

**ANNUAL ADMINISTRATION REPORT  
FOR FISCAL YEAR 2014-2015**

**CITY OF MALIBU  
BROAD BEACH ROAD UNDERGROUND UTILITIES  
ASSESSMENT DISTRICT No. 2010-1**



**JULY 15, 2014**

**Prepared on Behalf of:**

**CITY OF MALIBU**  
Public Works Department  
23825 Stuart Ranch Road  
Malibu, CA 90265-4861

**Prepared by:**

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

Public Finance  
Public Private Partnerships  
Urban Economics

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Newport Beach  
Riverside  
San Francisco  
Dallas

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## ***Introduction***

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This report provides an analysis of the financial and administrative obligations of Broad Beach Road Underground Utilities Assessment District No. 2010-1 ("AD No. 2010-1") of the City of Malibu (the "City") resulting from the sale of the \$2,238,285 Limited Obligation Improvement Bonds (the "Bonds") issued on June 8, 2010. **AD No. 2010-1 is a legally constituted governmental entity established under the Municipal Improvement Act of 1913, (the "Act") as amended. Bonds proceeds will be used to finance the undergrounding of existing overhead utilities.** The Bonds are both secured and repaid through the annual levy and collection of assessment installment payments.

This report is organized into the following sections:

- Section I – Background;
- Section II – Assessment Requirement;
- Section III – Prior Year Assessment and Delinquencies;
- Section IV – Funds and Accounts;
- Section V – Prepayment of Assessments; and
- Section VI – Disclosure Reports.

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## ***I. Background***

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### ***Location of Assessment District No. 2010-1***

AD No. 2010-1 (commonly known as "Broad Beach Road") is located within the City adjacent to Broad Beach and Pacific Coast Highway, and consists of 84 taxable parcels which contain mostly completed oceanfront residential units. A copy of the assessment diagram for AD No. 2010-1 is included as Exhibit A.

### ***Assessment District Formation***

The City Council of the City of Malibu (the "City Council"), acting on behalf of AD No. 2010-1, adopted Resolution No. 10-08 on February 22, 2010 stating its intent to form AD No. 2010-1. On February 22, 2010, the City Council adopted Resolution No. 10-09 to preliminarily approve the Engineer's Report, which contained among other things, the proposed assessment for each parcel of land in AD No. 2010-1.

Following a noticed public hearing on April 12, 2010, the assessment ballots were tabulated by the Assessment Engineer and the City Clerk and it was found that a majority protest as defined by Article XIID of the California Constitution did not exist. On the same date, the City Council adopted its resolution confirming the proposed assessments. The City Council confirmed a total assessment of \$3,000,000 and recorded such confirmed assessments as liens against the various assessed parcels.

All property owners in the AD No. 2010-1 were then given mailed notice of the opportunity to pay all or a portion of their assessments in cash within 30 days of the recording of the assessments. Originally, there were 84 assessed parcels with assessments totaling \$3,000,000. The owners of 18 lots prepaid their assessments in whole during the 30 day cash prepayment period. Additionally, 38 lots received partial prepayment credit against their assessments for costs advanced to AD No. 2010-1. There remains \$2,238,285.37 of unpaid assessments securing the Bonds.

### ***AD Bonded Indebtedness***

The Bonds in the amount of \$2,238,285 were issued with a date of June 8, 2010 for AD No. 2010-1. On July 14, 2014, the City Council adopted Resolution No. 14-35 to declare all funds held in the Improvement Fund to be surplus. On September 2, 2014, bonds in the amount of \$235,000 are anticipated to be redeemed with a portion of such surplus fund. The revised debt service schedule for the Bonds is attached hereto as Exhibit B.

***Improvement Financed by AD No. 2010-1***

The improvements (the "Improvements ") that were constructed and installed in AD No. 2010-1 are generally described as followed:

1. Removal of existing power and telephone poles;
2. Removal of overhead residential service laterals;
3. Construction of mainline underground power, telephone and cable communication conduit, with appurtenant manholes and pullboxes; and
4. Construction of service conduit and appurtenances.

The plans and specifications which describe the general nature, location and extent of the Improvements are filed in the office of the City Clerk and in the office of the City Engineer. The Engineer's Estimate of Improvement Costs is summarized in Table I-1.

**TABLE I-1**  
**ASSESSMENT DISTRICT NO. 2010-1**  
**COST ESTIMATE<sup>1</sup>**

| DESCRIPTION                                              | CONFIRMED COST     |
|----------------------------------------------------------|--------------------|
| Construction Costs                                       |                    |
| Southern California Edison                               | \$1,322,000        |
| Verizon                                                  | \$698,000          |
| Charter Cable                                            | \$72,000           |
| Contingency                                              | \$215,000          |
| Total Construction Costs                                 | <b>\$2,307,000</b> |
| Procedural and Formation Costs <sup>2</sup>              | \$333,000          |
| Bond Issuance Costs <sup>3</sup>                         | \$360,000          |
| <b>Total Net Project Costs and Total Amount Assessed</b> | <b>\$3,000,000</b> |

Improvements were designed by Southern California Edison, Verizon, and Charter Communications. After the construction of Improvements was finished, the City of Malibu inspected work for conformance to applicable City standards and specifications. The Improvements are now the property and responsibility of Southern California Edison, Verizon, and Charter Communications.

<sup>1</sup> Source: Penfield & Smith, "Final Engineer's Report for City of Malibu Broad Beach Road Underground Utilities Assessment District No. 2010-1", April 2010.

<sup>2</sup> Inspection, testing, surveying and staking, design engineering, plan checking, permits, printing, appraisal, financial advisor, bond counsel, assessment engineer, and City cost reimbursement.

<sup>3</sup> Reserve fund, capitalized interest and underwriter's discount.

### ***Assessment Methodology***

The Final Engineer's Report for AD No. 2010-1 identified the benefits the Improvements will render to the properties within the City and determined that the property owners will receive a unique and special benefit distinguished from general benefits to the area at large. The unique and special benefits from the Improvements identified in the Final Engineer's Report were (1) improved property access, (2) improved scenic view and (3) reliability benefit. The method and formula of assessment spread for AD No. 2010-1 is attached hereto as Exhibit C.

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## ***II. Assessment Requirement***

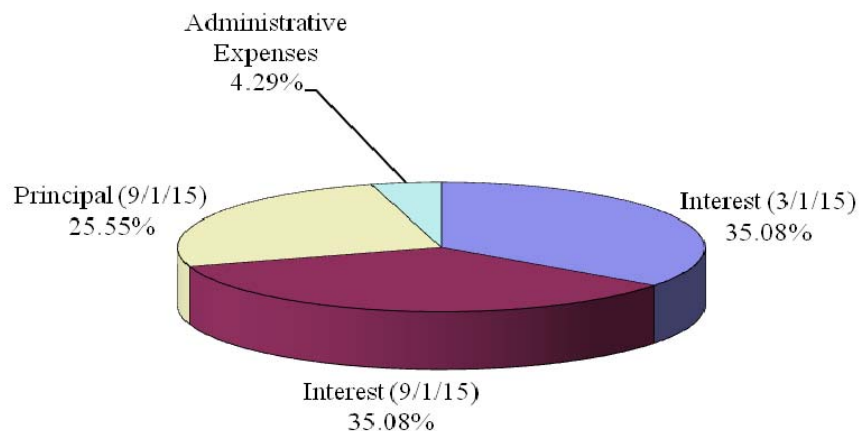
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AD No. 2010-1's assessment requirement for FY 2014-2015 is equal to \$137,007.72 and is presented in Table II-1 and Graph II-1 below. This amount represents the sum of interest and principal payments due on the Bonds, and projected administrative expenses.

**TABLE II-1**  
**ASSESSMENT DISTRICT NO. 2010-1**  
**FISCAL YEAR 2014-15 ASSESSMENT REQUIREMENT**

|                                     |                     |
|-------------------------------------|---------------------|
| DEBT SERVICE <sup>1</sup>           |                     |
| INTEREST (3/1/15)                   | \$48,067.50         |
| INTEREST (9/1/15)                   | \$48,067.50         |
| PRINCIPAL (9/1/15)                  | \$35,000.00         |
| ADMINISTRATIVE EXPENSES             | \$5,872.72          |
| <b>TOTAL FY 2014-15 ASSESSMENTS</b> | <b>\$137,007.72</b> |

**GRAPH II-1**  
**ASSESSMENT DISTRICT NO. 2010-1**  
**FISCAL YEAR 2014-15 GROSS ASSESSMENT REQUIREMENT**



The assessment roll containing the annual amount due from each parcel in AD No. 2010-1 is included as Exhibit D.

### ***Billing and Collection of the Assessment***

The assessment installments levied in AD No. 2010-1 are billed and collected along with regular property taxes by the County of Los Angeles. The Auditor-Controller of the County of Los Angeles has assigned account number 203.61 for the collection of assessment installments in AD No. 2010-1.

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<sup>1</sup> Based on the revised debt service schedule after the anticipated bond call on September 2, 2014.

