



Council Agenda Report

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

Prepared by: Arthur Aladjadjian, Public Works Superintendent

Reviewed by: Robert DuBoux, Public Works Director/City Engineer

Approved by: Steve McClary, City Manager

Date prepared: June 2, 2022 Meeting date: June 27, 2022

Subject: Assessment District 98-2 (Calle Del Barco)

RECOMMENDED ACTION: 1) Conduct the Public Hearing; and 2) Adopt Resolution No. 22-27 levying an assessment for the maintenance, repair and improvements works, systems and facilities of Assessment District 98-2 (Calle Del Barco) for Fiscal Year 2022-2023.

FISCAL IMPACT: There is no fiscal impact associated with the recommended action. All revenues and expenditures are recorded in Calle Del Barco Landslide Maintenance District Fund 292. The total District levy for Fiscal Year 2022-2023 is \$87,050.40 for continued maintenance and improvements. Each Benefit Assessment Unit (BAU) per single family household will be assessed at \$916.32 (see Table IV-1 on page 5 of Assessment Engineer's Report - Attachment 1). The maximum allowable assessment amount is \$1,309.49 per BAU, which includes an allowed annual increase set by the Consumer Price Index, not to exceed 5%. The annual assessment of \$916.32 per BAU for Fiscal Year 2022-2023 is an increase of \$111.56 and \$55.78 per Zone A and Zone B/C household, respectively, over the 2021-2022 assessment of \$860.54 per BAU. The proposed increase is 5% from Fiscal Year 2022-2023.

WORK PLAN: This item was included as item 8d in the Adopted Work Plan for Fiscal Year 2021-2022.

DISCUSSION: The City administers the Calle Del Barco Landslide Assessment District on behalf of the district's homeowners. The district was originally established by Los Angeles County as County Improvement District Nos. 2608 and 2639 with the purpose of improving the stability of the landslide activated by the heavy winter storms in 1977-

1978. As a result of the "El Nino" storms in 1998 and landslide movement, the City Council formed the new Assessment District 98-2 (Calle Del Barco) pursuant to the Municipal Improvement Act of 1913. This district was formed to construct new dewatering and monitoring facilities and to take over maintenance of the entire dewatering system, replacing the maintenance function of the original Los Angeles County assessment district.

Yeh & Associates, Inc., under contract with the City of Malibu, monitors and maintains the district facilities that include 11 dewatering wells, 12 hydraugers, and numerous slope inclinometers and standpipe piezometers. The dewatering wells and hydraugers lower the groundwater level in the landslide area, thereby improving the stability of the hillside. Readings from the hydraugers are recorded monthly. Discharge volume is recorded from the dewatering wells monthly. Water levels are measured within the inclinometers/standpipe piezometers monthly. Monitoring of subsurface land movement is done using the slope inclinometers, drilled into the ground to depths up to 130 ft. The inclinometers are recorded on a quarterly to annual basis.

For the upcoming fiscal year, anticipated work budgeted includes recording discharge from dewatering wells and hydraugers, slope inclinometer surveys, crack and ground surface monitoring, groundwater level monitoring, data plotting and analysis, and performing maintenance to dewatering wells, hydraugers, collection piping, and equipment. Proposed capital improvement projects being coordinated for the next year includes upgraded flow meter equipment to facilitate remote readings, improvements to protect a cluster of hydraugers from erosion, and aerial survey.

Both the Annual Assessment District report and the Annual Maintenance District reports are posted on the City's website. In June 2022, a letter was sent to all property owners in the district advising them of the availability of these reports (Attachment 2).

ATTACHMENTS:

1. Resolution No. 22-27
2. Letter sent to property owners on availability of annual Assessment District Report for 2022-2023 and Maintenance District Report
3. Notice of Public Hearing

RESOLUTION NO. 22-27

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MALIBU LEVYING AN ASSESSMENT FOR THE MAINTENANCE, REPAIR AND IMPROVEMENT OF WORKS, SYSTEMS AND FACILITIES OF ASSESSMENT DISTRICT NO. 98-2 (CALLE DEL BARCO) FOR FISCAL YEAR 2022-2023

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

SECTION 1. Recitals.

- A. The City Council of the City of Malibu, State of California, did on May 11, 1998, adopt its resolution of intention, Resolution No. 98-033, pursuant to the Municipal Improvement Act of 1913, Division 12 of the Streets and Highways Code (commencing with Section 10000) (the "1913 Act") and the alternative proceedings under the Special Assessment Investigation, Limitation and Majority Protest Act of 1931, Part 7.5 of Division 4 of the Streets and Highways Code (commencing with Section 2960), for the reconstruction and annual maintenance of certain public improvements, together with appurtenances and appurtenant work in connection therewith (collectively, the "Improvements"), in a special assessment district known and designated as Assessment District No. 98-2 (Calle Del Barco) (hereinafter referred to as the "Assessment District").
- B. Section 5 of the Resolution of Intention No. 98-033 declared the Council's intention to levy an assessment to maintain, repair or improve the Improvements pursuant to Section 10100.8 of the 1913 Act.
- C. On June 29, 1998, the City Council adopted Resolution No. 98-051 confirming assessments and ordering improvements made for Assessment District No. 98-2.
- D. The City Council proposes to levy an assessment for the maintenance, repair and improvement of the Improvements for Fiscal Year 2022-2023 pursuant to the authorization contained in Section 5 of the Resolution of Intention No. 98-033.
- E. The City Clerk fixed a time and place for a public hearing relating to the proposed assessment.
- F. At the time set for the public hearing, all comments, objections and protests were duly heard and considered.
- G. All evidence, both oral and written, relative to the necessity for the proposed assessment was heard and considered.
- H. The City Council is now satisfied as to the proposed assessment.

- I. The City Council previously designated the City Engineer to perform the duties of the Superintendent of Streets for purposes of the proceedings in connection with the annual levy of assessments for the maintenance and repair or improvement of the Improvements pursuant to Section 10100.8 of the 1913 Act.

