

**ANNUAL ADMINISTRATION REPORT
FOR FISCAL YEAR 2009-2010**

**CITY OF MALIBU
COMMUNITY FACILITIES DISTRICT No. 2006-1
(CARBON BEACH)**



JULY 13, 2009

Prepared on Behalf of:

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**Public Finance
Facilities
Planning**

**Newport Beach
Riverside
San Francisco
Walnut Creek**

Table of Contents

<u>Section</u>	<u>Page</u>
Introduction	2
I. Background	3
CFD Location.....	3
CFD Formation	3
Sources and Application of Bond Issues	3
Facilities Financed by CFD No. 2006-1	4
Special Tax Billing and Collection	4
Continuing Disclosure	4
California Debt and Investment Advisory Commission Yearly Fiscal Status Report.....	5
II. Fiscal Year 2009-2010 Special Tax Requirement	6
III. Method of Apportionment	8
Maximum Special Tax Rates	8
Subdivision of Assessor's Parcel.....	8
Consolidation of Assessor's Parcels.....	8
Apportionment of Special Taxes	8
IV. FY 2008-09 Property Tax Collections	9
V. Prepayment of Special Taxes	10
Prepaid Parcels.....	10
VI. Funds and Accounts	11
Description of Funds and Accounts after Refunding.....	11
Special Tax Fund	11
Reserve Account of the Special Tax Fund.....	12
Surplus Fund	12
Account Balances.....	13

EXHIBITS

Exhibit A – Boundary Map

Exhibit B – Bond Debt Service Schedule

Exhibit C – Rate and Method of Apportionment of Special Taxes

Exhibit D – Special Tax Roll for Fiscal Year 2009-2010

Introduction

This report provides an analysis of the financial and administrative obligations of Community Facilities District No. 2006-1 ("CFD No. 2006-1") of the City of Malibu (the "City") resulting from the sale of the \$4,365,000 Special Tax Bonds (the "Bonds") issued on December 23, 2008.

CFD No. 2006-1 is a legally constituted governmental entity established under the Mello-Roos Community Facilities Act of 1982, (the "Act") as amended. CFD No. 2006-1 was authorized to issue up to \$5,000,000 in bonds. 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 special taxes. The special tax is currently utilized to repay and secure the bonded indebtedness for the Special Tax Bonds. In calculating the special tax liability for fiscal year ("FY") 2009-2010, this report recaps the previous fiscal year's property tax collections, parcel changes within CFD No. 2006-1, if any, and the financial obligations of the current fiscal year.

This report is organized into the following sections:

Section I - Background

Section I provides information regarding the formation of CFD No. 2006-1, the Bonds, the optional redemption of Bonds, and the authorized improvements to be financed by Bond proceeds.

Section II - Fiscal Year 2009-10 Special Tax Requirement

Section II determines the financial obligations of CFD No. 2006-1 for FY 2009-2010.

Section III - Method of Apportionment

Section III reviews the methodology used to apportion the special taxes and the maximum and actual special tax rates.

Section IV - Fiscal Year 2008-09 Property Tax Collections

Section IV recaps the FY 2008-09 property tax collections.

Section V - Prepayment of Special Taxes

This section presents a discussion of the prepayment of special taxes and identifies those parcels for which special taxes have been prepaid, if any.

Section VI - Funds and Accounts

Section VI examines the funds and accounts established pursuant to the bond indenture authorizing and providing for the issuance of the Bonds.

I. Background

CFD Location

CFD No. 2006-1 (commonly known as "Carbon Beach") is located within the City along the ocean side of Pacific Coast Highway roughly at Carbon Canyon Road along Carbon Beach, and consists of 44 taxable parcels which contain completed oceanfront residential units. A copy of the boundary map for CFD No. 2006-1 is included in Exhibit A.

CFD Formation

The City Council of the City of Malibu (the "City Council"), acting on behalf of CFD No. 2006-1, adopted Resolution No. 06-54 on August 14, 2006 stating its intent to establish CFD No. 2006-1 and to authorize the levy of special taxes therein. On the same date, the City Council adopted Resolution No. 06-55 stating its intent to have CFD No. 2006-1 incur bond indebtedness in an amount not to exceed \$5,000,000.

Following a noticed public hearing on January 22, 2007, the City Council, again acting on behalf of CFD No. 2006-1, adopted Resolution Nos. 07-05 and 07-06 which established CFD No. 2006-1, authorized the levy of a special tax, determined the necessity to incur bonded indebtedness in an amount not to exceed \$5,000,000, and called an election on the proposition of incurring bonded indebtedness, levying a special tax and setting an appropriations limit.

