469,750.00[1]	$1,547,708.33[2]
VII. Bond/Loan Reserve Fund	$3,709,114.62[3]	$4,244,648.73[4]
VIII. Underwriting, Legal, and Professional Costs	$670,420.25	$327,087.00

[1] As preliminarily approved, capitalized interest was equal to twenty-two (22) months of estimated interest on $49,725,000 in bonds. No construction period interest was included.
[2] As confirmed, capitalized interest is equal to eighteen (18) months of estimated interest on $6,790,000 in bonds. Construction period interest on the Clear Water State Revolving Fund Loans is estimated based on the anticipated construction period of eighteen (18) months.
[3] As preliminarily approved, the bond reserve was equal to the estimated maximum annual debt service on $49,725,000 in bonds.
[4] As confirmed, the bond reserve is equal to the estimated maximum annual debt service on $6,790,000 in bonds, and the loan reserve is equal to one-hundred and fifty percent (150%) of the estimated maximum annual debt service on $56,898,774.33 in Clear Water State Revolving Fund Loans.

7. The Method of Assessment is as set forth in Exhibit B, which is attached hereto, referenced and so incorporated.

Dated: DEC. 9, 2015.

David Taussig & Associates, Inc.



Steve Runk
R.C.E. C23473
Assessment Engineer
City of Malibu
State of California

MODIFIED ENGINEER'S REPORT

ASSESSMENT DISTRICT NO. 2015-1
(CIVIC CENTER WASTEWATER TREATMENT FACILITY - PHASE 1)
CITY OF MALIBU

PART VI

REPORT UNDER PART 7.5 OF DIVISION 4
OF THE CALIFORNIA STREETS AND HIGHWAYS CODE

Pursuant to the aforesaid Resolution of Intention, it has been provided that the requirements of Division 4 of the California Streets and Highways Code shall be satisfied with Part 7.5 of said Division 4.

Accordingly, the following is presented:

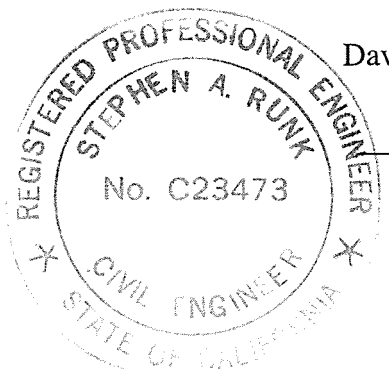
1. The total amount, as near as can be determined, of the total principal amount of all unpaid special assessments and special assessments required or proposed to be levied under any completed or pending assessment proceedings, other than contemplated in the instant proceedings is: $10,243[1].

2. The total true value, as near as may be determined, of the parcels of land and improvements which are proposed to be assessed in the instant proceedings, as determined by the full cash value of the parcels as shown upon the last equalized assessment roll of the County of Los Angeles is: $349,015,620.

3. The total amount of the principal sum of the special assessments proposed to be levied in the instant proceedings is: $63,688,774.33.

4. The total amount of the principal sum of unpaid special assessments levied against the parcels proposed to be assessed, as computed pursuant to paragraph 1 above, plus the principal amount of the special assessment proposed to be levied in the instant proceedings from paragraph 3 above is: $63,699,017.33.

Dated: DEC. 9, 2015



David Taussig & Associates, Inc

Steve Runk
R.C.E. C23473
Assessment Engineer
City of Malibu
State of California

[1] This figure excludes the principal amount of bonds outstanding for City of Malibu CFD No. 2012-1 because these bonds will be paid off with Assessment District bonds and/or State Loans.

MODIFIED ENGINEER'S REPORT

ASSESSMENT DISTRICT NO. 2015-1
(CIVIC CENTER WASTEWATER TREATMENT FACILITY - PHASE 1)
CITY OF MALIBU

PART VII (A)

RIGHTS-OF-WAY CERTIFICATE

STATE OF CALIFORNIA
CITY OF MALIBU

The undersigned hereby **CERTIFIES UNDER PENALTY OF PERJURY** that the following is all true and correct.

At all times herein mentioned, the undersigned was, and now is, the duly appointed Director of Public Works of the City of Malibu, State of California.

That proceedings have now been instituted under the provisions of the "Municipal Improvement Act of 1913," being Division 12 of the Streets and Highways Code of the State of California, for the construction of certain improvements in a special Assessment District known and designated as ASSESSMENT DISTRICT NO. 2015-1 (CIVIC CENTER WASTEWATER TREATMENT FACILITY - PHASE 1) (hereinafter referred to as the "Assessment District").

THE UNDERSIGNED STATES AND CERTIFIES AS FOLLOWS:

> All easements, rights-of-way, or land necessary for the accomplishment of improvements for the above referenced Assessment District will be in the possession of the Assessment District prior to the ordering of the works of improvements.

EXECUTED this 28 day of JANUARY 2016, at City of Malibu, California.

Robert L. Brager

Director of Public Works
City of Malibu
State of California

MODIFIED ENGINEER'S REPORT

ASSESSMENT DISTRICT NO. 2015-1
(CIVIC CENTER WASTEWATER TREATMENT FACILITY - PHASE 1)
CITY OF MALIBU

PART VII (B)

CERTIFICATION OF COMPLETION OF

ENVIRONMENTAL PROCEEDINGS

STATE OF CALIFORNIA
CITY OF MALIBU

The undersigned, under penalty of perjury, CERTIFIES as follows:

1. That I am the person authorized to prepare and process all environmental documentation as needed as it relates to the formation of the special assessment district being formed pursuant to the provisions of the "Municipal Improvement Act of 1913," being Division 12 of the Streets and Highways Code of the State of California, said special assessment district known and designated as ASSESSMENT DISTRICT NO. 2015-1 (CIVIC CENTER WASTEWATER TREATMENT FACILITY - PHASE 1) (hereinafter referred to as the "Assessment District");

2. The specific environmental proceedings relating to this Assessment District that have been completed are as follows:

   The City has considered the effects of the proposed Improvements on the environment in accordance with the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) ("CEQA") and its implementing guidelines (14 California Code of Regulations Section 15000 et seq.) (the "Guidelines") and in accordance therewith has prepared and certified an Environmental Impact Report which was approved by the City on January 12, 2015.

3. I do hereby certify that all environmental evaluation proceedings necessary for the formation of the Assessment District have been completed to my satisfaction, and that no further environmental proceedings are necessary.

EXECUTED this 28th day of January, 2016, at City of Malibu, California.

Director of Planning
City of Malibu
State of California

EXHIBIT A

MODIFIED ENGINEER'S REPORT

ASSESSMENT DISTRICT NO. 2015-1
(CIVIC CENTER WASTEWATER TREATMENT FACILITY - PHASE 1)
CITY OF MALIBU

MAP OF GENERAL LOCATION AND IMPROVEMENTS

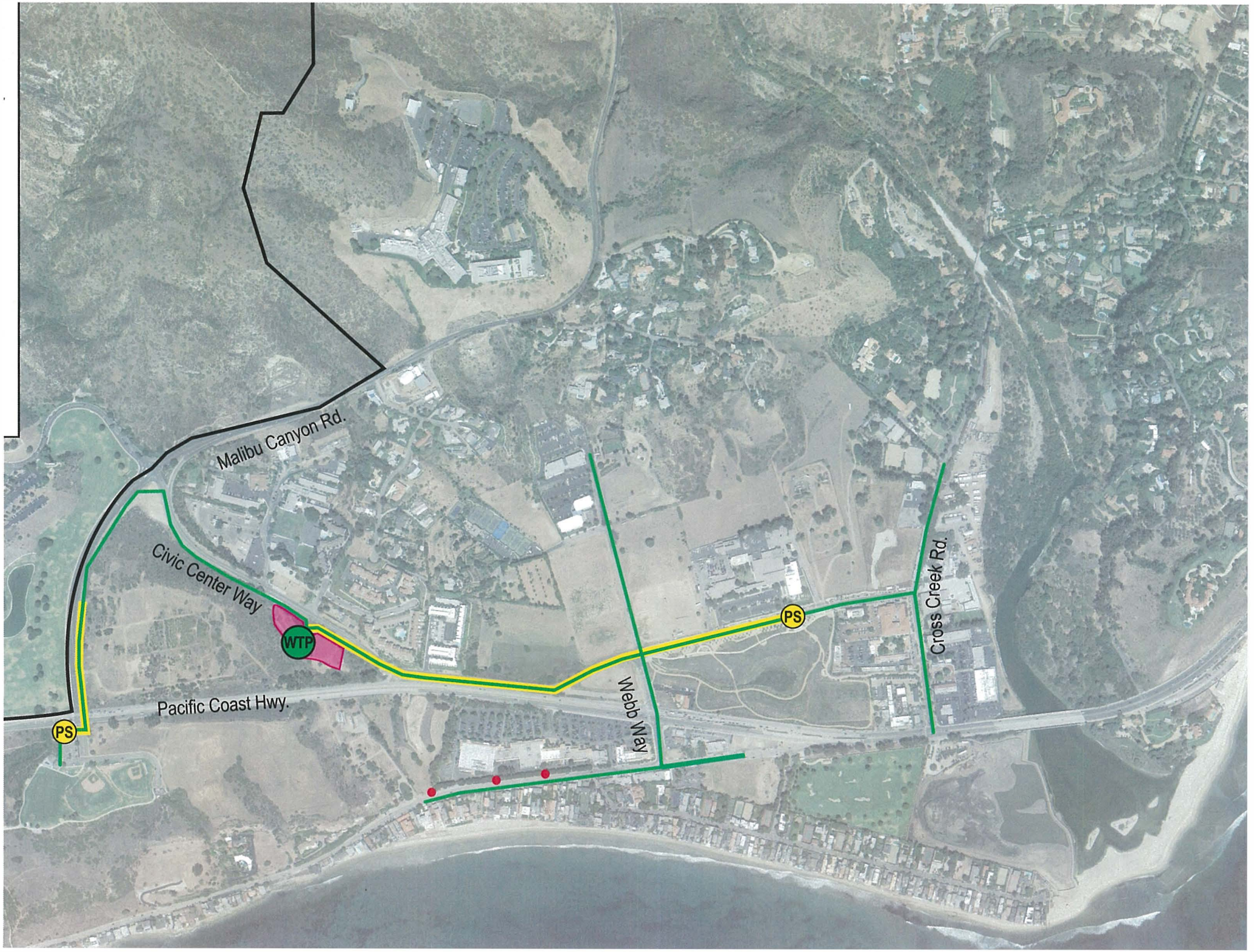

Malibu Canyon Rd.
Civic Center Way
WTP
PS
Pacific Coast Hwy.
PS
Webb Way
Cross Creek Rd.