SECTION 2. The Annual Assessment Report for Assessment District No. 98-2, City of Malibu, Calle Del Barco, dated June 27, 2022 (Attachment A) is hereby accepted.

SECTION 3. The City Council hereby approves the estimate of expenditures for the maintenance, repair and improvement of the Improvements for Fiscal Year 2022-2023 as shown on Exhibit A of the Annual Assessment Report, attached hereto and incorporated herein by reference. The City Council hereby determines to levy and collect a special assessment in the amount of the estimate of expenditures contained in Exhibit B of Engineer's Report, attached hereto and incorporated herein by reference, such special assessment to provide for the maintenance, repair and improvement of the Improvements for Fiscal Year 2022-2023.

SECTION 4. The apportionment and the method of spread of the special assessment, as shown in Exhibit C of Engineer's Report, attached hereto and incorporated herein by reference, are hereby approved and adopted as being a correct and proper apportionment, the assessment having been spread in accordance with benefits to be received.

SECTION 5. The assessments set forth in Exhibit B of Engineer's Report, attached hereto and incorporated herein by reference, are hereby confirmed and the City Council hereby determines that the assessments as set forth in Exhibit B shall be levied, collected and enforced at the same time, in the same manner, by the same officers, and with the same interest and penalties as in the case of the assessment levied to pay for the Improvements.

SECTION 6. The City Council hereby finds that, due to the marginal stability of the Calle Del Barco area and the nature of the Calle Del Barco landslide mitigation system and facilities, the approved maintenance, repair and improvement expenses have to be incurred in order to maintain the level of benefit to the assessed parcels. The City Council further finds that the level of benefit derived from the Improvements would otherwise decline more rapidly than usual for other public works of the type involved because of the circumstances which do not ordinarily affect such public works, to wit, geologic instability.

SECTION 7. The City Council hereby finds that notice of the time and place of the public hearing regarding the proposed assessment has been given as required by law.

SECTION 8. A special fund was established to be maintained and administered in accordance with the provisions of Section 10100.8 of the 1913 Act, into which all payments received upon the assessment shall be deposited.

SECTION 9. The officers of the City are hereby authorized and directed to take such actions as may, in the view of such officers, be necessary or appropriate to implement the matters contemplated by this resolution and the other documents and instruments related thereto.

SECTION 10. The levy of the proposed assessment is for the maintenance, repair or minor alteration of existing facilities to provide landslide mitigation services. Therefore, the City Council hereby finds that the assessment and this Resolution have no significant effect on the environment for the purposes of the California Environmental Quality Act ("CEQA"). The assessment and this Resolution are therefore exempt from CEQA pursuant to Title 14 of the California Code of Regulations Section 15061 (b) (3) and Section 15301.

SECTION 11. The City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

PASSED, APPROVED, and ADOPTED this 27th day of June 2022.

PAUL GRISANTI, Mayor

ATTEST:

KELSEY PETTIJOHN, City Clerk
(seal)

APPROVED AS TO FORM:

THIS DOCUMENT HAS BEEN REVIEWED
BY THE CITY ATTORNEY'S OFFICE

JOHN COTTI, Interim City Attorney

ATTACHMENT A

CITY OF MALIBU
ASSESSMENT DISTRICT No. 98-2
CALLE DEL BARCO

ANNUAL ADMINISTRATION REPORT
FY 2022-2023

June 27, 2022

PREPARED FOR:
City of Malibu
Public Works Department
23825 Stuart Ranch Road
Malibu, CA 90265-4861

PREPARED BY:
30 Three Sixty Public Finance, Inc.
5860 Owens Avenue, Suite 210
Carlsbad, CA 92009



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I. Introduction



This report provides an analysis of the financial and administrative obligations of Assessment District No. 98-2 (Calle Del Barco) ("AD No. 98-2" or the "District") to be paid through the collection of assessments in fiscal year (FY) 2022-2023.

This report is organized into the following sections:

Section I - Background

Section I provides information regarding the formation of AD No. 98-2.

Section II - Facilities and Maintenance Financed

Section II provides information regarding the facilities and maintenance financed by AD No. 98-2.

Section III - Cost Estimate

Section III presents the projected budget for FY 2022-2023, the budget for FY 2021-2022, and projected year-end costs for maintenance of the landslide maintenance facilities.

Section IV - Annual Assessments

Section IV contains the proposed assessment of the total FY 2022-2023 maintenance costs upon the parcels within AD No. 98-2 in proportion to the estimated benefits to be received by such parcels from said maintenance, and a reduced copy of the assessment diagram.

II. Background



County Improvement District (CI District) Nos. 2608 and 2639 were formed by the County of Los Angeles to fund the construction of slide monitoring equipment and dewatering facilities in the Calle Del Barco landslide area. The improvements were installed following above normal precipitation during the 1977-78 winter storms, when stress fractures in the roadway along Calle Del Barco were observed. CI District No. 2608 was formed to construct remedial improvements for the slide.

In December 1985, the Los Angeles County Department of Public Works prepared a report summarizing geotechnical data compiled since the completion of the remedial improvements constructed under CI District No. 2608. The report indicated incipient movement was developing in the Calle Del Barco slide and, unless rising groundwater levels were lowered, movement could persist, and a major slide could develop. In May 1986, the Board of Supervisors formed CI District No. 2639 and ordered dewatering facilities constructed and appurtenant rights-of-way acquired. The assessment district proceedings for CI District Nos. 2608 and 2639 did not include provisions for maintenance. While the County retains their authority over the two assessment districts for collection of the assessments levied against the parcels to fund the original construction of the improvements, the City is responsible for the ongoing maintenance of the public facilities.