### ***III. Prior Year Levy and Delinquencies***

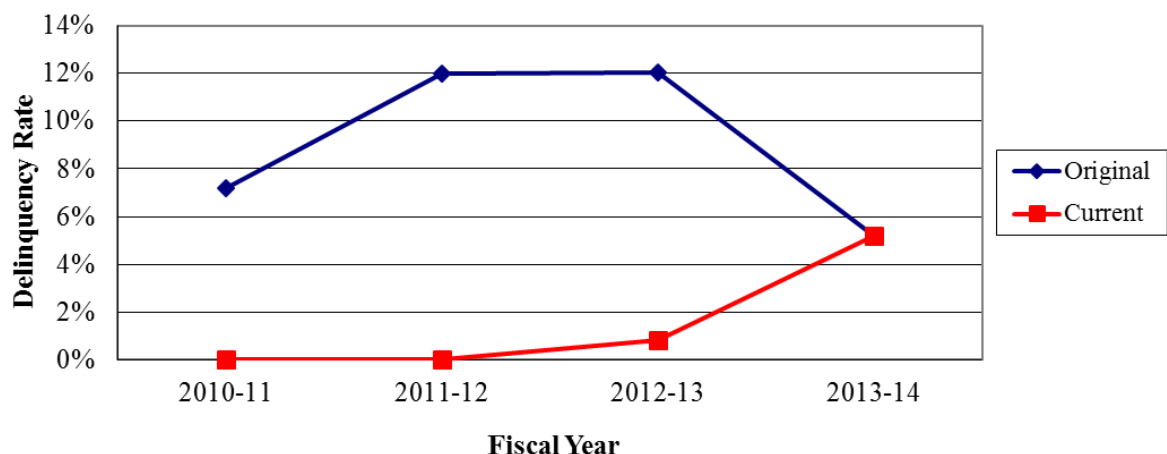
#### ***Delinquencies***

As of June 17, 2014, the County had collected \$148,186.48 of the \$156,301.31 in assessments levied for FY 2013-2014 resulting in a delinquency rate of 5.19 percent, as presented in Table III-1 below. Of the 66 parcels that were subject to assessment, 6 failed to pay all or some of the FY 2013-2014 assessments in a timely manner. A detailed report of delinquent parcels is included as Exhibit E. Graph III-1 illustrates the trend of assessment delinquencies in the recent years.

**TABLE III-1**  
**ASSESSMENT DISTRICT NO. 2010-1**  
**ASSESSMENT DELINQUENCIES SUMMARY**

| FISCAL YEAR            | AMOUNT ENROLLED | CURRENT AMOUNT DELINQUENT | CURRENT PARCELS DELINQUENT | CURRENT PERCENT DELINQUENT | ORIGINAL AMOUNT DELINQUENT | ORIGINAL PARCELS DELINQUENT | ORIGINAL PERCENT DELINQUENT |
|------------------------|-----------------|---------------------------|----------------------------|----------------------------|----------------------------|-----------------------------|-----------------------------|
| 2013-2014              | \$156,301.31    | \$8,114.83                | 6                          | 5.19%                      | \$8,114.83                 | 6                           | 5.19%                       |
| 2012-2013              | \$156,968.85    | \$1,308.37                | 1                          | 0.83%                      | \$18,935.18                | 9                           | 12.06%                      |
| 2011-2012              | \$157,781.78    | \$0.00                    | 0                          | 0.00%                      | \$18,926.53                | 11                          | 12.00%                      |
| 2010-2011 <sup>1</sup> | \$156,244.68    | \$0.00                    | 0                          | 0.00%                      | \$11,250.95                | 5                           | 7.20%                       |

**GRAPH III-1**  
**ASSESSMENT DELINQUENCIES TREND**  
**ASSESSMENT DISTRICT NO. 2010-1**



<sup>1</sup> First year of levying the assessments.



### ***Foreclosure Covenant***

Within 60 days after any October 1 following the close of the fiscal year, AD No. 2010-1 has covenanted to commence judicial foreclosure proceedings against the following:

- (i) Parcels with aggregate delinquent assessment installments (including prior years) of \$2,500 or more; and
- (ii) Parcels owned by any single owner with delinquent assessment installments in the aggregate amount (including prior years) of \$2,500 or more.

If the amount in the Reserve Fund is not less than the Reserve Requirement, then AD No. 2010-1 can elect not to foreclose on parcels that are delinquent on a single semi-annual assessment installment. Notwithstanding the foregoing, if the delinquency rate is 10% or above by the October 1 following the close of each fiscal year, then AD No. 2010-1 is obligated to commence judicial foreclosure proceedings against all parcels with delinquent assessment installments regardless of the delinquent amount.

AD 2010-1 has not commenced foreclosure proceedings against any parcels. Collection letters were mailed on July 9, 2014 to the owners and lenders of parcels with delinquent assessments.

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## ***IV. Funds and Accounts***

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### ***Description of Funds and Accounts***

The fiscal agent agreement for the Bonds (the "Agreement") established an Assessment Fund, Redemption Fund, Reserve Fund, Rebate Fund, Cost of Issuance Fund, and Improvement Fund. Within the Redemption Fund three additional accounts were created: an Interest Account, Principal Account, and Prepayment Account. The following presents a description of the funds and accounts relating to AD No. 2010-1 created pursuant to the Agreement.

#### **Assessment Fund**

The City Treasurer, upon receipt of assessment installments, will transfer the balances to the Fiscal Agent for deposit into the Assessment Fund after deposit of amounts into the Administrative Expense Fund held by the City to pay for the administrative expenses. Following the deposits of assessments set forth in the preceding paragraph, all money in the Assessment Fund will be transferred by the Fiscal Agent, in the following order of priority, to:

1. The Interest Account of Redemption Fund;
2. The Principal Account of Redemption Fund;
3. The Reserve Fund; and
4. The Rebate Fund.

#### **Reserve Fund**

The Reserve Fund was initially funded with the Reserve Requirement of \$153,612.50. In the event that assessment receipts are insufficient to pay debt service, money may be withdrawn from the Reserve Fund and used for payment of principal and interest on the Bonds as follows:

1. When the moneys in the Redemption Fund are insufficient therefor;
2. In connection with an optional redemption or a special redemption of Bonds following the prepayments of assessments; and
3. When the balance therein equals the principal and interest due on the Bonds to and including maturity.

Whenever the balance in the Reserve Fund is below the Reserve Requirement, the Fiscal Agent shall transfer to the Reserve Fund from available moneys in the Assessment Fund the amount needed to restore the amount of such Reserve Fund to the Reserve Requirement. Moneys in the Reserve Fund in excess of the Reserve Requirement that are not transferred to the Rebate Fund will be transferred to the Assessment Fund and will be used as provided in the Agreement.

***Account Balances***

The funds and accounts relating to AD No. 2010-1 established by the Agreement have the following balances:

**TABLE IV-1**  
**ASSESSMENT DISTRICT NO. 2010-1**  
**ACCOUNT BALANCES AS OF JUNE 30, 2014**

|                       |    |                         |
|-----------------------|----|-------------------------|
| REDEMPTION FUND       | \$ | 0.00                    |
| PRINCIPAL ACCOUNT     | \$ | 0.00                    |
| INTEREST ACCOUNT      | \$ | 0.00                    |
| PREPAYMENT ACCOUNT    | \$ | 0.00                    |
| ASSESSMENT FUND       | \$ | 0.06                    |
| RESERVE FUND          | \$ | 153,615.42 <sup>1</sup> |
| REBATE FUND           | \$ | 0.00                    |
| COST OF ISSUANCE FUND | \$ | 40,685.94               |
| IMPROVEMENT FUND      | \$ | 301,659.42              |

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<sup>1</sup> The Reserve Requirement equals \$153,612.50.

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## ***V. Prepayment of Assessments***

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Monies received as a result of the prepayment of assessments are deposited in the Prepayment Account of Redemption Fund and are used to pay for the principal of, premium and interest due on the Bonds to be redeemed prior to their maturity dates.

### ***Prepaid Parcels***

No assessments were prepaid during FY 2013-2014.

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## ***VI. Disclosure Reports***

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### ***Continuing Disclosure***

Pursuant to Form of Continuing Disclosure Agreement (the "Disclosure Agreement") dated June 1, 2010 between AD No. 2010-1 and the Deutsche Bank National Trust Company, AD No. 2010-1 has covenanted to compile financial and operating data and file an annual report by April 1 of each year. The most recent annual report was filed on March 10, 2014. Pursuant to the Disclosure Agreement, the annual report contents shall consist of the following:

- Audited financial statements;
- The principal amount of bonds outstanding;
- The balance in the Prepayment Account of Redemption Fund;
- The balance in the Improvement Fund and a description of status of construction of the improvements being constructed until complete;
- The balance in the Redemption Fund;
- The balance in the Reserve Fund and a statement of the Reserve Requirement;
- Information regarding the annual special assessment installments, amount collected, delinquent amount and percent delinquent for the most recent fiscal year and the amount and percent remaining delinquent for any prior fiscal year; and
- Status of foreclosure proceedings and summary of results of foreclosure sales, if available.