On May 8, 2007, an election was held within CFD No. 2006-1 in which the registered voters therein approved the proposition authorizing the issuance of bonds in an amount not to exceed \$5,000,000. On May 29, 2007, the City Council, acting as the legislative body of CFD No. 2006-1, adopted Resolution 07-24 certifying the results of the election and introduced Ordinance No. 312 (the "Ordinance") which provides for the levying of the special tax. The Ordinance was adopted on June 11, 2007. A Notice of Special Tax Lien for CFD No. 2006-1 was recorded with the County of Los Angeles as Instrument No. 20071384817 on June 7, 2007.

Bonds in the amount of \$4,365,000 were issued with a date of December 23, 2008 for CFD No. 2006-1 pursuant to the provisions of the Act and the bond indenture. The levy of special taxes for CFD No. 2006-1 will commence in FY 2009-2010 and continue each fiscal year, ending no later than FY 2042-2043.

Sources and Application of Bond Issues

A summary of the sources and uses of the Bonds is presented in Table I-1 below.

TABLE I-1**SOURCES AND USES OF SPECIAL TAX BONDS
COMMUNITY FACILITIES DISTRICT NO. 2006-1****Sources**

Principal Amount of Bonds	\$4,365,000
Net Premium/(Discount)	(65,371)
Total Sources	\$4,299,629

Uses

Project Account	\$3,373,906
Costs of Issuance Account ¹	235,000
Administrative Expense Account	15,000
Interest Account ²	207,773
Reserve Account	358,975
Underwriter's Discount	108,975
Total Uses	\$4,299,629

Improvements Financed by CFD No. 2006-1

The improvements authorized to be financed by CFD No. 2006-1 (the "Improvements") with the proceeds of the Bonds consist of improvements required to underground existing overhead utilities, including all trench work, removal and relocation of street lighting, removals of overhead lines and utility poles, furnishings, equipment and supplies related thereto. Incidental expenses authorized to be financed with the proceeds of the Bonds include (i) the cost of planning and designing the Improvements to be financed, including the cost of environmental evaluations thereof; (ii) any other expenses incidental to the construction, completion and inspection of the authorized work; and (iii) the costs associated with the formation of CFD No. 2006-1, issuance of Bonds, determination of the amount of taxes, collection of taxes, payment of taxes, or costs otherwise incurred in order to carry out the authorized purposes of CFD No. 2006-1.

Special Tax Billing and Collection

The special taxes levied in CFD No. 2006-1 are collected on the consolidated property tax bills prepared by the County of Los Angeles. The Auditor-Controller of the County of Los Angeles has assigned account number 203.60 for the collection of special taxes in CFD No. 2006-1.

Continuing Disclosure

Pursuant to Continuing Disclosure Agreement dated December 1, 2008 between CFD No. 2006-1 and the Deutsche Bank National Trust Company, CFD No. 2006-1 is covenanted to compile

¹ To pay costs of issuance, including legal fees, printing costs, reimbursement of CFD formation and engineering costs and trustee fees.

² Represents capitalized interest on the Bonds through September 1, 2009.

annual financial and operating data by April 1 of each year. Pursuant to the Continuing Disclosure Agreement, this data shall consist of the following:

- Audited financial statements;
- The principal amount of bonds outstanding as of the September 1 preceding the filing of the annual report;
- The balance in each fund under the bond indenture as of the September 1 preceding the filing of the annual report;
- An update of the information set forth in Table 3 of the official statement;
- Any changes to the Rate and Method of Apportionment of the Special Tax approved or submitted to the electors for approval prior to the filing of the annual report;
- The status of any foreclosure actions being pursued by CFD No. 2006-1 with respect to delinquent Special Taxes;
- The identity of any property owner whose delinquent special taxes have not been collected by October 1, preceding the filing of the annual report, represent the assessed value-to-lien ratios of the delinquent properties; and
- Any additional information that CFD No. 2006-1 is required to file in its annual report to the California Debt and Investment Advisory Commission pursuant to the provisions of the Mello-Roos Community Facilities Act of 1982, as amended.

The most recent annual report was filed April 1, 2009.

California Debt and Investment Advisory Commission Yearly Fiscal Status Report

Pursuant to Section 53359.5 of the Act, CFD No. 2006-1 is required to prepare an annual report to be submitted to the California Debt and Investment Advisory Commission (the "CDIAC") by October 30 of each year. The report is required to present the following information:

1. The principal amount of bonds outstanding;
2. The balance in the bond reserve fund;
3. The balance in the capitalized interest fund, if any;
4. The number of parcels which are delinquent with respect to their special taxes, the amount that each parcel is delinquent, the length of time that each has been delinquent, and if and when foreclosure was commenced for each delinquent parcel;
5. The balance in any construction funds, if any; and
6. The assessed value of all parcels subject to special tax to repay the bonds as shown on the most recent equalized roll.

Since Bonds were issued on December 23, 2008, the first CDIAC Yearly Fiscal Status Report will be filed October 30, 2009.