As part of the City's maintenance of the existing system of improvements, the City's Geotechnical Consultant monitors ground movement, dewatering activities, groundwater levels, and water usage within AD No. 98-2. As a result of the intense winter storms of 1997-98, the City's Geotechnical Consultant recommended new analysis of the reactivated landslide and reconstruction of the existing dewatering and monitoring system, including installation of additional dewatering wells and slope inclinometers.

On June 29, 1998, the City Council of the City of Malibu held a public hearing regarding the Resolution of Intention and Engineer's Report for the reconstruction and annual maintenance of these improvements by AD No. 98-2. A majority of the assessment ballots tabulated at the public hearing were in favor of the assessment and a Resolution approving the Engineer's Report, confirming the assessments, and ordering the construction of the improvements was adopted.

Based on its 2000 findings, the City's Geotechnical Consultant recommended that a new dewatering well be constructed to replace dewatering facilities lost in the 1998 slope failure and increase the dewatering capacity of the current dewatering system. On June 11, 2001, the City Council of the City of Malibu held a public hearing regarding the Resolution of Intention to order changes in connection with AD No. 98-2 and Changes and Modifications to Engineer's Report for the construction of a new dewatering well, annual maintenance of the existing and additional improvements, and increased annual maintenance assessment. A majority of the assessment ballots tabulated at the public hearing were in favor of the assessment and a Resolution approving the Changes and Modifications to Engineer's Report, confirming the assessments, and ordering the construction of the additional improvement was adopted.

III. Facilities and Maintenance Financed



The City proposes to levy assessments in FY 2022-2023 to finance the inspection, maintenance and repair of the following facilities and activities:

- Dewatering wells (11 each);
- Hydraugers (12 each);
- Slope inclinometers (12 each);
- Monitoring wells (12 each); and
- Energy costs.

IV. Cost Estimate



The maximum annual assessment for FY 2022-2023 is \$1,309.49 per benefit assessment unit which reflects an increase of 5.00%. The maximum annual increase in the maximum assessment is limited to the percentage change in the Consumer Price Index, All Urban Consumers, Los Angeles-Long Beach-Anaheim, CA (the "CPI") or 5.00%. The change in the CPI is 8.50%. The benefit assessment units applicable to each parcel depend upon land use.

The FY 2022-2023 budget is \$83,560, which consists of costs for operation/maintenance, replacement/special projects, energy, and administration. This is based on projected needs for an average rainfall year. In addition to estimated costs, the assessment levy includes reserves to cover possible expenses associated with an above-average rainfall year and delinquent assessments. Any funds not used in the current year are held in the assessment district account and applied to the next fiscal year. The desired wet-year contingency is equal to 100% of costs for operation/maintenance and replacement/special projects for an above-average rainfall year, or \$69,000.

In order to minimize the increase in the assessment levy, the actual wet-year contingency for FY 2022-2023 is \$57,000, or 82.61% of the full wet-year contingency. Total budgeted reserves, including reserves for estimated delinquent assessments, are approximately \$68,458, or 81.93% of the estimated FY 2022-2023 budgeted costs (82.61% of the costs for operation/maintenance and replacement/special projects for an above-average rainfall year and 13.16% of the total assessment for a delinquency contingency based upon the FY 2021-2022 delinquency rate). The total amount necessary to cover the budgeted costs and reserves is \$152,017; subtracting the estimated FY 2021-2022 year-end fund balance of \$64,967 from this amount results in an assessment levy of \$87,050.

The benefit assessment units applicable to each parcel depends upon location and land use. Properties located within Zone A are assigned benefit assessment units for both slide protection and road access. Properties located within Zone B are assigned benefit units for road access only. Properties located within Zone C are assigned benefit units for slide protection only. A comparison of FY 2022-2023 and FY 2021-2022 assessment amounts by zone and for selected land uses is shown in Table IV-1 on the next page. The assessment levied in FY 2022-2023 is approximately 6.5% greater than the assessment levied in FY 2021-2022.

IV. Cost Estimate



TABLE IV-1					
CITY OF MALIBU					
ASSESSMENT DISTRICT NO. 98-02					
(CALLE DEL BARCO)					
SUMMARY OF ANNUAL MAINTENANCE ASSESSMENT					
ZONE/LAND USE	BENEFIT UNITS	ACTUAL ANNUAL ASSESSMENT		MAXIMUM ANNUAL ASSESSMENT	
		FY 2021-22	FY 2022-23	FY 2021-22	FY 2022-23
Zone A – Protection & Access					
Single Family Home	2.00	\$1,721.08	\$1,832.64	\$2,494.26	\$2,618.97
Condominium/Apartment	1.65	\$1,419.89	\$1,511.93	\$2,057.76	\$2,160.65
Zone B – Access Only					
Single Family Home	1.00	\$860.54	\$916.32	\$1,247.13	\$1,309.49
Condominium/Apartment	0.65	\$559.35	\$595.61	\$810.63	\$851.16
Zone C – Protection Only					
Single Family Home	1.00	\$860.54	\$916.32	\$1,247.13	\$1,309.49
Condominium/Apartment	1.00	\$860.54	\$916.32	\$1,247.13	\$1,309.49
Total Budget		\$81,751.30	\$87,050.40	\$118,477.36	\$124,401.34
Total Benefit Units		95.00	95.00	95.00	95.00

V. Annual Assessment and Diagram



A. Annual Assessments

Pursuant to the provisions of law, the costs and expenses of the facilities inspection, maintenance, and repair to be performed in AD No. 98-2 have been assessed to the parcels of land 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 Roll, a copy of which is attached hereto as Exhibit B. For particulars as to the determination of benefit, reference is made to the Method of Assessment, a copy of which is attached hereto as Exhibit C.

B. Assessment Diagram

The assessment diagram is attached hereto as Exhibit D.