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# **EXHIBIT A**

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## **CITY OF MALIBU ASSESSMENT DISTRICT No. 2010-1**

### **Assessment Diagram**

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# ASSESSMENT DIAGRAM OF BROAD BEACH ROAD UNDERGROUND UTILITIES ASSESSMENT DISTRICT NO. 2010-1

CITY OF MALIBU  
COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

AN ASSESSMENT WAS LEVIED BY THE CITY COUNCIL OF THE CITY OF MALIBU ON THE LOTS, PIECES, AND PARCELS OF LAND SHOWN ON THE MAPS, PLANS, AND RECORDS OF THE CITY OF MALIBU, AND THE ASSESSMENT WAS LEVIED ON THE ASSESSMENT DAY OF APRIL 14, 2010. THE ASSESSMENT DIAGRAM AND THE ASSESSMENT ROLL WERE RECORDED IN THE OFFICE OF THE SUPERINTENDENT OF STREETS OF THE CITY OF MALIBU ON THE 14<sup>TH</sup> DAY OF APRIL, 2010. REFERENCE IS MADE TO THE ASSESSMENT ROLL RECORDED IN THE OFFICE OF THE SUPERINTENDENT OF STREETS OF THE CITY OF MALIBU, AND THE ASSESSMENT WAS LEVIED ON EACH PARCEL OF LAND SHOWN ON THIS ASSESSMENT DIAGRAM.

*Alisa Pope*  
CITY CLERK  
CITY OF MALIBU, STATE OF CALIFORNIA

FILED IN THE OFFICE OF THE CITY CLERK OF THE CITY OF MALIBU  
THIS 14<sup>TH</sup> DAY OF APRIL, 2010.

*Alisa Pope*  
CITY CLERK  
CITY OF MALIBU

RECORDED IN THE OFFICE OF THE SUPERINTENDENT OF STREETS  
THIS 14<sup>TH</sup> DAY OF APRIL, 2010.

*Robert L. Bragler*  
SUPERINTENDENT OF STREETS/CITY ENGINEER  
CITY OF MALIBU

FILED THIS 14<sup>TH</sup> DAY OF APRIL, 2010, AT  
HOURS OF 2:00 O'CLOCK P.M. IN THE BOOK PAGE  
ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS IN THE OFFICE  
OF THE COUNTY RECORDER OF THE COUNTY OF LOS ANGELES,  
STATE OF CALIFORNIA.

COUNTY RECORDER  
COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

DIAGRAM PREPARED BY:

**PENFIELD & SMITH**  
1327 DEL NORTE RD., SUITE 200  
CAMARILLO, CALIFORNIA 93010  
(805) 981-0706

ASSESSMENT DIAGRAM OF BROAD BEACH ROAD  
UNDERGROUND UTILITIES  
ASSESSMENT DISTRICT NO. 2010-1  
CITY OF MALIBU  
COUNTY OF LOS ANGELES - STATE OF CALIFORNIA

SHEET  
1  
OF  
1

APR 14 2010



NOTES:  
1. REFERENCE IS HEREBY MADE TO THE ASSESSMENT ROLL RECORDED IN THE OFFICE OF THE SUPERINTENDENT OF STREETS OF THE CITY OF MALIBU, AND THE ASSESSMENT WAS LEVIED ON THE ASSESSMENT DAY OF APRIL 14, 2010. THE ASSESSMENT DIAGRAM AND THE ASSESSMENT ROLL WERE RECORDED IN THE OFFICE OF THE SUPERINTENDENT OF STREETS OF THE CITY OF MALIBU, AND THE ASSESSMENT WAS LEVIED ON EACH PARCEL OF LAND SHOWN ON THIS ASSESSMENT DIAGRAM.

## PARCEL LIST

| ASMT. NO. | COUNTY APN   |
|-----------|--------------|
| 70        | 4470-023-017 |
| 71        | 4470-023-044 |
| 72        | 4470-023-045 |
| 73        | 4470-018-003 |
| 74        | 4470-023-043 |
| 75        | 4470-023-037 |
| 76        | 4470-018-018 |
| 77        | 4470-023-045 |
| 78        | 4470-018-008 |
| 79        | 4470-018-010 |
| 80        | 4470-022-053 |
| 81        | 4470-022-053 |
| 82        | 4470-022-030 |
| 83        | 4470-022-030 |
| 84        | 4470-023-034 |
| 85        | 4470-023-004 |
| 86        | 4470-023-047 |
| 87        | 4470-022-051 |
| 88        | 4470-022-051 |
| 89        | 4470-022-017 |
| 90        | 4470-018-011 |
| 91        | 4470-018-012 |
| 92        | 4470-018-011 |
| 93        | 4470-018-010 |

## PARCEL LIST

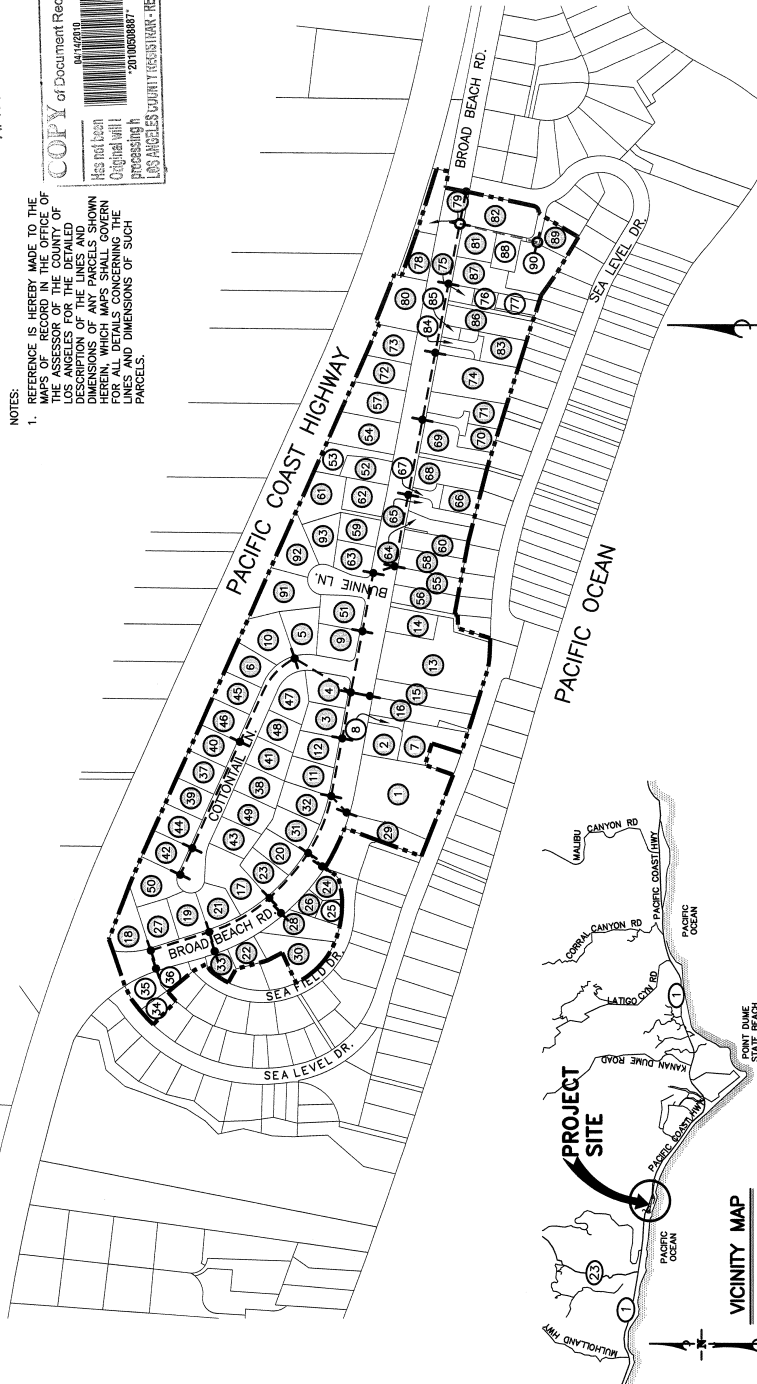
| ASMT. NO. | COUNTY APN   |
|-----------|--------------|
| 47        | 4470-020-027 |
| 48        | 4470-020-026 |
| 49        | 4470-020-026 |
| 50        | 4470-020-008 |
| 51        | 4470-019-013 |
| 52        | 4470-019-018 |
| 53        | 4470-019-018 |
| 54        | 4470-019-002 |
| 55        | 4470-024-024 |
| 56        | 4470-024-024 |
| 57        | 4470-024-022 |
| 58        | 4470-024-025 |
| 59        | 4470-019-007 |
| 60        | 4470-019-017 |
| 61        | 4470-019-005 |
| 62        | 4470-019-008 |
| 63        | 4470-024-053 |
| 64        | 4470-024-053 |
| 65        | 4470-024-032 |
| 66        | 4470-024-032 |
| 67        | 4470-024-034 |
| 68        | 4470-024-034 |
| 69        | 4470-023-046 |

## PARCEL LIST

| ASMT. NO. | COUNTY APN   |
|-----------|--------------|
| 24        | 4470-025-005 |
| 25        | 4470-025-006 |
| 26        | 4470-025-006 |
| 27        | 4470-020-011 |
| 28        | 4470-025-008 |
| 29        | 4470-025-041 |
| 30        | 4470-025-041 |
| 31        | 4470-020-020 |
| 32        | 4470-020-021 |
| 33        | 4470-020-016 |
| 34        | 4470-026-004 |
| 35        | 4470-026-003 |
| 36        | 4470-026-001 |
| 37        | 4470-026-001 |
| 38        | 4470-026-001 |
| 39        | 4470-020-006 |
| 40        | 4470-020-006 |
| 41        | 4470-020-004 |
| 42        | 4470-020-008 |
| 43        | 4470-020-016 |
| 44        | 4470-020-002 |
| 45        | 4470-020-002 |
| 46        | 4470-020-003 |