EXHIBIT B

MODIFIED ENGINEER'S REPORT

ASSESSMENT DISTRICT NO. 2015-1
(CIVIC CENTER WASTEWATER TREATMENT FACILITY - PHASE 1)
CITY OF MALIBU

METHOD OF ASSESSMENT

A. Background

Assessment District jurisprudence requires that assessments levied pursuant to the Municipal Improvement Act of 1913 be based on the "special benefit" properties receive from the Works of Improvement. However, the law does not specify the method or formula that should be used to apportion the assessments in Assessment District proceedings. In addition, Article XIIID of the California Constitution, added in November 1996 through the passage of Proposition 218 by voters of the State of California, requires, inter alia, that (i) only special benefits be assessable, (ii) no assessment may exceed the proportional special benefit conferred on the parcel assessed, and (iii) publicly owned parcels shall not be exempt from assessment unless clear and convincing evidence demonstrates that such publicly owned parcels receive no special benefits from the improvements for which the assessment is levied.

"Special benefit" is a particular and distinct benefit over and above general benefits conferred on real property located in the District or to the public at large. Importantly, the general enhancement of property value does not constitute special benefit. As such, this Engineer's Report has been designed to comply with these requirements, as well as to incorporate recent California court decisions such as: *Silicon Valley Taxpayers Association, Inc. v. Santa Clara County Open Space Authority (2008), Beutz v. County of Riverside (2010), Golden Hills Neighborhood Association v. City of San Diego (2011),* and *Concerned Citizens v. West Point Fire Protection District (2011).*

Methodologically, it is necessary and essential to identify the special benefit that the Works of Improvement will render to the properties within the District. It is also necessary that the properties receive a special and direct benefit as distinguished from benefit to the general public.

All costs associated with the financing of the works of improvement are to be fairly distributed among the lots and parcels within the District based upon the special benefit received by each lot and parcel. Additionally, in compliance with the California Constitution Article XIIID Section 4, each parcel's assessment may not exceed the reasonable cost of the proportional special benefit conferred upon it. In sum, each of the properties benefiting from the works of improvement proposed for Assessment District No. 2015-1 will be assessed only for the special benefit conferred on such properties.

The Assessment Engineer is appointed for the purpose of analyzing the facts and determining the method and formula for apportionment of the assessment obligation to the benefited properties. For these proceedings, the City has retained the firm of David Taussig & Associates, Inc. as the

Assessment Engineer.

The Assessment Engineer makes his or her recommendation for the method of apportionment in this Engineer's Report for consideration at the public hearing. The final authority and action rests with the City after hearing all testimony and evidence presented at the public hearing and the tabulation of the assessment ballots. Upon conclusion of the public hearing, the City must make the final action in determining that the assessment has been made in direct proportion to the special benefit received. Ballot tabulation will then be completed, and if a majority of ballots received, weighted by assessment amount, do not protest the assessment, then the City may establish the Assessment District.

B. Special Benefit

The special benefit conferred to each of the properties within the Assessment District is the ability to discharge wastewater flows to a centralized wastewater treatment facility in compliance with the Memorandum of Understanding Regarding Phased Implementation of Basin Plan Amendment Prohibiting On-Site Wastewater Disposal Systems in the Malibu Civic Center Area entered into by and between the City of Malibu, the Regional Water Quality Control Board, Los Angeles, and the State Water Resources Control Board (the "MOU"). Resolution R4-2009-007 adopted by the Regional Water Quality Control Board, Los Angeles Region (the "Basin Plan Amendment") prohibits on-site wastewater disposal systems in the City of Malibu Civic Center Area, and the MOU requires the construction of the works of improvements in lieu of on-site wastewater disposal systems. In addition to the wastewater treatment plant, the Assessment District will install wastewater collection and recycled water distribution facilities in existing public streets and/or public easements as shown in Exhibit A; the cost of connecting to these facilities will be borne separately by each property owner and will not be installed by the Assessment District. The Assessment District will provide each property the right to discharge up to the wastewater flow and load calculated in Section C.3 below.

The works of improvements constitute the least expensive facilities with a factor of safety that can be built to serve the properties within the Assessment District. The treatment plant will be comprised of the minimum sized treatment processing units, headworks, and lab facilities as determined by the design engineer and in accordance with customary and prudent engineering design standards. Specifically, the treatment plant will consist of two (2) modules; two modules are required in order that one may be taken off line for maintenance and/or repair. The treatment plant site to be acquired is similarly the least expensive available parcel of land that is in a suitable location from an engineering standpoint. In contrast to the wastewater treatment plant, the wastewater collection and recycled water distribution lines (i.e., the diameters of certain of the collection and distribution pipes) will be constructed to accommodate wastewater flows and recycled water from properties located outside the Assessment District that are also the subject of the MOU and may be required to discharge wastewater flows off-site for treatment. The cost associated with this oversizing of the wastewater collection and recycled water distribution lines is therefore not assessed to the properties within the Assessment District.

C. Apportionment Methodology

The extent of the special benefit conferred to the parcels in the Assessment District is quantified in terms of wastewater flow and organic load. The cost of the wastewater collection and recycled

water distribution and injection system is allocated in proportion to wastewater flow as it is the primary determinant in the design and cost of the collection and distribution facilities. The cost of the wastewater treatment plant is allocated in proportion to organic load as it is the primary determinant in the design and cost of the treatment facilities. With certain exceptions discussed in Section D below, wastewater flows and organic load for developed parcels are based on actual building square footage and uses. Wastewater flows and organic load for vacant parcels are based on (i) the maximum floor area ratio permitted by the City (0.15) and the anticipated mix of uses or (ii) development plans submitted to the City, including wastewater analyses for such development plans, if any. Standard wastewater flow rates and organic load concentrations are discussed in Sections C.1 and C.2 below. Special cases and/or exceptions are discussed in Section C.3 below.

1. Wastewater Flow Rates

Non-residential wastewater flow rate assumptions are 0.0216 gallons per day for retail, 0.6750 gallons per day for restaurant, and 0.0625 gallons per day per building square foot for office. Wastewater flow rate assumptions for church uses are 3.0000 gallons per day per seat[2]. Wastewater flow rate assumptions for school uses are 11.0000 gallons per day per student and faculty/staff[3]. The wastewater flow rate assumption for retail use is an average and is calculated using a factor of ten (10.0000) gallons per day per employee, two (2.0000) gallons per day per parking space, one (1.0000) parking space per employee, and a range of building square feet per employee of 500 to 625[4]. The wastewater flow rate assumption for restaurant is calculated by applying a factor of nine (9.0000) gallons per day per customer[5] to an existing restaurant located in the City of Malibu which averages three hundred (300) customer per day and occupies four thousand (4,000) building square feet. The wastewater flow rate assumption for office is calculated using an average of two hundred eight (208) building square feet per employee and a factor of thirteen (13.0000) gallons per day per employee[6].

Residential wastewater flow rate assumptions are 366 gallons per day for a typical single-family home and 700 gallons per day for large, estate-sized homes. The wastewater flow rate for the typical single family home is calculated assuming a household size, including housekeepers and visitors, of 5.2, a wastewater flow per capita of 69 gallons per day[7], and a 1.02 infiltration rate. The wastewater flow rate for large, estate-sized homes is based on the proposed wastewater treatment system design prepared in connection with the development plans for Assessor's Parcel Number 4458-018-019.

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[2] The source for the flow rate per church seat is *United States Environmental Protection Agency Publication 625/R-00/008-Chapter 3*.

[3] The source for the flow rate per school seat is *United States Environmental Protection Agency Publication 625/R-00/008-Chapter 3*.

[4] The source for the flow rate per employee and per parking space is *Design of Municipal Wastewater Treatment Plants, Fifth Edition*.

[5] The source for the flow rate per restaurant customer is *United States Environmental Protection Agency Publication 625/R-00/008-Chapter 3*.

[6] The source for the flow rate per office employee is *United States Environmental Protection Agency Publication 625/R-00/008-Chapter 3*.

[7] The source for the flow rate per capita is *United States Environmental Protection Agency Publication 625/R-00/008-Chapter 3*.

2. Organic Load Concentration

Organic load concentration, a measure of the strength of the wastewater to be treated, is used to design the treatment process. Residential organic load concentrations are estimated to be 313 milligrams per liter ("mg/L") using per capita BOD loads from EPA guidelines[8]. Non-residential organic load concentrations were estimated to be similar to residential concentrations at 313 mg/L for retail, office, school, and church uses. For restaurants the BOD concentration was estimated to be 544 mg/L based on wastewater sampling conducted at shopping centers within the Civic Center area of the City. Total organic load is expressed in pounds per day and is calculated using the following formula: wastewater flow x organic load concentration x 8.345 / 1,000,000[9]. The specific wastewater flow and treatment plant load calculations for each parcel are discussed in Section C.3 below.