EXHIBIT A

BUDGET AND COST ESTIMATE

CITY OF MALIBU ASSESSMENT DISTRICT NO. 98-02 (CALLE DEL BARCO) FISCAL YEAR 2022-2023 BUDGET		
FISCAL YEAR 2021-22 RESOURCES ^(a)		
1	Beginning Fund Balance (Audited)	\$74,850.00
2	Assessment Proceeds ^(b)	\$70,991.02
3	Total FY 2021-2022 Resources Available (Line 1 + Line 2)	\$145,841.02
FISCAL YEAR 2021-22 EXPENDITURES ^(a)		
4	Operation & Maintenance and Other Expenditures (Projected)	(\$80,874.00)
5	FY 2021-2022 Ending Fund Balance (Line 3 + Line 4)	\$64,967.02
FISCAL YEAR 2022-23 EXPENDITURES ^(a)		
6	Estimated Operation/Maintenance and Replacement/Special Projects (See attached FY 2022-2023 Cost Estimate)	(\$69,000.00)
7	Estimated City Administration and Energy Costs (See attached FY 2022-2023 Cost Estimate)	(\$14,559.85)
8	Reserve Amount ^(c) (82.608696% x Line 6)	(\$57,000.00)
9	Delinquency Contingency ^(d) (13.16% x Line 11)	(\$11,457.57)
10	Total FY 2022-2023 Expenditures	(\$152,017.42)
11	Assessment (Line 5 + Line 10)	\$87,050.40
12	Estimated FY 2022-2023 Surplus/Deficit (Line 5 + Line 10 + Line 11)	\$0
^(a) Numbers in parentheses represent expenditures. Positive numbers represent revenue sources. ^(b) Reflects the estimated assessment revenue collected by the County Tax-Collector through April 18, 2022. ^(c) Desired reserve amount for above average rainfall and other unknowns is equal to 100.00% of FY 2022-2023 estimated operation/maintenance and replacement/special projects. The actual funded reserve amount is equal to 82.61% of FY 2022-2023's estimated expenditures. ^(d) Desired delinquency contingency is equal to 13.16% (FY 2021-2022 delinquency rate) multiplied by FY 2022-2023's assessment. Delinquency contingency is funded at the desired amount.		

APPENDIX A				
CITY OF MALIBU ASSESSMENT DISTRICT No. 98-02 (CALLE DEL BARCO)				
FY 2022-23 MAINTENANCE COST ESTIMATE				
TASK	FY 2021-22 BUDGET SUMMARY	FY 2021-22 PROJECTED YEAR END COSTS	FY 2022-23 BUDGET SUMMARY	% CHANGE
I. CITY ADMINISTRATION				
REPORT PREPARATION, ASSESSMENT ROLL, NOTICING	\$2,707.00	\$2,707.00	\$4,950.00	82.86%
PROJECT ADMINISTRATION	\$7,857.00	\$7,857.00	\$8,249.85	5.00%
LEGAL FEES	\$300.00	\$300.00	\$300.00	0.00%
TAX COLLECTOR'S FEE	\$10.00	\$10.00	\$10.00	0.00%
SUBTOTAL	\$10,874.00	\$10,874.00	\$13,509.85	24.24%
II. DEWATERING SYSTEM MONITORING AND MAINTENANCE				
MONITORING ^(a)	\$16,000.00	\$16,000.00	\$16,000.00	0.00%
MAINTENANCE ^(b)	\$15,000.00	\$15,000.00	\$15,000.00	0.00%
DATA MANAGEMENT	\$7,500.00	\$7,500.00	\$7,500.00	0.00%
REPORTING ^(c)	\$4,500.00	\$4,500.00	\$4,500.00	0.00%
PUBLIC OUTREACH	\$1,000.00	\$1,000.00	\$1,000.00	0.00%
EMERGENCY SERVICES	\$0.00	\$0.00	\$0.00	N/A
ADMINISTRATION	\$5,000.00	\$5,000.00	\$5,000.00	0.00%
FACILITY INVENTORY	\$0.00	\$0.00	\$0.00	N/A
SUBTOTAL	\$49,000.00	\$49,000.00	\$49,000.00	0.00%
III. CAPITAL IMPROVEMENT REPLACEMENTS & SPECIAL PROJECTS				
BRUSH, BAIL, VIDEO LOG (WELL REHAB)	\$0.00	\$14,000.00	\$0.00	-100.00%
EXTENSOMETER	\$3,000.00	\$0.00	\$0.00	N/A
DESIGN FOR SLOPE REPAIR HYDRAUGER PROTECTION	\$17,000.00	\$180.00	\$5,000.00	2,677.78%
TRANSDUCERS FOR PUMP ADJUSTMENTS	\$0.00	\$3,000.00	\$0.00	-100.00%
EQUIP UPGRADES FOR REMOTE READINGS	\$0.00	\$2,820.00	\$5,000.00	77.30%
AERIAL LIDAR	\$0.00	\$0.00	\$10,000.00	N/A
SUBTOTAL	\$20,000.00	\$20,000.00	\$20,000.00	0.00%
IV. ENERGY	\$1,000.00	\$1,000.00	\$1,050.00	0.00%
V. GRAND TOTAL	\$80,874.00	\$80,874.00	\$83,559.85	3.32%
^(a) Monitoring: dewatering wells, hydraugers, slope inclinometers, monitoring wells, and surface survey. ^(b) Maintenance: dewatering wells, hydraugers, slope inclinometers, monitoring wells, conveyance piping, and miscellaneous repairs. ^(c) Reporting: annual LAD report.				