## PARCEL LIST

| ASMT. NO. | COUNTY APN   |
|-----------|--------------|
| 1         | 4470-025-043 |
| 2         | 4470-024-063 |
| 3         | 4470-024-063 |
| 4         | 4470-020-028 |
| 5         | 4470-019-015 |
| 6         | 4470-020-001 |
| 7         | 4470-020-001 |
| 8         | 4470-024-047 |
| 9         | 4470-019-014 |
| 10        | 4470-020-016 |
| 11        | 4470-020-024 |
| 12        | 4470-020-025 |
| 13        | 4470-024-061 |
| 14        | 4470-024-061 |
| 15        | 4470-024-056 |
| 16        | 4470-024-055 |
| 17        | 4470-020-010 |
| 18        | 4470-020-010 |
| 19        | 4470-020-012 |
| 20        | 4470-020-018 |
| 21        | 4470-020-018 |
| 22        | 4470-020-012 |
| 23        | 4470-020-017 |



## LEGEND

- ASSESSMENT PARCEL NUMBER  
ASSESSMENT PARCEL NUMBER WITH SCENIC VIEW  
UTILITY POLE TO BE REMOVED  
UTILITY POLE TO REMAIN  
ABOVE GROUND WIRES  
DISTRICT BOUNDARY

SCALE: 1"=200'  
0 200 400 600



**Penfield & Smith**  
Engineering - Surveying - Planning  
Construction Management  
1327 Del Norte Road, Suite 200, Camarillo, CA 93010  
Phone: (805) 981-0706 Fax: (805) 981-0201  
W.O. 17856.01

## **EXHIBIT B**

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### **CITY OF MALIBU ASSESSMENT DISTRICT No. 2010-1**

### **Bond Debt Service Schedule and Revised Debt Service Schedule**

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**CITY OF MALIBU**  
**ASSESSMENT DISTRICT NO. 2010-1**  
**REVISED DEBT SERVICE AFTER SEPTEMBER 2, 2014 BOND CALL**

| Year<br>Ending<br>Sept 2 | Interest<br>Rate | Original Debt Service |                    |                    | After September 2, 2014 Bond Call |                    |                    |                    |
|--------------------------|------------------|-----------------------|--------------------|--------------------|-----------------------------------|--------------------|--------------------|--------------------|
|                          |                  | Principal             | Interest           | Total              | Principal<br>Called               | Principal          | Interest           | Total              |
| 2015                     | 3.25%            | \$40,000              | \$108,435          | \$148,435          | (\$5,000)                         | \$35,000           | \$96,135           | \$131,135          |
| 2016                     | 3.63%            | \$45,000              | \$107,135          | \$152,135          | (\$5,000)                         | \$40,000           | \$94,998           | \$134,998          |
| 2017                     | 3.88%            | \$45,000              | \$105,504          | \$150,504          | (\$5,000)                         | \$40,000           | \$93,548           | \$133,548          |
| 2018                     | 4.13%            | \$45,000              | \$103,760          | \$148,760          | (\$5,000)                         | \$40,000           | \$91,998           | \$131,998          |
| 2019                     | 4.25%            | \$50,000              | \$101,904          | \$151,904          | (\$5,000)                         | \$45,000           | \$90,348           | \$135,348          |
| 2020                     | 4.38%            | \$50,000              | \$99,779           | \$149,779          | (\$5,000)                         | \$45,000           | \$88,435           | \$133,435          |
| 2021                     | 4.50%            | \$55,000              | \$97,591           | \$152,591          | (\$5,000)                         | \$50,000           | \$86,466           | \$136,466          |
| 2022                     | 4.63%            | \$55,000              | \$95,116           | \$150,116          | (\$5,000)                         | \$50,000           | \$84,216           | \$134,216          |
| 2023                     | 4.75%            | \$60,000              | \$92,573           | \$152,573          | (\$5,000)                         | \$55,000           | \$81,904           | \$136,904          |
| 2024                     | 4.88%            | \$60,000              | \$89,723           | \$149,723          | (\$5,000)                         | \$55,000           | \$79,291           | \$134,291          |
| 2025                     | 5.00%            | \$65,000              | \$86,798           | \$151,798          | (\$5,000)                         | \$60,000           | \$76,610           | \$136,610          |
| 2026                     | 5.10%            | \$70,000              | \$83,548           | \$153,548          | (\$10,000)                        | \$60,000           | \$73,610           | \$133,610          |
| 2027                     | 5.20%            | \$70,000              | \$79,978           | \$149,978          | (\$10,000)                        | \$60,000           | \$70,550           | \$130,550          |
| 2028                     | 5.25%            | \$75,000              | \$76,338           | \$151,338          | (\$10,000)                        | \$65,000           | \$67,430           | \$132,430          |
| 2029                     | 5.30%            | \$80,000              | \$72,400           | \$152,400          | (\$10,000)                        | \$70,000           | \$64,018           | \$134,018          |
| 2030                     | 5.35%            | \$85,000              | \$68,160           | \$153,160          | (\$10,000)                        | \$75,000           | \$60,308           | \$135,308          |
| 2031                     | 5.40%            | \$90,000              | \$63,613           | \$153,613          | (\$10,000)                        | \$80,000           | \$56,295           | \$136,295          |
| 2032                     | 5.45%            | \$90,000              | \$58,753           | \$148,753          | (\$10,000)                        | \$80,000           | \$51,975           | \$131,975          |
| 2033                     | 5.50%            | \$95,000              | \$53,848           | \$148,848          | (\$10,000)                        | \$85,000           | \$47,615           | \$132,615          |
| 2034                     | 5.55%            | \$100,000             | \$48,623           | \$148,623          | (\$15,000)                        | \$85,000           | \$42,940           | \$127,940          |
| 2035                     | 5.60%            | \$110,000             | \$43,073           | \$153,073          | (\$10,000)                        | \$100,000          | \$38,223           | \$138,223          |
| 2036                     | 5.65%            | \$115,000             | \$36,913           | \$151,913          | (\$15,000)                        | \$100,000          | \$32,623           | \$132,623          |
| 2037                     | 5.70%            | \$120,000             | \$30,415           | \$150,415          | (\$15,000)                        | \$105,000          | \$26,973           | \$131,973          |
| 2038                     | 5.75%            | \$130,000             | \$23,575           | \$153,575          | (\$15,000)                        | \$115,000          | \$20,988           | \$135,988          |
| 2039                     | 5.75%            | \$135,000             | \$16,100           | \$151,100          | (\$15,000)                        | \$120,000          | \$14,375           | \$134,375          |
| 2040                     | 5.75%            | \$145,000             | \$8,338            | \$153,338          | (\$15,000)                        | \$130,000          | \$7,475            | \$137,475          |
| <b>Total:</b>            |                  | <b>\$2,080,000</b>    | <b>\$1,851,986</b> | <b>\$3,931,986</b> | <b>(\$235,000)</b>                | <b>\$1,845,000</b> | <b>\$1,639,343</b> | <b>\$3,484,343</b> |

# **EXHIBIT C**

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## **CITY OF MALIBU ASSESSMENT DISTRICT No. 2010-1**

### **Method and Formula of Assessment Spread**

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## EXHIBIT "A"

### METHOD AND FORMULA OF ASSESSMENT SPREAD

The law requires and the statutes provide that assessments, as levied pursuant to the provisions of the "Municipal Improvement Act of 1913" and Article XIID of the State Constitution, must be based on the special benefit that properties receive from the works of improvement. In addition, Section 4 of Article XIID of the State Constitution requires that a parcel's assessment may not exceed the reasonable cost of the proportional special benefit conferred on that parcel. Section 4 provides that only special benefits are assessable and the local agency levying the assessment must separate the general benefits from the special benefits. It also requires that parcels within a district that are owned or used by any agency, the State of California, or the United States shall not be exempt from assessment unless the agency can demonstrate by clear and convincing evidence that those publicly owned parcels in fact receive no special benefit. The statute does not specify the method or formula that should be used in any special assessment district proceedings.

The responsibility rests with the Assessment Engineer to recommend an apportionment based upon special benefits. For these proceedings, the City has retained the services of PENFIELD & SMITH. In order to apportion the assessments to each parcel in direct proportion with the special benefit each will receive from the improvements, an analysis has been completed and is used as the basis for apportioning costs to each property within the Assessment District.

The Assessment Engineer then makes his recommendation at the public hearing on the Assessment District. Final authority and action rests with the City Council of the City of Malibu after hearing all testimony and evidence presented, as well as tabulating the assessment ballots previously mailed to all record owners of the property within the Assessment District, at that public hearing. Upon the conclusion of the public hearing, the City Council must make the final determination whether or not the assessment spread has been made in proportion to the estimated benefits to be received by each parcel within the Assessment District. Ballot tabulation will be done at that time and, if a majority of the ballots weighted by assessment amount are not in opposition to the Assessment District, the City Council may form the Assessment District.

The following sections set forth the methodology used to apportion the costs of the improvements for each parcel.

#### Special Benefit

In further making the analysis, it is necessary that the properties receive a special and direct benefit distinguished from general benefits conferred to the public at large.