3. Wastewater Flow and Load Calculations

The wastewater flow and load estimates are summarized below. The terms BSF, GPD and PPD mean, respectively, building square feet, gallons per day and pounds per day.

- 4452-011-029 (Assessment No. 1)
  This is land with certain existing structures located at 3730 Cross Creek Road. The property is zoned Commercial Visitor Serving I. Total future building area is estimated at 11,801 square feet using an FAR of 0.15 (78,670 parcel square feet x 0.15). The City indicates that the property has the potential to include retail and restaurant uses and therefore, wastewater flow is estimated assuming eighty percent (80%) retail and twenty percent (20%) restaurant use, or 1,797.0563 GPD (11,801 x 0.8 x 0.0216 GPD/BSF (Retail) + 11,801 x 0.2 x 0.675 GPD/BSF (Restaurant)). Estimated organic load is 7.7650 PPD ((203.9213 GPD x 313 (Retail) + 1,593.1350 GPD x 544 (Restaurant)) x 8.345 / 1,000,000).

- 4452-011-033 (Assessment No. 2)
  This is a Shell service station located at 23387 Pacific Coast Highway and occupies the northeast corner of Pacific Coast Highway and Cross Creek Road. The property is zoned Commercial Visitor Serving I. Total existing building area is 1,731 square feet. While there are no existing restaurant or other "wet" uses, the City indicates that there is the potential for restaurant/food service use(s) in the future. Therefore, wastewater flow is estimated assuming eighty percent (80%) retail and twenty percent (20%) restaurant use, or 263.5967 GPD (1,731 x 0.8 x 0.0216 GPD/BSF (Retail) + 1,731 x 0.2 x 0.675 GPD/BSF (Restaurant)). Estimated organic load is 1.1390 PPD ((29.9117 GPD x 313 (Retail) + 233.6850 GPD x 544 (Restaurant)) x 8.345 / 1,000,000).

[8] The source for the BOD load per capita is *United States Environmental Protection Agency Publication 625/R-00/008-Chapter 3.*

[9] The source for the equation for total organic load is *Design of Municipal Wastewater Treatment Plants, Fifth Edition.*

- 4452-011-035 (Assessment No. 3)
  This is a commercial development with office, retail, and storage uses located on the east side of Cross Creek Road near the intersection of Cross Creek Road and Civic Center Way (3806 Cross Creek Road). The property is zoned Commercial Visitor Serving I. The City anticipates that this property will tend toward higher intensity uses following completion of the works of improvements, and the property owner has petitioned the City to increase the estimated wastewater flow to 2,300 GPD to accommodate future restaurant use. Estimated wastewater flow of 2,300 GPD would accommodate 1,930 square feet of restaurant and 15,967 square feet of office; no retail use is assumed because of the City's expectation that the property will tend toward higher intensity uses. Total building area is 17,897 square feet based on the November 26, 2013 site plan for The Courtyard development. Total estimated wastewater flow is 2,300.6875 GPD (1,930 x 0.675 GPD/BSF (Restaurant) + 15,967 x 0.0625 GPD/BSF (Office)). Estimated organic load is 8.5207 PPD ((1,302.7500 GPD x 544 (Restaurant) + 997.9375 GPD x 313 (Office)) x 8.345 / 1,000,000).

- 4452-011-036 (Assessment No. 4)
  This is vacant land located north of Pacific Coast Highway just west of Malibu Lagoon. The property is zoned Commercial Visitor Serving I. Total future building area is estimated at 15,968 square feet using an FAR of 0.15 (106,450 total parcel square feet x 0.15). The City indicates that the property has the potential to include retail and restaurant uses, and therefore wastewater flow is estimated assuming eighty percent (80%) retail and twenty percent (20%) restaurant use, or 2,431.6070 GPD (15,968 x 0.8 x 0.0216 GPD/BSF (Retail) + 15,968 x 0.2 x 0.675 GPD/BSF (Restaurant)). Estimated organic load is 10.5068 PPD ((275.9270 GPD x 313 (Retail) + 2,155.6800 GPD x 544 (Restaurant)) x 8.345 / 1,000,000).

- 4452-011-037 (Assessment No. 5)
  This is a commercial development located at 3728 Cross Creek Road. The property is zoned Commercial Visitor Serving I. Actual building square footage data are not available. Therefore, building area is estimated at 4,494 using an FAR of 0.15 (29,960 parcel square feet x 0.15). The City indicates that there is the potential for restaurant and/or other wet use(s) in the future, and therefore wastewater flow is estimated assuming eighty percent (80%) retail and twenty percent (20%) restaurant use, or 684.3463 GPD (4,494 x 0.8 x 0.0216 GPD/BSF (Retail) + 4,494 x 0.2 x 0.675 GPD/BSF (Restaurant)). Estimated organic load is 2.9570 PPD ((77.6563 GPD x 313 (Retail) + 606.6900 GPD x 544 (Restaurant)) x 8.345 / 1,000,000).

- 4452-011-039 (Assessment No. 6)
  This is a restaurant, retail, and office development located at 3900 Cross Creek Road. The property is zoned Commercial Visitor Serving I. Total building area is 13,061 square feet (4,686 square feet of retail, 5,245 square feet of restaurant, and 3,130 square feet of office). Total estimated wastewater flow is 3,837.2176

GPD (4,686 x 0.0216 GPD/BSF (Retail) + 5,245 x 0.675 GPD/BSF (Restaurant) + 3,130 x 0.0625 GPD/BSF (Office)). Estimated organic load is 16.8475 PPD ((101.2176 GPD x 313 (Retail) + 3,540.3750 GPD x 544 (Restaurant) + 195.6250 GPD x 313 (Office)) x 8.345 / 1,000,000).

- 4452-011-042 (Assessment No. 7) and 4452-011-043 (Assessment No. 8)
  These parcels comprise the Malibu Creek/Malibu Village development located on Cross Creek Road (3822 – 3896 Cross Creek Road) and Pacific Coast Highway (23357 - 23361 Pacific Coast Highway). The properties are zoned Commercial Visitor Serving I.

  Total building area for 4452-011-042 is 25,832 square feet (23,332 square feet of retail and 2,500 square feet of restaurant). Total estimated wastewater flow for 4452-011-042 is 2,191.4712 GPD (23,332 x 0.0216 GPD/BSF (Retail) + 2,500 x 0.675 GPD/BSF (Restaurant)). Estimated organic load for 4452-011-042 is 8.9771 PPD ((503.9712 GPD x 313 (Retail) + 1,687.5000 GPD x 544 (Restaurant)) x 8.345 / 1,000,000).

  Total building area for 4452-011-043 is 25,990 square feet (21,150 square feet of retail and 4,840 square feet of restaurant). Total estimated wastewater flow for 4452-011-043 is 3,723.8400 GPD (21,150 x 0.0216 GPD/BSF (Retail) + 4,840 x 0.675 GPD/BSF (Restaurant)). Estimated organic load for 4452-011-043 is 16.0244 PPD ((456.8400 GPD x 313 (Retail) + 3,267.0000 GPD x 544 (Restaurant)) x 8.345 / 1,000,000).

- 4452-011-803 (Assessment No. 9)
  This is an unmanned Southern California Edison facility located at 3808 Cross Creek Road. The property is zoned Commercial Visitor Serving I. Actual building square footage data are not available. Therefore, building area is estimated at 2,875 using an FAR of 0.15 (19,166 parcel square feet x 0.15). The City indicates that there is the potential for redevelopment of the property for non-utility use in the future, and therefore wastewater flow is estimated assuming eighty percent (80%) retail and twenty percent (20%) restaurant use, or 437.8050 GPD (2,875 x 0.8 x 0.0216 GPD/BSF (Retail) + 2,875 x 0.2 x 0.675 GPD/BSF (Restaurant)). Estimated organic load is 1.8917 PPD ((49.6800 GPD x 313 (Retail) + 388.1250 GPD x 544 (Restaurant)) x 8.345 / 1,000,000).

- 4452-012-024 (Assessment No. 10)
  This is vacant land located at 3738 Cross Creek Road, north of 4452-011-029. The property is zoned Commercial General. Total future building area is estimated at 34,042 square feet using an FAR of 0.15 (226,948 parcel square feet x 0.15). The City indicates that the property has the potential to include retail and restaurant uses, and therefore, wastewater flow is estimated assuming eighty percent (80%) retail and twenty percent (20%) restaurant use, or 5,183.9158 GPD (34,042 x 0.8 x 0.0216 GPD/BSF (Retail) + 34,042 x 0.2 x 0.675 GPD/BSF (Restaurant)). Estimated organic load is 22.3994 PPD ((588.2458 GPD x 313 (Retail) + 4,595.6700 GPD x 544 (Restaurant)) x 8.345 / 1,000,000).

- 4458-001-003 (Assessment No. 11)
  This is a parking lot that serves the development located on 4458-002-019 (Assessment No. 13). Therefore flow and load is zero and there will be no assessment. The property is zoned Commercial General.

- 4458-002-018 (Assessment No. 12)
  This is an office development located at 23730 Malibu Road. Total building area is 3,224 square feet. The property is zoned Commercial General. There are no existing restaurant or other "wet" uses, and the City does not anticipate any in the future. Estimated wastewater flow is 201.5000 GPD (3,224 x 0.0625 GPD/BSF). Estimated organic load is 0.5263 PPD ((201.5000 GPD x 313) x 8.345 / 1,000,000).