EXHIBIT B

ASSESSMENT ROLL

CITY OF MALIBU ASSESSMENT DISTRICT NO. 98-02 (CALLE DEL BARCO) FISCAL YEAR 2022-23 ASSESSMENT ROLL			
ASSESSOR'S PARCEL NUMBER	ASSESSMENT NUMBER	BAU	FY 2022-23 ASSESSMENT
4451-011-023	B47	1.00	\$916.32
4451-011-063	A27	2.00	\$1,832.64
4451-011-068	A25	2.00	\$1,832.64
4451-011-070	A26	2.00	\$1,832.64
4451-015-015	C03	1.00	\$916.32
4451-015-021	A19	2.00	\$1,832.64
4451-015-025	A15	2.00	\$1,832.64
4451-015-027	B50	1.00	\$916.32
4451-015-028	A33	2.00	\$1,832.64
4451-015-029	A34	2.00	\$1,832.64
4451-015-030	B25	1.00	\$916.32
4451-015-031	B24	1.00	\$916.32
4451-015-032	B23	1.00	\$916.32
4451-015-033	B22	1.00	\$916.32
4451-015-034	B21	1.00	\$916.32
4451-015-035	B20	1.00	\$916.32
4451-015-036	B19	1.00	\$916.32
4451-015-037	B18	1.00	\$916.32
4451-015-038	B17	1.00	\$916.32
4451-015-039	B16	1.00	\$916.32
4451-015-041	B15	1.00	\$916.32
4451-015-042	B14	1.00	\$916.32
4451-015-043	B13	1.00	\$916.32
4451-015-053	B10	1.00	\$916.32
4451-015-054	B09	1.00	\$916.32
4451-015-055	B08	1.00	\$916.32
4451-015-058	B06	1.00	\$916.32
4451-015-059	B05	1.00	\$916.32
4451-015-060	B04	1.00	\$916.32
4451-015-061	B03	1.00	\$916.32
4451-015-062	B49	1.00	\$916.32

CITY OF MALIBU ASSESSMENT DISTRICT NO. 98-02 (CALLE DEL BARCO) FISCAL YEAR 2022-23 ASSESSMENT ROLL			
ASSESSOR'S PARCEL NUMBER	ASSESSMENT NUMBER	BAU	FY 2022-23 ASSESSMENT
4451-015-063	A11	2.00	\$1,832.64
4451-015-064	A09	2.00	\$1,832.64
4451-015-065	A10	2.00	\$1,832.64
4451-015-071	A06	2.00	\$1,832.64
4451-015-072	A05	2.00	\$1,832.64
4451-015-074	B48	1.00	\$916.32
4451-015-075	B02	1.00	\$916.32
4451-015-078	A07	2.00	\$1,832.64
4451-015-079	B07	1.00	\$916.32
4451-015-080	B01	1.00	\$916.32
4451-015-082	A08	2.00	\$1,832.64
4451-015-083	A02	2.00	\$1,832.64
4451-015-084	A01	2.00	\$1,832.64
4451-015-087	B12-A	0.50	\$458.16
4451-015-088	B12-B	0.50	\$458.16
4451-015-901	B11	1.00	\$916.32
4451-015-903	A24	2.00	\$1,832.64
4451-015-904	A23	2.00	\$1,832.64
4451-016-037	COL	1.00	\$916.32
4451-016-038	CO2	1.00	\$916.32
4451-018-005	B33	1.00	\$916.32
4451-018-006	B34	1.00	\$916.32
4451-018-007	B35	1.00	\$916.32
4451-018-008	B36	1.00	\$916.32
4451-018-009	B37	1.00	\$916.32
4451-018-010	B38	1.00	\$916.32
4451-018-011	B39	1.00	\$916.32
4451-018-012	B40	1.00	\$916.32
4451-018-013	B41	1.00	\$916.32
4451-018-014	B42	1.00	\$916.32
4451-018-015	B43	1.00	\$916.32

CITY OF MALIBU ASSESSMENT DISTRICT NO. 98-02 (CALLE DEL BARCO) FISCAL YEAR 2022-23 ASSESSMENT ROLL			
ASSESSOR'S PARCEL NUMBER	ASSESSMENT NUMBER	BAU	FY 2022-23 ASSESSMENT
4451-018-042	B44	1.00	\$916.32
4451-018-043	B45	1.00	\$916.32
4451-018-044	A35	2.00	\$1,832.64
4451-018-045	B46	1.00	\$916.32
4451-018-047	A38	4.00	\$3,665.28
4451-022-008	B31	1.00	\$916.32
4451-022-009	B32	1.00	\$916.32
4451-022-025	B26	1.00	\$916.32
4451-022-038	B27	1.00	\$916.32
4451-022-039	B28	1.00	\$916.32
4451-022-040	B29	1.00	\$916.32
4451-022-041	B30	1.00	\$916.32
		95.00	\$87,050.40

EXHIBIT C

METHOD OF ASSESSMENT APPORTIONMENT

METHOD OF SPREAD OF ASSESSMENT

Assessments levied pursuant to the Municipal Improvement Act of 1913 (hereinafter referred to the "Act") must be based on the benefit which each property receives from the system of improvements. Furthermore, as a result of Proposition 218, more stringent standards have been imposed for determining benefit. For example, Proposition 218 requires that special and general benefits be separated, with the amount of any assessment limited to the special benefits so conferred. Neither the Act nor Proposition 218 specify the method or formula for apportioning benefit or distinguishing special from general benefits.

Identification of the benefit the reconstruction and maintenance of the system of improvements will render to the properties in the Assessment District is the first step in developing the assessment spread methodology. The next step is to determine if the properties in the Assessment District receive a direct and special benefit from the system of improvements which is distinct from benefit received by the general public. For this Assessment District these determinations were made by David Taussig and Associates, Inc., the Assessment Engineer; in consultation with the City's Geotechnical Consultant; and the City of Malibu Public Works Department.

Project Need

The primary purpose of the dewatering system is the reduction of groundwater, from both rainfall and residential effluent, percolating down to the slide plane. This reduction in groundwater stabilizes the landslide outlined on the assessment diagram (Exhibit DJ). Stabilization of the landslide plane provides two distinct types of benefit to property within the Assessment District: protection of the property (i.e., the parcels) located on the slide plane and protection of the following roads within the landslide area:

- Calle Del Barco;
- Paseo Hidalgo;
- Rambla Orienta;
- Rambla Pacifico; and
- Rambla Vista.