The purpose of this Assessment District is to provide the financing to underground existing overhead electrical, telephone and cable facilities. These facilities are the direct source of service to the properties within the Assessment District.

The proposed replacement of existing overhead utility facilities (power, telephone and cable facilities) with underground facilities will provide a special benefit to the parcels which will be served by the new distribution facilities as a result of enhanced service, reliability and capacity, as well as improved safety. All new wires and equipment will be installed underground, which eliminates the threat of interrupted service by downed power lines due to wind, rain or fire, removal of existing wood poles and the overhead wires will also aesthetically enhance all parcels that are directly adjacent to these facilities. By virtue of such benefits, the proposed improvements will increase the desirability and will specifically enhance the values of the properties within the Assessment District. Therefore, 100% of the proposed improvements are of direct and special benefit to the properties within the boundaries of their Assessment District.

All general benefits, if any, to the surrounding community and public in general from undergrounding of these local overhead utilities are nominal, intangible, and are not quantifiable, and are more than adequately offset by the substantial contributions to the project financing from sources other than the assessments.

#### Method of Apportionment

To establish the benefit to the individual parcels within the Assessment District, a Benefit Point system is used. Each parcel of land is assigned Benefit Points (BP's) in proportion to the estimated special benefit the parcel received relative to the other parcels within the Assessment District from the Utility Undergrounding Improvements. The highest and best use of each property is the basis on which the Benefit Points are assigned. For example, a vacant property is considered developed to its highest potential and connected to the system.

The special benefits from undergrounding the overhead utilities are segregated into three (3) categories which are described herein:

- Improved property access: (1 benefit point). This category relates to all properties which take direct access along the corridor where utilities are being undergrounded. The benefits include:
  - 1) Improved streetscape aesthetics
  - 2) Improved emergency ingress & egress in the event that poles and wires could be downed
- Improved scenic view: (½ benefit point). This category related to any property which received an improved viewshed from usable vantage points from the parcel. This could include views from windows within the residence, either backyard or front yard, as well as from porches or decks within the property. In general, if the property desirability is enhanced by the undergrounding, this point will be awarded if this condition is achievable.
- Reliability benefit: (1 benefit point). When a neighborhood is provided with all new wires and equipment the reliability of service will be increased. The threat of wind, rain, and fire causes disruption of service and having the facilities undergrounded lessens these disruptions.

The three categories of Benefit Points are added together for each property to calculate the total benefit points:

$$\left[ \begin{array}{ccc} \text{Improved} & & \text{Improved} \\ \text{Property} & + & \text{Scenic} \\ \text{Access} & & \text{View} \end{array} \right] + \begin{array}{c} \text{Reliability} \\ \text{Benefit} \end{array} = \begin{array}{c} \text{Total} \\ \text{Benefit} \\ \text{Points} \end{array}$$

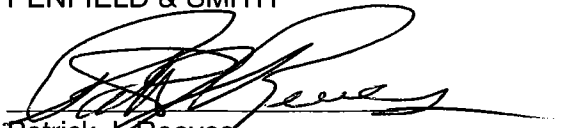
Once all of the total benefit points are calculated for all properties within the proposed District, they can be used to apportion the costs. The unit cost of a Benefit Point equals the total project cost plus Bond discount and Reserve funds divided by the total number of Benefit Points. Once the unit cost of a benefit point is determined, it will be multiplied by the number of benefit points for each individual parcel, to determine the total assessment for each parcel. The proposed assessment for each parcel is shown in **Table 2**.

The unit cost of a benefit point for the proposed District is  $\$3,000,000 \div 201 \text{ Benefit points} = \$14,925.37$ . For the properties shown on the list, total assessments are 2.0 benefit points (\$29,850.75) on properties without an improved scenic view, and 2.5 benefit points (\$37,313.43) for properties that acquire an improved scenic view. If a parcel benefits from the neighborhood undergrounding, but not from the undergrounding directly in front of their properties, they will receive a 1.0 benefit point (\$14,925.37). This is the case where the last service poles were not undergrounded for parcels #88, and #90. In the case of the three parcels at the top of Bunnie Lane, they will receive 1.5 benefit points for a total assessment of \$22,388.06. This was required because these properties receive service from overhead wires from the Pacific Coast Highway and will not receive the reliability benefit. If any properties elect to pay off their assessments in cash, their assessments will be reduced by approximately 12%.

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

DATED: April 12, 2010

PENFIELD & SMITH

  
Patrick J. Reeves  
ENGINEER OF WORK  
CITY OF MALIBU  
STATE OF CALIFORNIA

**TABLE 2****ASSESSMENT ROLL OF TOTAL ASSESSMENTS**

|    | Homeowner                      | Assessor #   | Total Area | 1 Point Access | 1/2 Point Scenic View | 1 Point Reliability | Total Benefit Points | Proposed Assesment |
|----|--------------------------------|--------------|------------|----------------|-----------------------|---------------------|----------------------|--------------------|
| 1  | Long (31748 BB)                | 4470-025-043 | 0.91800    | 1              | 0.5                   | 1                   | 2.5                  | \$37,313.43        |
| 2  | Long (31748 BB)                | 4470-024-063 | 0.08140    | 1              | 0.5                   | 1                   | 2.5                  | \$37,313.43        |
| 3  | Geus (31747 BB)                | 4470-020-028 | 0.16400    | 1              | 0.5                   | 1                   | 2.5                  | \$37,313.43        |
| 4  | Saul (31737 BB)                | 4470-020-029 | 0.18240    | 1              | 0.5                   | 1                   | 2.5                  | \$37,313.43        |
| 5  | Bruce, Ed (31745 CT)           | 4470-019-015 | 0.20320    | 1              | 0.5                   | 1                   | 2.5                  | \$37,313.43        |
| 6  | Waldinger (31755 CT)           | 4470-020-001 | 0.17510    | 1              | 0.5                   | 1                   | 2.5                  | \$37,313.43        |
| 7  | BB Bluffs LLC (31744 BB)       | 4470-024-051 | 0.25520    | 1              | 0.5                   | 1                   | 2.5                  | \$37,313.43        |
| 8  | Spiro, (31740 BB)              | 4470-024-047 | 0.04150    | 0              | 0.0                   | 0                   | 0.0                  | \$0.00             |
| 9  | Grosbard (31725 BB)            | 4470-019-014 | 0.17810    | 1              | 0.5                   | 1                   | 2.5                  | \$37,313.43        |
| 10 | Ruva, (31751 CT)               | 4470-019-016 | 0.25850    | 1              | 0.5                   | 1                   | 2.5                  | \$37,313.43        |
| 11 | Drapkin (31761 BB)             | 4470-020-024 | 0.17310    | 1              | 0.5                   | 1                   | 2.5                  | \$37,313.43        |
| 12 | Morris (31757 BB)              | 4470-020-025 | 0.16690    | 1              | 0.5                   | 1                   | 2.5                  | \$37,313.43        |
| 13 | Page, Barbara (31736 BB)       | 4470-024-061 | 0.83170    | 1              | 0.5                   | 1                   | 2.5                  | \$37,313.43        |
| 14 | Page, Barbara (31736 BB)       | 4470-024-062 | 0.16850    | 1              | 0.5                   | 1                   | 2.5                  | \$37,313.43        |
| 15 | Cordner (31738 BB)             | 4470-024-056 | 0.26190    | 1              | 0.5                   | 1                   | 2.5                  | \$37,313.43        |
| 16 | Spiro (31740 BB)               | 4470-024-055 | 0.23530    | 1              | 0.5                   | 1                   | 2.5                  | \$37,313.43        |
| 17 | Steinsapir (31819 BB)          | 4470-020-030 | 0.3073     | 1              | 0.5                   | 1                   | 2.5                  | \$37,313.43        |
| 18 | Middleton (31855 BB)           | 4470-020-010 | 0.2053     | 1              | 0.5                   | 1                   | 2.5                  | \$37,313.43        |
| 19 | Jersey Hills LLC (31841 BB )   | 4470-020-012 | 0.1798     | 1              | 0.5                   | 1                   | 2.5                  | \$37,313.43        |
| 20 | Pinkston (31805 BB)            | 4470-020-018 | 0.1706     | 1              | 0.5                   | 1                   | 2.5                  | \$37,313.43        |
| 21 | Buff (31833 BB)                | 4470-020-013 | 0.176      | 1              | 0.5                   | 1                   | 2.5                  | \$37,313.43        |
| 22 | Davis (31830 BB)               | 4470-025-012 | 0.1075     | 1              | 0.5                   | 1                   | 2.5                  | \$37,313.43        |
| 23 | Kevin Marks (31811 BB)         | 4470-020-017 | 0.162      | 1              | 0.5                   | 1                   | 2.5                  | \$37,313.43        |
| 24 | Gowhari Trust (31800 BB)       | 4470-025-005 | 0.1025     | 1              | 0.5                   | 1                   | 2.5                  | \$37,313.43        |
| 25 | Gowhari Trust (31817 Seafield) | 4470-025-006 | 0.0693     | 0              | 0.0                   | 0                   | 0.0                  | \$0.00             |
| 26 | Gowhari Trust (31814 BB)       | 4470-025-007 | 0.0713     | 1              | 0.5                   | 1                   | 2.5                  | \$37,313.43        |
| 27 | Toth (31847 BB)                | 4470-020-011 | 0.1831     | 1              | 0.5                   | 1                   | 2.5                  | \$37,313.43        |
| 28 | Wolas (31820 BB)               | 4470-025-008 | 0.2011     | 1              | 0.5                   | 1                   | 2.5                  | \$37,313.43        |
| 29 | Shapiro (31770 BB)             | 4470-025-041 | 0.2081     | 1              | 0.5                   | 1                   | 2.5                  | \$37,313.43        |
| 30 | Gabriel (Lot)                  | 4470-025-042 | 0.296      | 1              | 0.5                   | 1                   | 2.5                  | \$37,313.43        |
| 31 | Leavin, Margo ( 31777 BB)      | 4470-020-020 | 0.1808     | 1              | 0.5                   | 1                   | 2.5                  | \$37,313.43        |
| 32 | Bond ( 31769 BB)               | 4470-020-021 | 0.1825     | 1              | 0.5                   | 1                   | 2.5                  | \$37,313.43        |
| 33 | Principe (31834 BB)            | 4470-025-014 | 0.0867     | 1              | 0.5                   | 1                   | 2.5                  | \$37,313.43        |
| 34 | Keifer (31885 Sea Level)       | 4470-026-004 | 0.0764     | 1              | 0.0                   | 1                   | 2.0                  | \$29,850.75        |
| 35 | Keifer (31885 Sea Level)       | 4470-026-003 | 0.1154     | 0              | 0.0                   | 0                   | 0.0                  | \$0.00             |
| 36 | Kurasch Trust (31848 BB)       | 4470-026-001 | 0.0781     | 1              | 0.0                   | 1                   | 2.0                  | \$29,850.75        |
| 37 | Sampson (31801 C)              | 4470-020-005 | 0.169      | 1              | 0.5                   | 1                   | 2.5                  | \$37,313.43        |
| 38 | Crandall (31800 C)             | 4470-020-022 | 0.1839     | 1              | 0.5                   | 1                   | 2.5                  | \$37,313.43        |
| 39 | Merritt (31811 C)              | 4470-020-006 | 0.1609     | 1              | 0.5                   | 1                   | 2.5                  | \$37,313.43        |
| 40 | Bendiksen (31771 C)            | 4470-020-004 | 0.1616     | 1              | 0.5                   | 1                   | 2.5                  | \$37,313.43        |
| 41 | Kocher (31770 C)               | 4470-020-023 | 0.1705     | 1              | 0.5                   | 1                   | 2.5                  | \$37,313.43        |
| 42 | Terence Davis (31827 CT)       | 4470-020-008 | 0.165      | 1              | 0.5                   | 1                   | 2.5                  | \$37,313.43        |
| 43 | Teufel (31820 C)               | 4470-020-016 | 0.1689     | 1              | 0.5                   | 1                   | 2.5                  | \$37,313.43        |
| 44 | K.J. Margolis (31819 CT)       | 4470-020-007 | 0.1693     | 1              | 0.5                   | 1                   | 2.5                  | \$37,313.43        |
| 45 | Casper (31763 CT)              | 4470-020-002 | 0.1669     | 1              | 0.5                   | 1                   | 2.5                  | \$37,313.43        |
| 46 | Clark (31769 CT)               | 4470-020-003 | 0.1654     | 1              | 0.5                   | 1                   | 2.5                  | \$37,313.43        |
| 47 | Thiessen (31762 CT)            | 4470-020-027 | 0.1916     | 1              | 0.5                   | 1                   | 2.5                  | \$37,313.43        |
| 48 | Mahon (31768 CT)               | 4470-020-026 | 0.1545     | 1              | 0.5                   | 1                   | 2.5                  | \$37,313.43        |
| 49 | Weston (31810 CT)              | 4470-020-019 | 0.1876     | 1              | 0.5                   | 1                   | 2.5                  | \$37,313.43        |
| 50 | Little (Lot)                   | 4470-020-009 | 0.2296     | 1              | 0.5                   | 1                   | 2.5                  | \$37,313.43        |
| 51 | Carmody (31721 BB Rd)          | 4470-019-013 | 0.1923     | 1              | 0.5                   | 1                   | 2.5                  | \$37,313.43        |
| 52 | Brickman (31649 BB Rd)         | 4470-019-018 | 0.1545     | 1              | 0.5                   | 1                   | 2.5                  | \$37,313.43        |
| 53 | Brickman (31649 BB Rd)         | 4470-019-019 | 0.1598     | 0              | 0.0                   | 0                   | 0.0                  | \$0.00             |
| 54 | Gowhari Trust (31643 BB Rd)    | 4470-019-002 | 0.2909     | 1              | 0.5                   | 1                   | 2.5                  | \$37,313.43        |
| 55 | Summers (31708 BB Rd)          | 4470-024-024 | 0.1599     | 1              | 0.5                   | 1                   | 2.5                  | \$37,313.43        |