- 4458-002-019 (Assessment No. 13)
  This is an office development located along Malibu Road (23676 – 23712 Malibu Road). The property is zoned Commercial General. Total building area is 12,050 square feet. There are no existing restaurant or other "wet" uses, and the City does not anticipate any in the future. Estimated wastewater flow is 753.1250 GPD (12,050 x 0.0625 GPD/BSF). Estimated organic load is 1.9672 PPD ((753.1250 GPD x 313) x 8.345 / 1,000,000).

- 4458-002-900 (Assessment No. 14)
  This property is Los Angeles County Fire Station #88 and is located at 23720 Malibu Road. The property is zoned Commercial General. The number of fire fighters housed at the fire station is comparable to the household size for a typical single family home, and therefore wastewater flow is estimated at 366 GPD. Estimated organic load is 0.9560 PPD ((366.0000 GPD x 313) x 8.345 / 1,000,000).

- 4458-018-002 (Assessment No. 15), 4458-018-018 (Assessment No. 16), and 4458-018-019 (Assessment No. 17)
  This is vacant land located approximately at the southeast corner of Pacific Coast Highway and Malibu Canyon Road. The property is zoned Planned Development. Estimated wastewater flow is based on plans for the development of five (5) large, estate sized residential dwelling units plus a gatehouse and equals 3,560.0000 GPD (5 DUs x 700 GPD/DU + 60 GPD for the gatehouse). Estimated organic load is 9.2987 PPD ((3,500.0000 GPD x 313 + 60.0000 GPD x 313) x 8.345 / 1,000,000). All dwelling units are anticipated to be located on 4458-018-019.

- 4458-018-027 (Assessment No. 18), 4458-018-028 (Assessment No. 19), 4458-018-029 (Assessment No. 20), 4458-018-030 (Assessment No. 21), 4458-018-031 (Assessment No. 22), 4458-018-032 (Assessment No. 23), and 4458-018-033 (Assessment No. 24)
  This is vacant land located south of Pacific Coast Highway and east of 4458-018-019. The property is zoned Single Family Medium. Estimated wastewater flow is based on plans for the development of four (4) large, estate sized residential dwelling units plus an unmanned gatehouse. Estimated wastewater flow for each residential parcel is 700 GPD. Estimated organic load for each residential parcel is 1.8284 PPD ((700.0000 GPD x 313) x 8.345 / 1,000,000). The residential parcels are 4458-018-027, 4458-018-028, 4458-018-029, and 4458-018-030. The unmanned gatehouse will be located on 4458-018-031. 4458-018-032 and 4458-018-033 are open space, non-buildable lots.

- 4458-018-902 (Assessment No. 25)
  The property is zoned Public Open Space. This is the entrance to Bluffs Park and therefore will produce no wastewater flow. There will be no assessment.

- 4458-018-904 (Assessment No. 26)
  This is Bluffs Park. The property is zoned Public Open Space. Estimated wastewater flow is attributable to the public restroom facilities which are projected to generate 220 GPD. Estimated organic load is 0.5746 PPD ((220.0000 GPD x 313) x 8.345 / 1,000,000).

- 4458-019-003 (Assessment No. 27)
  This is vacant land located south of the intersection of Pacific Coast Highway and Civic Center Way and north of Malibu Road. The property is zoned Single Family Medium. Estimated wastewater flow is based on plans for the development of one (1) large, estate sized residential dwelling unit and equals 700 GPD. Estimated organic load is 1.8284 PPD ((700.0000 GPD x 313) x 8.345 / 1,000,000).

- 4458-019-008 (Assessment No. 28)
  This is vacant land located at 23614 Pacific Coast Highway, at the merger of Pacific Coast Highway and Malibu Road. The property is zoned Commercial General. Total future building area is estimated at 3,511 square feet using an FAR of 0.15 (23,409 total parcel square feet x 0.15). The City indicates that the property has the potential to include retail and restaurant uses, and therefore wastewater flow is estimated assuming eighty percent (80%) retail and twenty percent (20%) restaurant use, or 534.6551 GPD (3,511 x 0.8 x 0.0216 GPD/BSF (Retail) + 3,511 x 0.2 x 0.675 GPD/BSF (Restaurant)). Estimated organic load is 2.3102 PPD ((60.6701 GPD x 313 (Retail) + 473.9850 GPD x 544 (Restaurant)) x 8.345 / 1,000,000).

- 4458-019-009 (Assessment No. 29)
  This is a commercial development located at 23670 Pacific Coast Highway, on the southeast corner of the intersection of Pacific Coast Highway and Webb Way. The property is zoned Commercial General. Total building area is 8,434 square feet. While there are no existing restaurant or other "wet" uses, the City indicates that there is the potential for restaurant/food service use(s) in the future. Therefore, wastewater flow is estimated assuming eighty percent (80%) retail and twenty percent (20%) restaurant use, or 1,284.3295 GPD (8,434 x 0.8 x 0.0216 GPD/BSF (Retail) + 8,434 x 0.2 x 0.675 GPD/BSF (Restaurant)). Estimated organic load is 5.5495 PPD ((145.7395 GPD x 313 (Retail) + 1,138.5900 GPD x 544 (Restaurant)) x 8.345 / 1,000,000).

- 4458-019-010 (Assessment No. 30)
  This is the Malibu Colony Plaza development located at 23841 Malibu Road. The property is zoned Commercial General. Total building area is 116,925 square feet (68,014 square feet of retail and 48,911 square feet of restaurant). Total estimated wastewater flow is 34,484.0274 GPD (68,014 x 0.0216 GPD/BSF (Retail) + 48,911 x 0.675 GPD/BSF (Restaurant)). Estimated organic load is 153.7145 PPD ((1,469.1024 GPD x 313 (Retail) + 33,014.9250 GPD x 544 (Restaurant)) x 8.345 / 1,000,000).

- 4458-020-002 (Assessment No. 31)
  This is an office development located at 23405 Pacific Coast Highway. The property is zoned Commercial Visitor Serving I. Total building area is 2,386 square feet (284 square feet of retail and 2,102 square feet of office). Total estimated wastewater flow is 137.5094 GPD (284 x 0.0216 GPD/BSF (Retail) + 2,102 x 0.0625 GPD/BSF (Office)). Estimated organic load is 0.3592 PPD ((6.1344 GPD x 313 (Retail) + 131.3750 GPD x 313 (Office)) x 8.345 / 1,000,000).

- 4458-020-004 (Assessment No. 32)
  This is the Malibu Professional Arts office development located at 23440 Civic Center Way. The property is zoned Commercial Visitor Serving I. Total building area is 12,644 square feet. Estimated wastewater flow is 790.2500 GPD (12,644 x 0.0625 GPD/BSF). Estimated organic load is 2.0641 PPD ((790.2500 GPD x 313) x 8.345 / 1,000,000).

- 4458-020-010 (Assessment No. 33)
  This is the Malibu Country Mart II development located at 23410 Civic Center Way. The property is zoned Commercial Visitor Serving I. Total building area is 39,076 square feet (19,996 square feet of retail, 4,700 square feet of restaurant, and 14,380 square feet of office). Estimated wastewater flow is 4,503.1636 GPD (19,996 x 0.0216 GPD/BSF (Retail) + 4,700 x 0.675 GPD/BSF (Restaurant) + 14,380 x 0.0625 GPD/BSF (Office)). Estimated organic load is 17.8778 PPD ((431.9136 GPD x 313 (Retail) + 3,172.5000 GPD x 544 (Restaurant) + 898.7500 GPD x 313 (Office)) x 8.345 / 1,000,000).

- 4458-020-014 (Assessment No. 34)
  This is the Malibu Country Mart I development located at 3835 Cross Creek Road. The property is zoned Commercial Visitor Serving I. Total building area is 29,068 square feet (19,737 square feet of retail, 8,025 square feet of restaurant, and 1,306 square feet of office). Total estimated wastewater flow is 5,924.8192 GPD (19,737 x 0.0216 GPD/BSF (Retail) + 8,025 x 0.675 GPD/BSF (Restaurant) + 1,306 x 0.0625 GPD/BSF (Office)). Estimated organic load is 25.9176 PPD ((426.3192 GPD x 313 (Retail) + 5,416.8750 GPD x 544 (Restaurant) + 81.6250 GPD x 313 (Office)) x 8.345 / 1,000,000).

- 4458-020-015 (Assessment No. 35)
  This parcel of vacant land is located south of Civic Center Way, north of Pacific Coast Highway, and west of Webb Way. The property is zoned Commercial General. Total future building area for 4458-020-015 is estimated at 7,242 square feet using an FAR of 0.15 (48,280 total parcel square feet x 0.15). The City indicates that the property has the potential to include retail and restaurant uses, and therefore wastewater flow is estimated assuming eighty percent (80%) retail and twenty percent (20%) restaurant use, or 1,102.8118 GPD (7,242 x 0.8 x 0.0216 GPD/BSF (Retail) + 7,242 x 0.2 x 0.675 GPD/BSF (Restaurant)). Estimated organic load is 4.7652 PPD ((125.1418 GPD x 313 (Retail) + 977.6700 GPD x 544 (Restaurant)) x 8.345 / 1,000,000).

- 4458-020-900 (Assessment No. 36) and 4458-020-901 (Assessment No. 37)
  Assessment No. 36 is a parcel of vacant land located south of Civic Center Way, north of Pacific Coast Highway, and west of Webb Way. Assessment No. 37 is vacant land located at the northeast corner of the intersection of Webb Way and Pacific Coast Highway. These two parcels were acquired by the County of Los Angeles for purposes of road right-of-way, and are anticipated to be quitclaimed to the City with the condition that the property can only be used for those purposes authorized in Sections 2 and 9 of Article XIX of the California Constitution and Section 2101 of the California Streets and Highways Code which renders these properties undevelopable for private purposes. Therefore, flow and load is zero and there will be no assessment.