Assessment District Boundary

The District boundary as shown in Exhibit D was established to encompass those properties which are specifically benefited by the system of improvements. This includes all properties which are located in whole or in part within the ancient landslide area and all properties which are accessed via streets within the landslide area. The District boundary does not include any properties which are located northeast of the Headscarp of the Rambla Landslide, since there is no access to properties located beyond this point.

Specific Benefit

The system of improvements to be installed and maintained by the District specifically benefit the properties within the District in one or two distinct ways: protection of the property and protection of the roads. First, properties located within the ancient slide boundary are reducing the risk and degree of damage or distress suffered from slope failure and/or movement (the "Protection" benefit). Second, access is maintained for those properties which are reached using roads affected by the slide (the "Access" benefit). The benefits associated

with Protection and Access are deemed to be equal, since use of the property cannot be fully enjoyed without either one.

As the roads located within the District do not convey any through traffic, there is no general benefit to the public for such road access. Clearly, stabilization of the slide confers a special benefit enjoyed only by the properties which may be impacted by slope failure or movements. The April 1998 analysis prepared by the City's Geotechnical Consultant, indicates the impacted properties are all located either within or on the slide boundary.

Method of Assessment

After the boundary of the District has been established and the determination of specific benefits has been made, the assessment to individual properties must be determined. As previously discussed, there are two types of direct and special benefit conferred upon property within the District, Protection and Access. Since not all properties receive both benefits, three zones have been established which correspond to the benefits received by the properties in the District.

- Zone A: Encompasses those properties that are located within the landslide boundary and must be accessed via roads within the landslide boundary (Protection and Access benefit).
- Zone B: Encompasses those properties that are located outside the landslide boundary and must be accessed via roads within the landslide boundary (Access benefit only).
- Zone C: Encompasses those properties that are located within the landslide boundary and which may be accessed via roads outside of the landslide boundary (Protection benefit only).

Protection benefits are allocated based on land use designation. The reason for this allocation is twofold. First, the proposed system of improvements have been sized to provide adequate dewatering capacity at full buildout. Second, the Protection benefit conferred upon each parcel of property is a function of each parcel's land use designation and number of dwelling units. Each dwelling unit is deemed to be equally protected, therefore, no differentiation is made between single family or condominium/apartment units. For purposes of assigning Protection Benefits to each parcel, one dwelling unit equals one Benefit Assessment Unit (BAU).

Access benefits are allocated to each parcel of land based on the estimated number of trips for that parcel's land use designation. Trip factor source data are from the Institute of Transportation Engineers Trip Generation study (5th Edition). The trip generation factors are shown on the next page.

TABLE C-1 TRIP GENERATION FACTORS AND BENEFIT ASSESSMENT UNITS		
LAND USE	AVERAGE WEEKDAY TRIPS/UNIT	BENEFIT ASSESSMENT UNITS (BAUs)
SINGLE-FAMILY	9.55	1.00
CONDOMINIUM/APARTMENT	6.23	0.65

Examples of the assignment of benefit assessment units are provided below for three different parcels; (1) a single-family residential parcel in Zone A, (2) a single-family residential parcel in Zone B, and (3) a single-family residential parcel in Zone C.

1. Single Family Residential Parcel in Zone A

BAU for Protection Benefit	1.00
BAU for Access Benefit	<u>1.00</u>
Total BAUs	2.00
2. Single Family Residential Parcel in Zone B

BAU for Protection Benefit	
BAU for Access Benefit	0.00
Total BAUs	<u>1.00</u>
3. Single Family Residential Parcel in Zone C

BAU for Protection Benefit	1.00
BAU for Access Benefit	<u>0.00</u>
Total BAUs	1.00

Exemption from Annual Assessment

Any property within the District that is restricted in use as open space or against which a deed restriction preventing development is recorded may be deemed exempt from the levy of annual maintenance assessments by the City Council of the City of Malibu. To date, the following seven parcels have been exempted:

- 4451-015-022;
- 4451-015-023;
- 4451-015-024;
- 4451-015-073;
- 4451-015-085;
- 4451-015-086; and
- 4451-018-037.