|     | Homeowner                           | Assessor #   | Total Area | 1 Point<br>Access | 1/2 Point<br>Scenic<br>View | 1 Point<br>Reliability | Total<br>Benefit<br>Points | Proposed<br>Assesment |
|-----|-------------------------------------|--------------|------------|-------------------|-----------------------------|------------------------|----------------------------|-----------------------|
| 56  | Laventhol (31712 BB Rd)             | 4470-024-022 | 0.1665     | 1                 | 0.5                         | 1                      | 2.5                        | \$37,313.43           |
| 57  | Barthell (31635 BB Rd)              | 4470-019-001 | 0.2536     | 1                 | 0.5                         | 1                      | 2.5                        | \$37,313.43           |
| 58  | Fusco (31704 BB Rd)                 | 4470-024-025 | 0.1763     | 1                 | 0.5                         | 1                      | 2.5                        | \$37,313.43           |
| 59  | MacNeil (31671 BB Rd)               | 4470-019-007 | 0.1544     | 1                 | 0.5                         | 1                      | 2.5                        | \$37,313.43           |
| 60  | Izbicki / Kasper (31666 BB Rd)      | 4470-024-046 | 0.1721     | 1                 | 0.5                         | 1                      | 2.5                        | \$37,313.43           |
| 61  | Brosnan (31663 BB Rd)               | 4470-019-017 | 0.2867     | 1                 | 0.5                         | 1                      | 2.5                        | \$37,313.43           |
| 62  | Skotchdopole (31659 BB Rd)          | 4470-019-005 | 0.1888     | 1                 | 0.5                         | 1                      | 2.5                        | \$37,313.43           |
| 63  | Nicholas (4908 Bunnie Lane)         | 4470-019-008 | 0.167      | 1                 | 0.5                         | 1                      | 2.5                        | \$37,313.43           |
| 64  | Glauder (31662 BB Rd)               | 4470-024-052 | 0.1437     | 1                 | 0.5                         | 1                      | 2.5                        | \$37,313.43           |
| 65  | LLK Investments LLC(31658 BB)       | 4470-024-053 | 0.1462     | 1                 | 0.5                         | 1                      | 2.5                        | \$37,313.43           |
| 66  | Frost (31654 BB Rd)                 | 4470-024-032 | 0.1251     | 1                 | 0.5                         | 1                      | 2.5                        | \$37,313.43           |
| 67  | Frost (31654 BB Rd)                 | 4470-024-042 | 0.0494     | 0                 | 0.0                         | 0                      | 0.0                        | \$0.00                |
| 68  | Jones (31652 BB Rd)                 | 4470-024-034 | 0.2584     | 1                 | 0.5                         | 1                      | 2.5                        | \$37,313.43           |
| 69  | Schmit (31648 BB Rd)                | 4470-023-046 | 0.219      | 1                 | 0.5                         | 1                      | 2.5                        | \$37,313.43           |
| 70  | Whe Properties LLC (31640 BB )      | 4470-023-017 | 0.1137     | 1                 | 0.5                         | 1                      | 2.5                        | \$37,313.43           |
| 71  | Friedman (31636 BB Rd)              | 4470-023-044 | 0.2383     | 1                 | 0.5                         | 1                      | 2.5                        | \$37,313.43           |
| 72  | Pigg (31625 BB Rd)                  | 4470-018-008 | 0.1911     | 1                 | 0.5                         | 1                      | 2.5                        | \$37,313.43           |
| 73  | Casper (31617 BB Rd)                | 4470-018-003 | 0.1933     | 1                 | 0.5                         | 1                      | 2.5                        | \$37,313.43           |
| 74  | Dunlap (31620 BB Rd)                | 4470-023-043 | 0.4217     | 1                 | 0.5                         | 1                      | 2.5                        | \$37,313.43           |
| 75  | Howard Furst (31604 BB Rd)          | 4470-022-037 | 0.0546     | 1                 | 0.5                         | 1                      | 2.5                        | \$37,313.43           |
| 76  | Howard Furst (31604 BB Rd)          | 4470-022-038 | 0.056      | 0                 | 0.0                         | 0                      | 0.0                        | \$0.00                |
| 77  | Howard Furst (31604 BB Rd)          | 4470-022-045 | 0.0871     | 0                 | 0.0                         | 0                      | 0.0                        | \$0.00                |
| 78  | Jensen (31595 BB Rd)                | 4470-018-009 | 0.1729     | 1                 | 0.5                         | 1                      | 2.5                        | \$37,313.43           |
| 79* | Tucker (31585 BB Rd)                | 4470-018-010 | 0.1752     | 1                 | 0.5                         | 1                      | 2.5                        | \$37,313.43           |
| 80  | Ryan (31611 BB Rd)                  | 4470-018-004 | 0.2744     | 1                 | 0.5                         | 1                      | 2.5                        | \$37,313.43           |
| 81* | Carol Bird (31562 BB Rd)            | 4470-022-053 | 0.1559     | 1                 | 0.5                         | 1                      | 2.5                        | \$37,313.43           |
| 82* | Winnikoff (31569 Sea Level)         | 4470-022-030 | 0.3275     | 1                 | 0.5                         | 0                      | 1.5                        | \$22,388.06           |
| 83  | Huey Johnson (31616 BB)             | 4470-023-030 | 0.1651     | 1                 | 0.5                         | 1                      | 2.5                        | \$37,313.43           |
| 84  | Huey Johnson (31616 BB)             | 4470-023-034 | 0.0623     | 0                 | 0.0                         | 0                      | 0.0                        | \$0.00                |
| 85  | Huey Johnson (31616 BB)             | 4470-023-004 | 0.0301     | 0                 | 0.0                         | 0                      | 0.0                        | \$0.00                |
| 86  | MMHIM Inc. (31610 BB)               | 4470-023-047 | 0.2432     | 1                 | 0.5                         | 1                      | 2.5                        | \$37,313.43           |
| 87  | Roya Lari (31602 BB Rd)             | 4470-022-047 | 0.2323     | 1                 | 0.5                         | 1                      | 2.5                        | \$37,313.43           |
| 88* | Keane (31571 Sea Level Dr)          | 4470-022-051 | 0.1101     | 1                 | 0.0                         | 0                      | 1.0                        | \$14,925.37           |
| 89* | Jaroth LLC (31573 Sea Level Dr)     | 4470-022-017 | 0.1184     | 1                 | 0.5                         | 0                      | 1.5                        | \$22,388.06           |
| 90* | Jaroth LLC (31573 Sea Level Dr)     | 4470-022-041 | 0.2744     | 1                 | 0.0                         | 0                      | 1.0                        | \$14,925.37           |
| 91  | Cianfaglione, Richard (4903 Bunnie) | 4470-019-012 | 0.2924     | 1                 | 0.5                         | 0                      | 1.5                        | \$22,388.06           |
| 92  | Moreno, Rita (4900 Bunnie)          | 4470-019-011 | 0.2174     | 1                 | 0.5                         | 0                      | 1.5                        | \$22,388.06           |
| 93  | Zappala, Dana (4906 Bunnie)         | 4470-019-010 | 0.2013     | 1                 | 0.5                         | 0                      | 1.5                        | \$22,388.06           |
|     |                                     |              | 17.77260   | 84                | 40.0                        | 77                     | 201.0                      | \$3,000,000.00        |
|     |                                     |              |            |                   |                             |                        |                            |                       |
|     | *May Require Modification           |              |            |                   |                             |                        |                            |                       |
|     |                                     |              |            |                   |                             |                        |                            |                       |
|     |                                     |              |            |                   |                             |                        |                            |                       |