- 4458-020-902 (Assessment No. 38)
  This is part of Legacy Park. The property is zoned Commercial Visitor Serving I and will have no restroom or other facilities which would discharge to the wastewater treatment system. Therefore, estimated wastewater flow organic load are zero (0) and there will be no assessment.

- 4458-020-903 (Assessment No. 39)
  This is a commercial development that includes the Lumber Yard (3939 Cross Creek Road), Super Care building (23661 and 23461 Pacific Coast Highway), and animal hospital facilities (23431 Pacific Coast Highway). The property is zoned Commercial Visitor Serving I. Total building area is 37,862 square feet (30,049 square feet of retail, 6,605 square feet of restaurant, and 1,208 square feet of office). Total estimated wastewater flow is 5,182.9334 GPD (30,049 x 0.0216 GPD/BSF (Retail) + 6,605 x 0.675 GPD/BSF (Restaurant) + 1,208 x 0.0625 GPD/BSF (Office)). Estimated organic load is 22.1321 PPD ((649.0584 GPD x 313 (Retail) + 4,458.3750 GPD x 544 (Restaurant) + 75.5000 GPD x 313 (Office)) x 8.345 / 1,000,000).

- 4458-021-173 (Assessment No. 40)
  This is an office development located adjacent and south of Malibu City Hall (23805 – 23815 Stuart Ranch Road). The property is zoned Community Commercial. Total building area is 40,528 square feet. Estimated wastewater flow is 2,533.0000 GPD (40,528 x 0.0625 GPD/BSF). Estimated organic load is 6.6162 PPD ((2,533.0000 GPD x 313) x 8.345 / 1,000,000).

- 4458-021-175 (Assessment No. 41)
  This is vacant land located at the northwest corner of Civic Center Way and Stuart Ranch Road. The property is zoned Community Commercial. Total future building area is estimated at 44,105 square feet using an FAR of 0.15 (294,030 total parcel square feet x 0.15). The City indicates that the property has the potential to include retail and restaurant uses, and therefore wastewater flow is estimated assuming eighty percent (80%) retail and twenty percent (20%) restaurant use, or 6,716.3094 GPD (44,105 x 0.8 x 0.0216 GPD/BSF (Retail) + 44,105 x 0.2 x 0.675 GPD/BSF (Restaurant)). Estimated organic load is 29.0207 PPD ((762.1344 GPD x 313 (Retail) + 5,954.1750 GPD x 544 (Restaurant)) x 8.345 / 1,000,000).

- 4458-021-901 (Assessment No. 42)
  This property is Malibu City Hall. The property is zoned Community Commercial. Total building area is 37,359 square feet. Estimated wastewater flow is 2,334.9375 GPD (37,359 x 0.0625 GPD/BSF). Estimated organic load is 6.0988 PPD ((2,334.9375 GPD x 313) x 8.345 / 1,000,000).

- 4458-022-001 (Assessment No. 43)
  This is vacant land located at the northwest corner of the Civic Center Way and Cross Creek Road. The property is zoned Commercial Visitor Serving I. Along with 4458-022-022, this property is proposed to be developed as a Whole Foods Store. Total future building area is 38,425 square feet (9,222 square feet of retail and 29,203 square feet of restaurant). Total estimated wastewater flow is 9,340 GPD and is based on a September 2, 2011 study prepared EPD Consultants, which estimates that 710 GPD is attributable to the retail use and the remaining 8,630 GPD is attributable to the restaurant use. The wastewater flow from each land use is split between Assessor's Parcels 4458-022-001 and 4458-022-022 proportionately on the basis of land area. Estimated wastewater flow for Assessor's Parcel 4458-022-001, based on its parcel square footage of 108,464 and the total parcel square footage for both parcels of 259,673, is 3,901.2672 GPD (710 GPD x 108,464 / 259,673 (Retail) + 8,630 GPD x 108,464 / 259,673 (Restaurant)). Estimated organic load for Assessor's Parcel 4458-022-001 is 17.1388 PPD ((296.5631 GPD x 313 (Retail) + 3,604.7041 GPD x 544 (Restaurant)) x 8.345 / 1,000,000).

- 4458-022-011 (Assessment No. 44)
  This is vacant land located at the northeast corner of Civic Center Way and Stuart Ranch Road. The property is zoned Community Commercial. Total future building area is estimated at 81,010 based on an August 2013 traffic study for a proposed development comprised of retail, restaurant, and office uses (38,567 square feet of retail, 15,000 square feet of restaurant, and 27,443 square feet of office). Total estimated wastewater flow is 12,673.2347 GPD (38,567 x 0.0216 GPD/BSF (Retail) + 15,000 x 0.675 GPD/BSF (Restaurant) + 27,443 x 0.0625 GPD/BSF (Office)). Estimated organic load is 52.6202 PPD ((833.0472 GPD x 313 (Retail) + 10,125.0000 GPD x 544 (Restaurant) + 1,715.1875 GPD x 313 (Office)) x 8.345 / 1,000,000).

- 4458-022-012 (Assessment No. 45)
  This is vacant land located on the east side of Stuart Ranch Road opposite of Malibu City Hall. The property is zoned Community Commercial. Total future building area is estimated at 42,079 using an FAR of 0.15 (280,526 parcel square feet x 0.15). The City indicates that the property has the potential to include retail and restaurant uses, and therefore wastewater flow is estimated assuming eighty percent (80%) retail and twenty percent (20%) restaurant use, or 6,407.7901 GPD (42,079 x 0.8 x 0.0216 GPD/BSF (Retail) + 42,079 x 0.2 x 0.675 GPD/BSF (Restaurant)). Estimated organic load is 27.6876 PPD ((727.1251 GPD x 313 (Retail) + 5,680.6650 GPD x 544 (Restaurant)) x 8.345 / 1,000,000).

- 4458-022-019 (Assessment No. 46)
  This is vacant land located on the west side of La Paz Lane at its current terminus. The property is zoned Community Commercial. Total future building area is estimated at 55,408 using an FAR of 0.15 (369,389 parcel square feet x 0.15). The City indicates that the property has the potential to include retail and restaurant uses, and therefore wastewater flow is estimated assuming eighty percent (80%) retail and twenty percent (20%) restaurant use, or 8,437.5302 GPD (55,408 x 0.8 x 0.0216 GPD/BSF (Retail) + 55,408 x 0.2 x 0.675 GPD/BSF (Restaurant)). Estimated organic load is 36.4580 PPD ((957.4502 GPD x 313 (Retail) + 7,480.0800 GPD x 544 (Restaurant)) x 8.345 / 1,000,000).

- 4458-022-022 (Assessment No. 47)
  This is vacant land located approximately at the northwest corner of the Civic Center Way and Cross Creek Road. The property is zoned Commercial Visitor Serving I. Along with 4458-022-001, this property is proposed to be developed as a Whole Foods Store. Total estimated wastewater flow is 9,340 GPD and is based on a September 2, 2011 study prepared EPD Consultants, which estimates that 710 GPD is attributable to the retail use and 8,630 GPD is attributable to the restaurant use. The wastewater flow from each land use is split between Assessor's Parcels 4458-022-001 and 4458-022-022 proportionately on the basis of land area. Estimated wastewater flow for Assessor's Parcel 4458-022-022, based on its parcel square footage of 151,209 and the total parcel square footage for both parcels of 259,673, is 5,438.7328 GPD (710 GPD x 151,209 / 259,673 (Retail) + 8,630 GPD x 151,209 / 259,673 (Restaurant)). Estimated organic load for Assessor's Parcel 4458-022-022 is 23.8931 PPD ((413.4369 GPD x 313 (Retail) + 5,025.2959 GPD x 544 (Restaurant)) x 8.345 / 1,000,000).

- 4458-022-023 (Assessment No. 48) and 4458-022-024 (Assessment No. 49)
  This is vacant land located east of La Paz Lane and north of Civic Center Way. Development assumptions are based on a February 26, 2008 site plan. The property is zoned Town Center Overlay.

  Total future building area for 4458-022-023 is 88,997 (43,917 square feet of retail, 10,000 square feet of restaurant, and 35,080 square feet of office). Estimated wastewater flow for 4458-022-023 is 9,891.1072 GPD (43,917 x 0.0216 GPD/BSF (Retail) + 10,000 x 0.675 GPD/BSF (Restaurant) + 35,080 x 0.0625 GPD/BSF (Office)). Estimated organic load is 38.8474 PPD ((948.6072 GPD x 313 (Retail) + 6,750.0000 GPD x 544 (Restaurant) + 2,192.5000 GPD x 313 (Office)) x 8.345 / 1,000,000).

  Total future building area for 4458-022-024 is 43,061 square feet of restaurant, (15,585 square feet of retail, and 27,476 square feet of office). Estimated wastewater flow for 4458-022-024 is 2,053.8860 GPD (15,585 x 0.0216 GPD/BSF (Retail) + 27,476 x 0.0625 GPD/BSF (Office)). Estimated organic load is 5.3647 PPD ((336.6360 GPD x 313 (Retail) + 1,717.2500 GPD x 313 (Office)) x 8.345 / 1,000,000).

- 4458-022-025 (Assessment No. 50)
  This is vacant land located on north of the 4458-022-024. The property is zoned Community Commercial. Total future building area is estimated at 23,509 using an FAR of 0.15 (156,728 parcel square feet x 0.15). The City indicates that the property has the potential for office uses. Estimated wastewater flow is 1,469.3125 GPD (23,509 x 0.0625 GPD/BSF). Estimated organic load is 3.8378 PPD ((1,469.3125 GPD x 313) x 8.345 / 1,000,000).