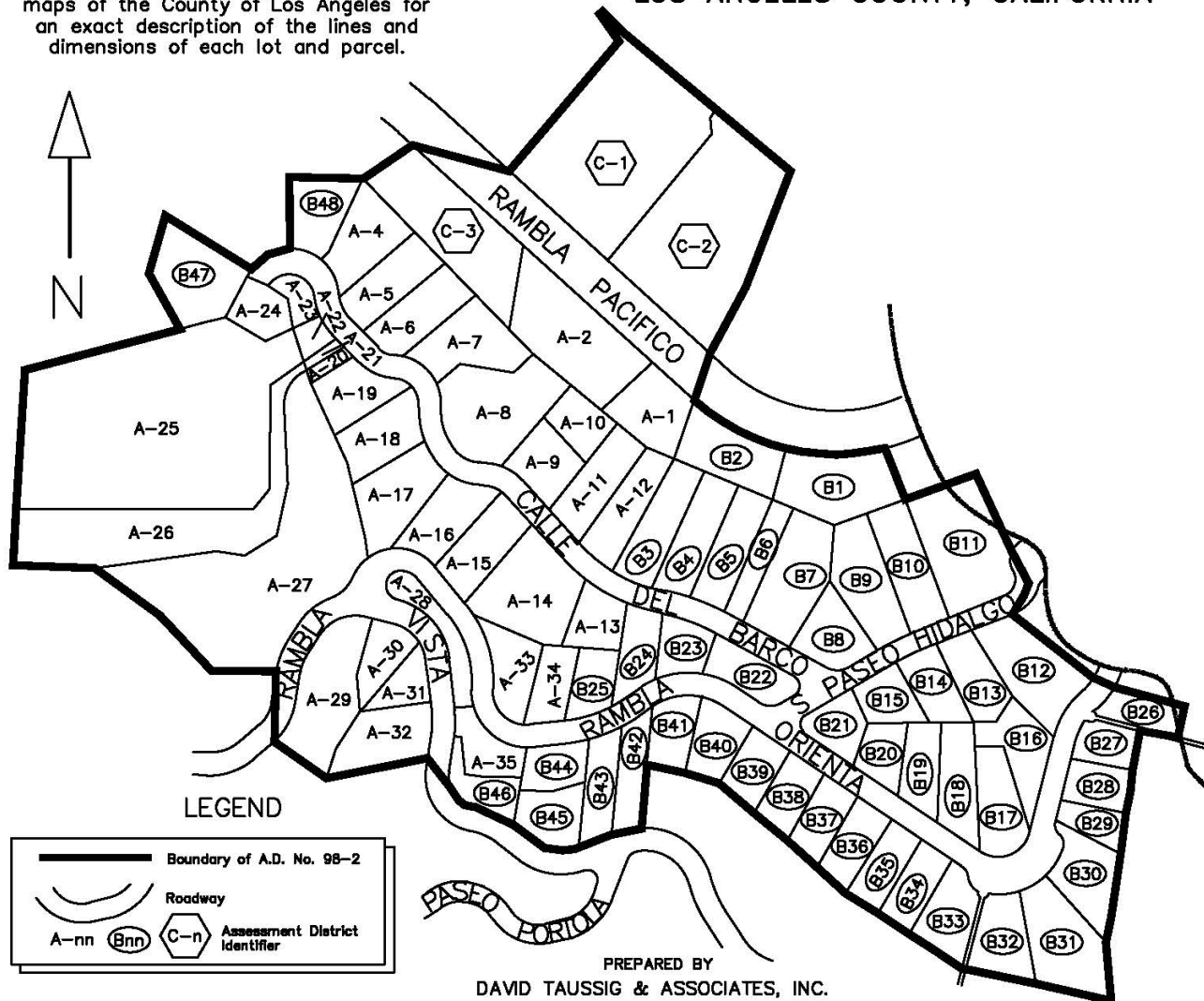
EXHIBIT D

ASSESSMENT DIAGRAM

SHEET 1 OF 2

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.

ASSESSMENT DIAGRAM FOR
ASSESSMENT DISTRICT NO. 98-2
CITY OF MALIBU -- (CALLE DEL BARCO)
LOS ANGELES COUNTY, CALIFORNIA



Filed in the office of the City Clerk of the City of
Malibu this ____ day of _____, 19____.

Harry Peacock
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 _____, 19____.

Rick Morgan, P.E.
City Engineer, City of Malibu

Filed this _____ day of _____, 19____, 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

SHEET 2 OF 2

ASSESSMENT DIAGRAM FOR
ASSESSMENT DISTRICT NO. 98-2
CITY OF MALIBU -- (CALLE DEL BARCO)
LOS ANGELES COUNTY, CALIFORNIA

ASSESSMENT NUMBER	A.P.N.	SITUS ADDRESS
A01	4451-015-084	3443 RAMBLA PACIFICO ST
A02	4451-015-083	3433 RAMBLA PACIFICO ST
A04	4451-015-073	
A05	4451-015-072	
A06	4451-015-071	
A07	4451-015-078	21471 CALLE DEL BARCO
A08	4451-015-082	21463 CALLE DEL BARCO
A09	4451-015-064	21455 CALLE DEL BARCO
A10	4451-015-065	
A11	4451-015-063	
A12	4451-015-062	21437 CALLE DEL BARCO
A13	4451-015-027	21434 CALLE DEL BARCO
A14	4451-015-026	21440 CALLE DEL BARCO
A15	4451-015-025	
A16	4451-015-024	21454 CALLE DEL BARCO
A17	4451-015-023	
A18	4451-015-022	
A19	4451-015-021	
A20	4451-011-064	
A21	4451-011-071	
A22	4451-011-069	
A23	4451-015-017	21510 CALLE DEL BARCO
A24	4451-011-024	
A25	4451-011-068	21500 CALLE DEL BARCO
A26	4451-011-070	
A27	4451-011-063	21488 CALLE DEL BARCO
A28	4451-018-019	
A29	4451-018-038	
A30	4451-018-037	
A31	4451-018-036	
A32	4451-018-035	
A33	4451-015-028	
A34	4451-015-029	3949 RAMBLA ORIENTA ST
A35	4451-018-044	3958 RAMBLA ORIENTA ST
B01	4451-015-080	
B02	4451-015-075	3453 RAMBLA PACIFICO ST
B03	4451-015-061	
B04	4451-015-060	
B05	4451-015-059	
B06	4451-015-058	
B07	4451-015-079	21409 CALLE DEL BARCO
B08	4451-015-055	21401 CALLE DEL BARCO