- **Exceptions**

There are a number of County Assessor parcels that have unusual conditions and require additional discussion:

1. Parcel #8 – APN 4470-024-047

This is an access easement parcel that is not buildable and is owned by the adjacent homeowner. The parcel receives no benefit and will more than likely be merged with the adjacent parcel #7.

2. Parcels #24, 25, 26

These three vacant parcels are located near the intersections of Sea Fields Drive and Broad Beach Road. Two of the parcels are less than 4,000 SF, so we have assumed that only 2 buildable parcels will result. All three parcels are owned by the same person.

3. Parcel #34 – APN 4470-026-004

This parcel is served from an overhead pole along Broad Beach Road and is accessed via the route to be undergrounded. This parcel is within the homeowner's association which has already undergrounded most of their utility services. If this property (along with #36) can both be serviced and pay the fees for undergrounded service from the homeowner's association, the City could consider allowing them to avoid participation in the proposed utility undergrounding District.

4. Parcel #35 – APN 4470-026-003

This parcel is an access easement and not buildable; therefore, this parcel will receive no assessment.

5. Parcel #53 – APN 4470-019-019

This is a vacant parcel owned by an adjacent homeowner. The parcel does not appear to be buildable due to the lack of access from Broad Beach Road, therefore it receives no benefit.

6. Parcel #67 – APN 4470-024-042

This is an access easement and is not buildable. It is owned by the adjacent property owner and receives no benefit.

7. Parcels # 75, 76, 77

These three contiguous parcels are owned by one property owner with one home. The combined acreage of all three parcels is smaller than the parcels on either side. These three parcels combined will receive one standard assessment for this side of the street (2.5 Benefit Points).

8. Parcels # 83, 84, 85

These are three contiguous parcels owned by one property owner with one home. The combined acreage of these three parcels is similar in size to other parcels in this area. The three parcels combined will receive one standard assessment (2.5 Benefit Points).



9. Parcel #89 – APN 4470-022-017

This parcel had already paid to underground its service but is served from an overhead line. The property will receive the benefits of the improved property access and receive an improved scenic view of the mountains.

10. Parcels #91, 92, 93

These parcels are located on Bunnie Lane and receive utility service from overhead wires along Pacific Coast Highway. However, these homes are accessed via Broad Beach Road and will receive scenic view benefits as well as access benefits for a total of 1.5 Benefit Points each.

# **EXHIBIT D**

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**CITY OF MALIBU  
ASSESSMENT DISTRICT No. 2010-1**

**Assessment Roll  
Fiscal Year 2014-15**

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**Exhibit D**  
**City of Malibu Assessment District No. 2010-1**  
**Fiscal Year 2014-2015**  
**Annual Assessment Roll**