- 4458-022-802 (Assessment No. 51)
  This is a GTE California, Inc. facility along Cross Creek Road. The property is zoned Commercial Visitor Serving I. Actual building square footage data are not available. Therefore, building area is estimated at 5,138 using an FAR of 0.15, the maximum permitted under current City zoning regulations (34,250 parcel square feet x 0.15). The City indicates that there is the potential for redevelopment of the property for non-utility use in the future, and therefore wastewater flow is estimated assuming eighty percent (80%) retail and twenty percent (20%) restaurant use, or 782.4146 GPD (5,138 x 0.8 x 0.0216 GPD/BSF (Retail) + 5,138 x 0.2 x 0.675 GPD/BSF (Restaurant)). Estimated organic load is 3.3808 PPD ((88.7846 GPD x 313 (Retail) + 693.6300 GPD x 544 (Restaurant)) x 8.345 / 1,000,000).

- 4458-022-906 (Assessment No. 52)
  This property is located at 23519 Civic Center Way and currently houses Los Angeles County courthouse, sheriff substation, library, and Water Works District 29 facilities and an unmanned communications tower. The property is zoned Institutional. A new Santa Monica Community College District satellite campus (no restaurant or cafeteria are anticipated) and Los Angeles County Sheriff substation facility will be constructed, replacing the existing sheriff substation. Total building square footage will be 86,900. The new SMCCD campus will be 27,500 building square feet with a total of two hundred ten (210) full time equivalent students and twelve (12) faculty/staff. The new Sheriff substation will be 5,640 building square feet. The existing courthouse facility is 24,240 building square feet. The existing library is 16,229 square feet. The Water Works District 29 offices are 12,291 building square feet. In addition, there is 1,000 square feet of storage. Estimated wastewater flow is 6,154.5000 GPD (59,400 x 0.0625 GPD/BSF (Office) + 222 x 11 GPD). Estimated organic load is 16.0755 PPD ((3,712.5000 GPD x 313 (Office) + 2,442.0000 GPD x 313 (College)) x 8.345 / 1,000,000).

- 4458-027-023 (Assessment No. 53), 4458-027-024 (Assessment No. 54), and 4458-027-025 (Assessment No. 55)
  This is Our Lady of Malibu Church and School. The property is zoned Institutional. The school is located on 4458-027-023, the church is located on 4458-027-024, and the rectory is located on 4458-027-025. The church has seating for 250. The school has a student capacity of one hundred twenty-three (123) with faculty and staff of up to twenty (20).

  Estimated wastewater flow for 4458-027-023 is 1,573.0000 GPD (143 x 11 GPD). Estimated organic load for 4458-027-023 is 4.1087 PPD ((1,573.0000 GPD x 313) x 8.345 / 1,000,000).

  Estimated wastewater flow for 4458-027-024 is 750.0000 GPD (250 seats x 3 GPD/seat). Estimated organic load for 4458-027-024 is 1.9590 PPD ((750.0000 GPD x 313) x 8.345 / 1,000,000).

  Estimated wastewater flow for 4458-027-025 is 366 GPD. Estimated organic load for 4458-027-025 is 0.9560 PPD ((366.0000 GPD x 313) x 8.345 / 1,000,000).

- 4458-028-006 (Assessment No. 56) and 4458-028-020 (Assessment No. 57)
  These two properties comprise the wastewater treatment plant site. The properties are zoned Commercial Visitor Serving II. Estimated wastewater flow is 100 GPD and is based on one bathroom, laboratory sink, and a dishwasher. Estimated organic load is 0.2612 PPD (100 x 313 x 8.345 / 1,000,000). Wastewater flow and load are allocated to each parcel in proportion to land area. Estimated wastewater flow for Assessor's Parcel 4458-028-006 is 27 GPD (100 x 4458-028-006 parcel square footage of 30,930 divided by the total parcel square footage for both parcels of 113,400). Estimated wastewater flow for Assessor's Parcel 4458-028-020 is 73 GPD (100 x 4458-028-020 parcel square footage of 82,470 divided by the total parcel square footage for both parcels of 113,400). Estimated organic load for Assessor's Parcel 4458-028-006 is 0.0705 PPD ((27.0000 GPD x 313) x 8.345 / 1000000). Estimated organic load for Assessor's Parcel 4458-028-020 is 0.1907 PPD ((73.0000 GPD x 313) * 8.345 / 1,000,000).

D. Parcel Subdivisions and Consolidations

If an Assessor's Parcel is subdivided, the assessment for the subdivided parcel shall be apportioned to the new parcels in accordance with the preceding assessment methodology. The sum of the assessments for the new parcels shall equal the assessment for the subdivided parcel. If two or more Assessor's Parcels are consolidated, the assessment for the parcel resulting from such consolidation shall be equal to the sum of the assessments for the consolidated parcels.

In conclusion, it is my opinion that the assessments for the above-referenced Assessment District have been spread in accordance with the direct and special benefits that each parcel receives from the works of improvement.

Dated: Dec. 9, 2015.

REGISTERED PROFESSIONAL ENGINEER
STEPHEN A. RUNK
No. C23473
CIVIL ENGINEER
STATE OF CALIFORNIA

David Taussig & Associates, Inc.

Steve Runk
R.C.E. C23473
Assessment Engineer
City of Malibu
State of California

I, Lisa Pope, as CITY CLERK of the City of Malibu, CALIFORNIA do hereby certify that the foregoing Assessment, together with the Diagram attached thereto, was recorded in my office on the 25th day of January 2016.

Lisa Pope
City Clerk
City of Malibu
State of California

I, Lisa Pope, as CITY CLERK of the City of Malibu, CALIFORNIA do hereby certify that the foregoing Assessment, together with the Diagram attached thereto, was approved and confirmed by the City Council of said City on the day of January 25 2016.

Lisa Pope
City Clerk
City of Malibu
State of California

I, Robert L. Brager, as DIRECTOR OF PUBLIC WORKS of the City of Malibu, CALIFORNIA do hereby certify that the foregoing Assessment, together with Diagram attached thereto, was recorded in my office on the day of JAN. 25, 2016.

Robert L. Brager
Director of Public Works
City of Malibu
State of California

EXHIBIT C

MODIFIED ENGINEER'S REPORT

ASSESSMENT DISTRICT NO. 2015-1
(CIVIC CENTER WASTEWATER TREATMENT FACILITY - PHASE 1)
CITY OF MALIBU

ASSESSMENT ROLL

PROPOSED CITY OF MALIBU ASSESSMENT DISTRICT NO. 2015-1
(CIVIC CENTER PHASE I WASTEWATER TREATMENT FACILITY)
ASSESSMENT ROLL