ASSESSMENT NUMBER	A.P.N.	SITUS ADDRESS
B09	4451-015-054	3833 PASEO HIDALGO ST
B10	4451-015-053	3823 PASEO HIDALGO ST
B11	4451-015-901	3811 PASEO HIDALGO ST
B12	4451-015-077	3816 PASEO HIDALGO ST
B13	4451-015-043	3820 PASEO HIDALGO ST
B14	4451-015-042	3824 PASEO HIDALGO ST
B15	4451-015-041	3832 PASEO HIDALGO ST
B16	4451-015-039	3851 RAMBLA ORIENTA ST
B17	4451-015-038	3881 RAMBLA ORIENTA ST
B18	4451-015-037	3885 RAMBLA ORIENTA ST
B19	4451-015-036	3889 RAMBLA ORIENTA ST
B20	4451-015-035	3897 RAMBLA ORIENTA ST
B21	4451-015-034	3840 PASEO HIDALGO ST
B22	4451-015-033	21410 CALLE DEL BARCO
B23	4451-015-032	21420 CALLE DEL BARCO
B24	4451-015-031	21426 CALLE DEL BARCO
B25	4451-015-030	3947 RAMBLA ORIENTA ST
B26	4451-022-025	
B27	4451-022-038	
B28	4451-022-039	
B29	4451-022-040	
B30	4451-022-041	
B31	4451-022-008	3854 RAMBLA ORIENTA ST
B32	4451-022-009	3858 RAMBLA ORIENTA ST
B33	4451-018-005	3864 RAMBLA ORIENTA ST
B34	4451-018-006	3868 RAMBLA ORIENTA ST
B35	4451-018-007	3870 RAMBLA ORIENTA ST
B36	4451-018-008	3880 RAMBLA ORIENTA ST
B37	4451-018-009	3884 RAMBLA ORIENTA ST
B38	4451-018-010	3890 RAMBLA ORIENTA ST
B39	4451-018-011	3898 RAMBLA ORIENTA ST
B40	4451-018-012	3900 RAMBLA ORIENTA ST
B41	4451-018-013	3908 RAMBLA ORIENTA ST
B42	4451-018-014	3916 RAMBLA ORIENTA ST
B43	4451-018-015	3922 RAMBLA ORIENTA ST
B44	4451-018-042	3930 RAMBLA ORIENTA ST
B45	4451-018-043	3936 RAMBLA ORIENTA ST
B46	4451-018-045	3942 RAMBLA ORIENTA ST
B47	4451-011-023	3950 RAMBLA ORIENTA ST
B48	4451-015-074	
C01	4451-016-037	21424 DEER PATH LANE
C02	4451-016-038	
C03	4451-015-015	3413 RAMBLA PACIFICO ST

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 _____, 19____. 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.

Harry Peacock
City Clerk of the City of Malibu

PREPARED BY
DAVID TAUSSIG & ASSOCIATES, INC.



City of Malibu

23825 Stuart Ranch Road ♦ Malibu, California ♦ 90265-4861
Phone (310) 456-2489 ♦ Fax (310) 317-0950 ♦ www.malibucity.org

June 7, 2022

«Property Owner»

«Address»

«City», «State», «Zipcode»

Re: Internet Access to Annual Reports --Assessment District No. 98-2

Assessment No.: «Assessment» Assessor's Parcel No.: «Parcel_No»

Situs Address: «Address»

Dear Property Owner:

The City of Malibu will hold a public hearing on June 27, 2022 to hear comments and consider a resolution levying assessments for the maintenance, repair and improvements of works, systems and facilities for Assessment District No. 98-2 (Calle del Barco). The City of Malibu will post the geologist's annual report titled "Annual Report, July 2021 through June 2022" for the Calle del Barco assessment district on its website in November 2022. The report presents detailed discussions on the status of the district and the maintenance and monitoring activities for the past year. Please see the website for prior year reports.

In addition, the fiscal year 2022-23 annual assessment report for the assessment district will be posted in July 2022. Staff anticipates that this year's assessments will increase by 3.44%, which is less than the annual CPI adjustment of 8.50%, as specified in the annual assessment report. To access current as well as prior year reports, please follow the steps below.

1. Go to <https://www.malibucity.org/>
2. Click on *City Government* located on the top of the page
3. Click on *Public Works / Engineering*
4. Click on *Assessment Districts* on the left of the page
5. Click on the Calle del Barco assessment district. Within the district's homepage, click on *Annual Assessment Reports* or *Geologist's Annual Report*.

If you would like additional information, please contact Brandie Ayala at (310) 456-2489 ext. 352

Sincerely yours,

Mitch Mosesman
30 Three Sixty Public Finance, Inc.
for
Rob DuBoux
Public Works Director / City Engineer

ATTACHMENT 2



**NOTICE OF PUBLIC HEARING
CITY OF MALIBU
CITY COUNCIL**

The City of Malibu City Council will hold a public hearing on **MONDAY, June 27, 2022, at 6:30 p.m.** for the project identified below via teleconference only in order to reduce the risk of spreading COVID-19, pursuant to AB 361 and the County of Los Angeles Public Health Officer's order.

PUBLIC HEARING TO HEAR COMMENTS AND CONSIDER
RESOLUTION LEVYING ASSESSMENTS FOR THE
MAINTENANCE, REPAIR AND IMPROVEMENT OF WORKS,
SYSTEMS AND FACILITIES FOR THE FOLLOWING:

Assessment District No. 98-2 (Calle Del Barco)

HOW TO VIEW THE MEETING: No physical location from which members of the public may observe the meeting and offer public comment will be provided. Please view the meeting, which will be live streamed at <https://malibucity.org/video> and <https://malibucity.org/VirtualMeeting>.

HOW TO PARTICIPATE DURING THE MEETING: Members of the public may speak during the meeting through the Zoom application. The City requests that you sign up to speak before the item you would like to speak on has been called by the Mayor and then you must be present in the Zoom conference to be recognized..

Written objections or comments regarding the Assessment Districts may be submitted to the City Clerk by email to cityclerk@malibucity.org between now and **Monday, June 27, 2022**. If you are unable to submit your objections by email please contact the City Clerk at (310) 456-2489, ext. 228 to make alternative arrangements. All written objections or comments must be received prior to the opening of the public hearing.

A copy of all relevant material, including resolutions, staff reports, and Engineer's Reports, are on file and available by request. Requests or questions about this notice should be directed to Public Works Director Robert DuBoux at (310) 456-2489 ext. 339 or rduboux@malibucity.org.

IF YOU CHALLENGE THE COUNCIL'S ACTION IN COURT, YOU MAY BE LIMITED TO RAISING ONLY THOSE ISSUES RAISED AT THE PUBLIC HEARING DESCRIBED IN THIS NOTICE, OR IN WRITTEN CORRESPONDENCE DELIVERED TO THE CITY, EITHER AT OR PRIOR TO THE PUBLIC HEARING.

Robert DuBoux, Public Works Director

Publish Date: June 16 and June 23, 2022