| <b>Assessment<br/>Number</b> | <b>Assessor's Parcel<br/>Number</b> | <b>Adjusted<br/>Assessment Lien</b> | <b>Principal</b> | <b>Interest</b> | <b>Admin. Cost</b> | <b>FY 2014-15<br/>Projected Levy</b> |
|------------------------------|-------------------------------------|-------------------------------------|------------------|-----------------|--------------------|--------------------------------------|
| 1                            | 4470-025-043                        | \$29,914.45                         | \$524.63         | \$1,441.02      | \$88.03            | \$2,053.68                           |
| 2                            | 4470-024-063                        | \$32,647.38                         | \$572.56         | \$1,572.67      | \$96.07            | \$2,241.30                           |
| 3                            | 4470-020-028                        | \$30,433.59                         | \$533.74         | \$1,466.03      | \$89.56            | \$2,089.33                           |
| 4                            | 4470-020-029                        | \$30,024.50                         | \$526.56         | \$1,446.32      | \$88.35            | \$2,061.23                           |
| 5                            | 4470-019-015                        | \$26,107.45                         | \$457.87         | \$1,257.63      | \$76.83            | \$1,792.33                           |
| 6                            | 4470-020-001                        | \$29,914.45                         | \$524.63         | \$1,441.02      | \$88.03            | \$2,053.68                           |
| 7                            | 4470-024-051                        | \$29,417.82                         | \$515.92         | \$1,417.10      | \$86.57            | \$2,019.59                           |
| 10                           | 4470-019-016                        | \$32,381.26                         | \$567.90         | \$1,559.85      | \$95.29            | \$2,223.04                           |
| 12                           | 4470-020-025                        | \$30,433.59                         | \$533.74         | \$1,466.03      | \$89.56            | \$2,089.33                           |
| 15                           | 4470-024-056                        | \$32,517.62                         | \$570.29         | \$1,566.42      | \$95.69            | \$2,232.40                           |
| 16                           | 4470-024-055                        | \$32,647.38                         | \$572.56         | \$1,572.67      | \$96.07            | \$2,241.30                           |
| 17                           | 4470-020-030                        | \$29,914.45                         | \$524.63         | \$1,441.02      | \$88.03            | \$2,053.68                           |
| 18                           | 4470-020-010                        | \$29,914.45                         | \$524.63         | \$1,441.02      | \$88.03            | \$2,053.68                           |
| 19                           | 4470-020-012                        | \$26,107.45                         | \$457.87         | \$1,257.63      | \$76.83            | \$1,792.33                           |
| 20                           | 4470-020-018                        | \$29,914.45                         | \$524.63         | \$1,441.02      | \$88.03            | \$2,053.68                           |
| 21                           | 4470-020-013                        | \$30,433.59                         | \$533.74         | \$1,466.03      | \$89.56            | \$2,089.33                           |
| 22                           | 4470-025-012                        | \$29,914.45                         | \$524.63         | \$1,441.02      | \$88.03            | \$2,053.68                           |
| 23                           | 4470-020-017                        | \$29,914.45                         | \$524.63         | \$1,441.02      | \$88.03            | \$2,053.68                           |
| 24                           | 4470-025-005                        | \$32,517.62                         | \$570.29         | \$1,566.42      | \$95.69            | \$2,232.40                           |
| 26                           | 4470-025-007                        | \$32,647.38                         | \$572.56         | \$1,572.67      | \$96.07            | \$2,241.30                           |
| 27                           | 4470-020-011                        | \$32,647.38                         | \$572.57         | \$1,572.67      | \$96.07            | \$2,241.31                           |
| 29                           | 4470-025-041                        | \$32,647.38                         | \$572.56         | \$1,572.67      | \$96.07            | \$2,241.30                           |
| 30                           | 4470-025-042                        | \$32,647.38                         | \$572.56         | \$1,572.67      | \$96.07            | \$2,241.30                           |
| 31                           | 4470-020-020                        | \$32,647.38                         | \$572.57         | \$1,572.67      | \$96.07            | \$2,241.31                           |
| 32                           | 4470-020-021                        | \$32,647.38                         | \$572.56         | \$1,572.67      | \$96.07            | \$2,241.30                           |
| 33                           | 4470-025-014                        | \$32,517.62                         | \$570.29         | \$1,566.42      | \$95.69            | \$2,232.40                           |
| 34                           | 4470-026-004                        | \$26,117.91                         | \$458.05         | \$1,258.14      | \$76.86            | \$1,793.05                           |
| 36                           | 4470-026-001                        | \$26,117.91                         | \$458.05         | \$1,258.14      | \$76.86            | \$1,793.05                           |
| 38                           | 4470-020-022                        | \$32,647.38                         | \$572.56         | \$1,572.67      | \$96.07            | \$2,241.30                           |
| 42                           | 4470-020-008                        | \$31,381.26                         | \$550.36         | \$1,511.68      | \$92.35            | \$2,154.39                           |
| 43                           | 4470-020-016                        | \$32,517.62                         | \$570.29         | \$1,566.42      | \$95.69            | \$2,232.40                           |
| 44                           | 4470-020-007                        | \$29,297.22                         | \$513.81         | \$1,411.29      | \$86.22            | \$2,011.32                           |
| 45                           | 4470-020-002                        | \$32,647.38                         | \$572.57         | \$1,572.67      | \$96.07            | \$2,241.31                           |
| 46                           | 4470-020-003                        | \$32,647.38                         | \$572.57         | \$1,572.67      | \$96.07            | \$2,241.31                           |
| 47                           | 4470-020-027                        | \$32,647.38                         | \$572.56         | \$1,572.67      | \$96.07            | \$2,241.30                           |
| 49                           | 4470-020-019                        | \$32,517.62                         | \$570.29         | \$1,566.42      | \$95.69            | \$2,232.40                           |
| 50                           | 4470-020-009                        | \$32,647.38                         | \$572.57         | \$1,572.67      | \$96.07            | \$2,241.31                           |
| 51                           | 4470-019-013                        | \$32,647.38                         | \$572.57         | \$1,572.67      | \$96.07            | \$2,241.31                           |
| 52                           | 4470-019-018                        | \$32,306.47                         | \$566.59         | \$1,556.25      | \$95.07            | \$2,217.91                           |
| 54                           | 4470-019-002                        | \$32,647.38                         | \$572.57         | \$1,572.67      | \$96.07            | \$2,241.31                           |
| 57                           | 4470-019-001                        | \$32,374.66                         | \$567.78         | \$1,559.53      | \$95.27            | \$2,222.58                           |
| 59                           | 4470-019-007                        | \$32,647.38                         | \$572.57         | \$1,572.67      | \$96.07            | \$2,241.31                           |
| 60                           | 4470-024-046                        | \$32,647.38                         | \$572.56         | \$1,572.67      | \$96.07            | \$2,241.30                           |
| 61                           | 4470-019-017                        | \$32,128.25                         | \$563.46         | \$1,547.66      | \$94.55            | \$2,205.67                           |
| 62                           | 4470-019-005                        | \$32,647.38                         | \$572.57         | \$1,572.67      | \$96.07            | \$2,241.31                           |
| 63                           | 4470-019-008                        | \$30,374.66                         | \$532.71         | \$1,463.19      | \$89.39            | \$2,085.29                           |
| 64                           | 4470-024-052                        | \$32,647.38                         | \$572.56         | \$1,572.67      | \$96.07            | \$2,241.30                           |
| 65                           | 4470-024-053                        | \$32,647.38                         | \$572.56         | \$1,572.67      | \$96.07            | \$2,241.30                           |
| 66                           | 4470-024-032                        | \$32,647.38                         | \$572.56         | \$1,572.67      | \$96.07            | \$2,241.30                           |
| 68                           | 4470-024-034                        | \$32,647.38                         | \$572.56         | \$1,572.67      | \$96.07            | \$2,241.30                           |
| 70                           | 4470-023-017                        | \$32,647.38                         | \$572.56         | \$1,572.67      | \$96.07            | \$2,241.30                           |
| 71                           | 4470-023-044                        | \$32,647.38                         | \$572.56         | \$1,572.67      | \$96.07            | \$2,241.30                           |
| 72                           | 4470-018-008                        | \$32,647.38                         | \$572.57         | \$1,572.67      | \$96.07            | \$2,241.31                           |

**Exhibit D**  
**City of Malibu Assessment District No. 2010-1**  
**Fiscal Year 2014-2015**  
**Annual Assessment Roll**

| <b>Assessment<br/>Number</b> | <b>Assessor's Parcel<br/>Number</b> | <b>Adjusted<br/>Assessment Lien</b> | <b>Principal</b>   | <b>Interest</b>    | <b>Admin. Cost</b> | <b>FY 2014-15<br/>Projected Levy</b> |
|------------------------------|-------------------------------------|-------------------------------------|--------------------|--------------------|--------------------|--------------------------------------|
| 73                           | 4470-018-003                        | \$32,647.38                         | \$572.57           | \$1,572.67         | \$96.07            | \$2,241.31                           |
| 74                           | 4470-023-043                        | \$32,647.38                         | \$572.56           | \$1,572.67         | \$96.07            | \$2,241.30                           |
| 78                           | 4470-018-009                        | \$32,647.38                         | \$572.57           | \$1,572.67         | \$96.07            | \$2,241.31                           |
| 80                           | 4470-018-004                        | \$32,128.25                         | \$563.46           | \$1,547.66         | \$94.55            | \$2,205.67                           |
| 81                           | 4470-022-053                        | \$32,238.29                         | \$565.39           | \$1,552.96         | \$94.87            | \$2,213.22                           |
| 83                           | 4470-023-048                        | \$32,647.38                         | \$572.56           | \$1,572.67         | \$96.07            | \$2,241.30                           |
| 87                           | 4470-022-047                        | \$32,647.38                         | \$572.56           | \$1,572.67         | \$96.07            | \$2,241.30                           |
| 88                           | 4470-022-051                        | \$13,058.95                         | \$229.03           | \$629.07           | \$38.43            | \$896.53                             |
| 89                           | 4470-022-017                        | \$19,588.43                         | \$343.54           | \$943.60           | \$57.64            | \$1,344.78                           |
| 90                           | 4470-022-041                        | \$13,058.95                         | \$229.03           | \$629.07           | \$38.43            | \$896.53                             |
| 91                           | 4470-019-012                        | \$19,588.43                         | \$343.54           | \$943.60           | \$57.64            | \$1,344.78                           |
| 92                           | 4470-019-011                        | \$19,588.43                         | \$343.54           | \$943.60           | \$57.64            | \$1,344.78                           |
| 93                           | 4470-019-010                        | \$19,588.43                         | \$343.54           | \$943.60           | \$57.64            | \$1,344.78                           |
| <b>66 Records</b>            |                                     | <b>\$1,995,686.40</b>               | <b>\$35,000.00</b> | <b>\$96,135.00</b> | <b>\$5,872.72</b>  | <b>\$137,007.72</b>                  |

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# **EXHIBIT E**

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**CITY OF MALIBU  
ASSESSMENT DISTRICT No. 2010-1**

**Delinquent Assessment Report**

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**CITY OF MALIBU ASSESSMENT DISTRICT NO. 2010-1  
(BROAD BEACH ROAD)  
FISCAL YEAR 2013-14 DELINQUENCY REPORT**

| <b>Assessor's<br/>Parcel<br/>Number</b> | <b>Owner</b>                   | <b>FY 2013-14<br/>Assessment</b> | <b>Delinquent<br/>Amount</b> |
|-----------------------------------------|--------------------------------|----------------------------------|------------------------------|
| 4470-019-018                            | MALCOLM BRICKMAN,CATHERINE AND | \$2,407.24                       | \$1,203.62                   |
| 4470-024-055                            | SPIRO,YURI TR                  | \$2,605.62                       | \$1,302.81                   |
| 4470-025-007                            | BROADBEACH ROAD MALIBU LLC     | \$2,605.62                       | \$2,605.62                   |
| 4470-020-001                            | SOUTH SWELL LLC                | \$2,148.94                       | \$140.21                     |
| 4470-020-003                            | CLARK,ROBERT AND PATRICIA TRS  | \$2,605.63                       | \$266.00                     |
| 4470-025-005                            | BROADBEACH ROAD MALIBU LLC     | \$2,596.57                       | \$2,596.57                   |

|                                                     |                     |                                      |               |
|-----------------------------------------------------|---------------------|--------------------------------------|---------------|
| <b>Total Assessments Levied for FY 2013-14:</b>     | <b>\$156,301.31</b> | <b>Total Number of Parcels:</b>      | <b>66</b>     |
| <b>Total Amount Collected as of June 17, 2014:</b>  | <b>\$148,186.48</b> | <b>Number of Delinquent Parcels:</b> | <b>6</b>      |
| <b>Total Amount Delinquent as of June 17, 2014:</b> | <b>\$8,114.83</b>   | <b>FY 2013-14 Delinquency Rate:</b>  | <b>5.19 %</b> |