Assessment Number	Assessor's Parcel Number	Property Owner	Treatment Plant Construction Costs		Collection/Distribution System Construction Costs		Total Construction Hard Costs		Construction Soft Costs, District Formation Costs, and Bond Issuance Costs		Total Assessment as Preliminarily Approved		Total Assessment as Confirmed	
			Parcel Assessment	Percent of Total	Parcel Assessment	Percent of Total	Parcel Assessment	Percent of Total	Parcel Assessment	Percent of Total	Parcel Assessment	Percent of Total	Parcel Assessment	Percent of Total
1	4452-011-029	Mariposa Land Company Ltd	$321,091.87	1.24%	$229,092.83	1.14%	$550,184.70	1.20%	$211,537.51	1.20%	$548,408.97	1.10%	$761,722.21	1.20%
2	4452-011-033	First Oaks Oil LLC	$47,098.55	0.18%	$33,603.91	0.17%	$80,702.46	0.18%	$31,028.85	0.18%	$80,442.00	0.16%	$111,731.31	0.18%
3	4452-011-035	3806 Cross Creek Road LLC	$352,341.25	1.36%	$293,296.89	1.47%	$645,638.14	1.40%	$248,237.88	1.40%	$275,490.39	0.55%	$893,876.02	1.40%
4	4452-011-036	Mariposa Land Company Ltd	$434,471.22	1.67%	$309,986.82	1.55%	$744,458.04	1.62%	$286,232.60	1.62%	$742,055.28	1.49%	$1,030,690.64	1.62%
5	4452-011-037	Mariposa Land Company Ltd	$122,276.66	0.47%	$87,242.03	0.44%	$209,518.69	0.46%	$80,556.70	0.46%	$208,842.46	0.42%	$290,075.39	0.46%
6	4452-011-039	3900 Cross Creek LLC	$696,668.02	2.68%	$489,177.26	2.44%	$1,185,845.28	2.58%	$455,939.18	2.58%	$1,267,177.86	2.55%	$1,641,784.46	2.58%
7	4452-011-042	Jamestown Premier Malibu Village LP	$371,214.39	1.43%	$279,373.75	1.40%	$650,588.14	1.41%	$250,141.08	1.41%	$601,844.86	1.21%	$900,729.22	1.41%
8	4452-011-043	Jamestown Premier Malibu Village LP	$662,630.70	2.55%	$474,723.62	2.37%	$1,137,354.32	2.47%	$437,295.17	2.47%	$1,122,048.31	2.26%	$1,574,649.49	2.47%
9	4452-011-803	So Calif Edison Co, SB of E Par 1 Map 148-19-454A	$78,225.49	0.30%	$55,812.38	0.28%	$134,037.87	0.29%	$51,535.49	0.29%	$133,605.27	0.27%	$185,573.36	0.29%
10	4452-012-024	Mariposa Land Co Ltd	$926,244.32	3.56%	$660,857.41	3.30%	$1,587,101.73	3.45%	$610,216.08	3.45%	$1,581,979.34	3.18%	$2,197,317.81	3.45%
11	4458-001-003	23676 And 23726 Malibu Rd LLC	$0.00	0.00%	$0.00	0.00%	$0.00	0.00%	$0.00	0.00%	$0.00	0.00%	$0.00	0.00%
12	4458-002-018	Morton M And Leslie Gerson Trs, Gerson Family Trust	$21,763.85	0.08%	$25,687.68	0.13%	$47,451.53	0.10%	$18,244.38	0.10%	$49,627.38	0.10%	$65,695.91	0.10%
13	4458-002-019	23676 And 23726 Malibu Rd LLC	$81,344.41	0.31%	$96,010.10	0.48%	$177,354.51	0.39%	$68,190.07	0.39%	$185,486.90	0.37%	$245,544.58	0.39%
14	4458-002-900	L A County Consolidated Fire Pro Dist	$39,531.36	0.15%	$46,658.51	0.23%	$86,189.87	0.19%	$33,138.68	0.19%	$90,142.03	0.18%	$119,328.55	0.19%
15	4458-018-002	PCH Project Owner LLC	$0.00	0.00%	$0.00	0.00%	$0.00	0.00%	$0.00	0.00%	$0.00	0.00%	$0.00	0.00%
16	4458-018-018	PCH Project Owner LLC	$0.00	0.00%	$0.00	0.00%	$0.00	0.00%	$0.00	0.00%	$0.00	0.00%	$0.00	0.00%
17	4458-018-019	PCH Project Owner LLC	$384,512.65	1.48%	$453,836.92	2.27%	$838,349.57	1.82%	$322,332.46	1.82%	$876,791.22	1.76%	$1,160,682.03	1.82%
18	4458-018-027	Malibu Rd Project Owner LLC	$75,606.42	0.29%	$89,237.59	0.45%	$164,844.01	0.36%	$63,379.97	0.36%	$172,402.75	0.35%	$228,223.98	0.36%
19	4458-018-028	Malibu Rd Project Owner LLC	$75,606.42	0.29%	$89,237.59	0.45%	$164,844.01	0.36%	$63,379.97	0.36%	$172,402.75	0.35%	$228,223.98	0.36%
20	4458-018-029	Malibu Rd Project Owner LLC	$75,606.42	0.29%	$89,237.59	0.45%	$164,844.01	0.36%	$63,379.97	0.36%	$172,402.75	0.35%	$228,223.98	0.36%
21	4458-018-030	Malibu Rd Project Owner LLC	$75,606.42	0.29%	$89,237.59	0.45%	$164,844.01	0.36%	$63,379.97	0.36%	$172,402.75	0.35%	$228,223.98	0.36%
22	4458-018-031	Malibu Rd Project Owner LLC	$0.00	0.00%	$0.00	0.00%	$0.00	0.00%	$0.00	0.00%	$0.00	0.00%	$0.00	0.00%
23	4458-018-032	Malibu Rd Project Owner LLC	$0.00	0.00%	$0.00	0.00%	$0.00	0.00%	$0.00	0.00%	$0.00	0.00%	$0.00	0.00%
24	4458-018-033	Malibu Rd Project Owner LLC	$0.00	0.00%	$0.00	0.00%	$0.00	0.00%	$0.00	0.00%	$0.00	0.00%	$0.00	0.00%
25	4458-018-902	Malibu City	$0.00	0.00%	$0.00	0.00%	$0.00	0.00%	$0.00	0.00%	$0.00	0.00%	$0.00	0.00%
26	4458-018-904	Malibu City	$23,762.02	0.09%	$28,046.10	0.14%	$51,808.12	0.11%	$19,919.43	0.11%	$54,183.71	0.11%	$71,727.55	0.11%
27	4458-019-003	Reco Land Corp	$75,606.42	0.29%	$89,237.59	0.45%	$164,844.01	0.36%	$63,379.97	0.36%	$172,402.75	0.35%	$228,223.98	0.36%
28	4458-019-008	Chevron Usa Inc	$95,530.34	0.37%	$68,159.04	0.34%	$163,689.38	0.36%	$62,936.04	0.36%	$163,161.10	0.33%	$226,625.42	0.36%
29	4458-019-009	KW Partnership LP And KW Two Partnership LP	$229,479.61	0.88%	$163,729.25	0.82%	$393,208.86	0.85%	$151,182.73	0.85%	$391,939.76	0.79%	$544,391.59	0.85%
30	4458-019-010	KW Malibu Colony LLC	$6,356,304.43	24.46%	$4,396,102.55	21.97%	$10,752,406.98	23.37%	$4,134,134.41	23.37%	$12,749,737.24	25.64%	$14,886,541.39	23.37%
31	4458-020-002	Cross Creek Real Estate Group LLC And Malibu Bear LLC	$14,852.28	0.06%	$17,530.01	0.09%	$32,382.29	0.07%	$12,450.49	0.07%	$32,356.30	0.07%	$44,832.78	0.07%
32	4458-020-004	CCW Partners LLC	$85,354.25	0.33%	$100,742.87	0.50%	$186,097.12	0.40%	$71,551.46	0.40%	$194,630.41	0.39%	$257,648.58	0.40%
33	4458-020-010	Malibu Cross Creek Ltd	$739,271.93	2.84%	$574,073.57	2.87%	$1,313,345.50	2.85%	$504,961.04	2.85%	$1,398,527.08	2.81%	$1,818,306.54	2.85%
34	4458-020-014	3835 Cross Creek LLC	$1,071,729.27	4.12%	$755,309.46	3.77%	$1,827,038.73	3.97%	$702,468.16	3.97%	$1,941,899.83	3.91%	$2,529,506.89	3.97%
35	4458-020-015	Reco Land Corp	$197,046.63	0.76%	$140,588.96	0.70%	$337,635.59	0.73%	$129,815.67	0.73%	$336,545.86	0.68%	$467,451.26	0.73%
36	4458-020-900	LA County	$0.00	0.00%	$0.00	0.00%	$0.00	0.00%	$0.00	0.00%	$146,942.57	0.30%	$0.00	0.00%

PROPOSED CITY OF MALIBU ASSESSMENT DISTRICT NO. 201S-1
(CIVIC CENTER PHASE I WASTEWATER TREATMENT FACILITY)
ASSESSMENT ROLL

Assessment Number	Assessor's Parcel Number	Property Owner	Treatment Plant Construction Costs		Collection/Distribution System Construction Costs		Total Construction Hard Costs		Construction Soft Costs, District Formation Costs, and Bond Issuance Costs		Total Assessment as Preliminarily Approved		Total Assessment as Confirmed	
			Parcel Assessment	Percent of Total	Parcel Assessment	Percent of Total	Parcel Assessment	Percent of Total	Parcel Assessment	Percent of Total	Parcel Assessment	Percent of Total	Parcel Assessment	Percent of Total
37	4458-020-901	LA County	$0.00	0.00%	$0.00	0.00%	$0.00	0.00%	$0.00	0.00%	$91,130.40	0.18%	$0.00	0.00%
38	4458-020-902	Malibu City	$0.00	0.00%	$0.00	0.00%	$0.00	0.00%	$0.00	0.00%	$0.00	0.00%	$0.00	0.00%
39	4458-020-903	Malibu City	$915,194.05	3.52%	$660,732.17	3.30%	$1,575,926.22	3.43%	$605,919.28	3.43%	$1,544,087.19	3.11%	$2,181,845.50	3.43%
40	4458-021-173	Miramar Property Investment Co	$273,587.23	1.05%	$322,912.62	1.61%	$596,499.85	1.30%	$229,344.97	1.30%	$623,851.71	1.25%	$825,844.82	1.30%
41	4458-021-175	Surfrider Partners LLC	$1,200,047.17	4.62%	$856,210.44	4.28%	$2,056,257.61	4.47%	$790,599.27	4.47%	$2,049,621.01	4.12%	$2,846,856.88	4.47%
42	4458-021-901	Malibu City	$252,194.66	0.97%	$297,663.16	1.49%	$549,857.82	1.20%	$211,411.84	1.20%	$575,070.95	1.16%	$761,269.66	1.20%
43	4458-022-001	DB Malibu Holdco LLC	$708,713.81	2.73%	$497,342.44	2.49%	$1,206,056.25	2.62%	$463,709.98	2.62%	$1,833,901.20	3.69%	$1,669,766.23	2.62%
44	4458-022-011	Malibu Bay Company	$2,175,918.02	8.37%	$1,615,612.87	8.07%	$3,791,530.89	8.24%	$1,457,785.03	8.24%	$3,810,997.49	7.66%	$5,249,315.92	8.24%
45	4458-022-012	Hitoshi Yamaguchi Tr Et Al, Tosh Trust, Eiko Mori Tr, And H And E Mori Trust	$1,144,922.01	4.41%	$816,879.70	4.08%	$1,961,801.71	4.26%	$754,282.44	4.26%	$1,955,469.97	3.93%	$2,716,084.15	4.26%
46	4458-022-019	Wave Property Inc	$1,507,589.02	5.80%	$1,075,635.60	5.37%	$2,583,224.62	5.62%	$993,209.95	5.62%	$2,574,887.22	5.18%	$3,576,434.57	5.62%
47	4458-022-022	DB Malibu Holdco LLC	$988,013.60	3.80%	$693,342.06	3.46%	$1,681,355.66	3.65%	$646,455.27	3.65%	$2,556,630.46	5.14%	$2,327,810.93	3.65%
48	4458-022-023	Malibu Lapaz Ranch LLC	$1,606,391.91	6.18%	$1,260,940.91	6.30%	$2,867,332.82	6.23%	$1,102,445.16	6.23%	$2,764,253.02	5.56%	$3,969,777.98	6.23%
49	4458-022-024	Malibu Lapaz Ranch LLC	$221,838.52	0.85%	$261,834.07	1.31%	$483,672.59	1.05%	$185,964.63	1.05%	$505,881.35	1.02%	$669,637.22	1.05%
50	4458-022-025	Steven J Knapp Tr, Steven J Knapp Trust, Joan Knapp Tr, And Knapp Trust	$158,699.22	0.61%	$187,311.31	0.94%	$346,010.53	0.75%	$133,035.70	0.75%	$361,876.47	0.73%	$479,046.23	0.75%
51	4458-022-802	GTE Calif Inc, SB of E Par 3 Map 201-19-746	$139,799.17	0.54%	$99,744.00	0.50%	$239,543.17	0.52%	$92,100.65	0.52%	$238,770.06	0.48%	$331,643.82	0.52%
52	4458-022-906	LA County	$664,742.43	2.56%	$784,589.70	3.92%	$1,449,332.13	3.15%	$557,245.81	3.15%	$1,515,789.73	3.05%	$2,006,577.94	3.15%
53	4458-027-023	Archdiocese Of LA Educ And Welfare Corp Our Lady Of Malib	$169,898.43	0.65%	$200,529.63	1.00%	$370,428.06	0.81%	$142,423.87	0.81%	$387,413.65	0.78%	$512,851.93	0.81%
54	4458-027-024	Roman Catholic Archbishop Of LA	$81,006.88	0.31%	$95,611.71	0.48%	$176,618.59	0.38%	$67,907.11	0.38%	$184,717.24	0.37%	$244,525.70	0.38%
55	4458-027-025	Roman Catholic Archbishop Of LA	$39,531.36	0.15%	$46,658.51	0.23%	$86,189.87	0.19%	$33,138.68	0.19%	$90,142.03	0.18%	$119,328.55	0.19%
56	4458-028-006	Reco Land Corp	$2,916.24	0.01%	$3,442.02	0.02%	$6,358.26	0.01%	$2,444.65	0.01%	$6,649.83	0.01%	$8,802.91	0.01%
57	4458-028-020	MBC Colony Plaza LLC	$7,884.67	0.03%	$9,306.21	0.05%	$17,190.88	0.04%	$6,609.63	0.04%	$17,979.14	0.04%	$23,800.51	0.04%
		Grand Total:	**$25,989,666.00**	**100.00%**	**$20,012,129.00**	**100.00%**	**$46,001,795.00**	**100.00%**	**$17,686,979.33**	**100.00%**	**$49,725,000.00**	**100.00%**	**$63,688,774.33**	**100.00%**

EXHIBIT D

MODIFIED ENGINEER'S REPORT

ASSESSMENT DISTRICT NO. 2015-1
(CIVIC CENTER WASTEWATER TREATMENT FACILITY - PHASE 1)
CITY OF MALIBU

ASSESSMENT DIAGRAM

SHEET 1 OF 2

ASSESSMENT DIAGRAM FOR
CITY OF MALIBU
ASSESSMENT DISTRICT NO. 2015–1
(CIVIC CENTER WASTEWATER TREATMENT FACILITY – PHASE I)
CITY OF MALIBU. LOS ANGELES COUNTY, CALIFORNIA

Filed in the office of the City Clerk of the City of Malibu this ____ day of _____, 2016.

_____
City Clerk of the City of Malibu
County of Los Angeles, State of California

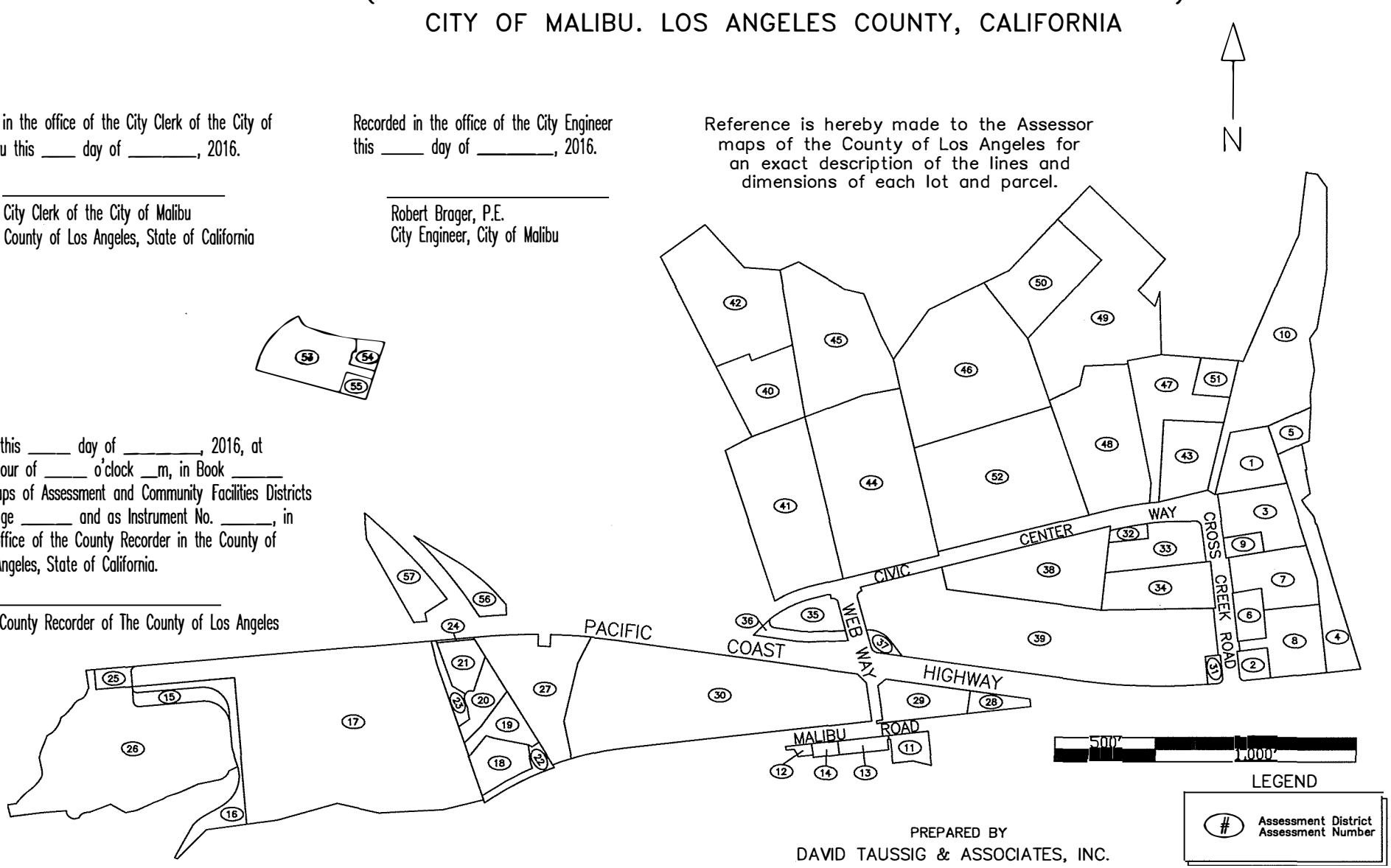
Recorded in the office of the City Engineer this _____ day of _____, 2016.

_____
Robert Brager, P.E.
City Engineer, City of Malibu

Reference is hereby made to the Assessor maps of the County of Los Angeles for an exact description of the lines and dimensions of each lot and parcel.

Filed this _____ day of _____, 2016, at the hour of _____ o'clock __m, in Book _____ of Maps of Assessment and Community Facilities Districts at page _____ and as Instrument No. _____, in the office of the County Recorder in the County of Los Angeles, State of California.

_____
County Recorder of The County of Los Angeles



PREPARED BY
DAVID TAUSSIG & ASSOCIATES, INC.

ASSESSMENT DIAGRAM FOR
CITY OF MALIBU
ASSESSMENT DISTRICT NO. 2015-1
(CIVIC CENTER WASTEWATER TREATMENT FACILITY - PHASE I)
CITY OF MALIBU, LOS ANGELES COUNTY, CALIFORNIA

ASSESSMENT NUMBER	A.P.N.
1	4452-011-029
2	4452-011-033
3	4452-011-035
4	4452-011-036
5	4452-011-037
6	4452-011-039
7	4452-011-042
8	4452-011-043
9	4452-011-803
10	4452-012-024
11	4458-001-003
12	4458-002-018
13	4458-002-019
14	4458-002-900
15	4458-018-002
16	4458-018-018
17	4458-018-019
18	4458-018-027
19	4458-018-028
20	4458-018-029
21	4458-018-030
22	4458-018-031
23	4458-018-032
24	4458-018-033
25	4458-018-902
26	4458-018-904
27	4458-019-003
28	4458-019-008
29	4458-019-009
30	4458-019-010
31	4458-020-002
32	4458-020-004
33	4458-020-010
34	4458-020-014
35	4458-020-015
36	4458-020-900
37	4458-020-901
38	4458-020-902
39	4458-020-903
40	4458-021-173
41	4458-021-175
42	4458-021-901

ASSESSMENT NUMBER	A.P.N.
43	4458-022-001
44	4458-022-011
45	4458-022-012
46	4458-022-019
47	4458-022-022
48	4458-022-023
49	4458-022-024
50	4458-022-025
51	4458-022-802
52	4458-022-906
53	4458-027-023
54	4458-027-024
55	4458-027-025
56	4458-028-006
57	4458-028-020

Reference is hereby made to the Assessor maps of the County of Los Angeles for an exact description of the lines and dimensions of each lot and parcel.

An assessment was levied by the City Council on the lots, pieces, and parcels of land shown on this assessment diagram. The assessment was levied on the _____ day of _____, 2016. Reference is made to the assessment roll recorded in the office of the City Engineer for the exact amount of each assessment levied against each parcel of land shown on this assessment diagram.

_____

Lisa Pope
City Clerk of the City of Malibu

PREPARED BY
DAVID TAUSSIG & ASSOCIATES, INC.