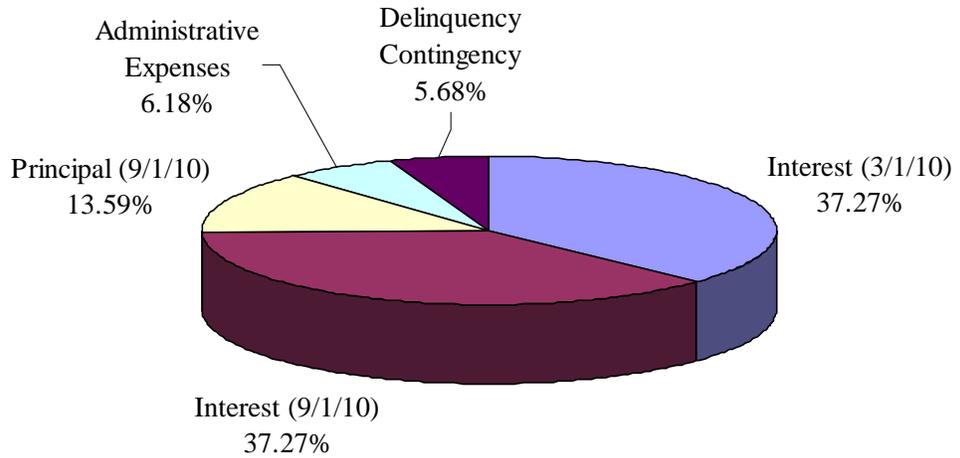
II. Fiscal Year 2009-2010 Special Tax Requirement

CFD No. 2006-1's special tax requirement for FY 2009-2010 is equal to \$404,326.56, as presented in Table II-1 and Graph II-1 below. This amount represents the sum of interest and principal payments due on the Bonds, a delinquency contingency of 5.68%, and projected administrative expenses, less available funds projected as of September 1, 2009. The 5.68% delinquency contingency is based on the FY 2008-09 property tax collections which is discussed in more detail in Section IV.

TABLE II-1
COMMUNITY FACILITIES DISTRICT NO. 2006-1
FISCAL YEAR 2009-10 SPECIAL TAX REQUIREMENT

SOURCES OF FUNDS	
FY 2009-10 SPECIAL TAXES	\$404,326.56
FUND BALANCES (MAY 31, 2009)	
SPECIAL TAX FUND	\$0.00
PRINCIPAL ACCOUNT	\$0.00
INTEREST ACCOUNT	\$151,067.95
SURPLUS FUND	\$0.00
TOTAL SOURCES OF FUNDS	\$555,394.51
USES OF FUNDS	
DEBT SERVICE	\$507,409.39
INTEREST (9/1/9)	\$150,803.13
PRINCIPAL (9/1/9)	\$0.00
INTEREST (3/1/10)	\$150,803.13
INTEREST (9/1/10)	\$150,803.13
PRINCIPAL (9/1/10)	\$55,000.00
ADMINISTRATIVE EXPENSES	\$25,000.00
DELINQUENCY CONTINGENCY (@ 5.68%)	\$22,985.12
TOTAL USES OF FUNDS	\$555,394.51

GRAPH II-1
COMMUNITY FACILITIES DISTRICT NO. 2006-1
FISCAL YEAR 2009-10 GROSS SPECIAL TAX REQUIREMENT



III. Method of Apportionment

Maximum Special Tax Rates

The amount of special taxes that CFD No. 2006-1 may levy is strictly limited by the maximum rate set forth in the RMA, attached hereto as Exhibit C. The Maximum Special Tax¹ for each Assessor's Parcel of Taxable Property is \$9,548.62.

Subdivision of Assessor's Parcel

In the event any Assessor's Parcel of Taxable Property is subdivided, the Maximum Special Tax applicable to the Assessor's Parcels created as a result of the subdivision shall be \$9,548.62. Notwithstanding the preceding, no Special Tax shall be levied against any Assessor's Parcel classified as Exempt Property.

Consolidation of Assessor's Parcels

The Maximum Special Tax for any Assessor's Parcel created by the consolidation of two or more Assessor's Parcels shall be equal to the sum of the Maximum Special Tax applicable to the Assessor's Parcels which were consolidated.

Apportionment of Special Taxes

The Special Tax shall be levied in equal percentages on each Assessor's Parcel of Taxable Property, up to the applicable Maximum Special Tax, to satisfy the Special Tax Requirement. Notwithstanding the preceding sentence, under no circumstances will the special taxes levied against any Assessor's Parcel used as a private residence be increased as a consequence of delinquency or default by the owner of any other Assessor's Parcel or Assessor's Parcels within CFD No. 2006-1 by more than ten percent (10%) per Fiscal Year.

The FY 2009-10 maximum and actual special tax rates for CFD No. 2006-1 are shown in the Table III-1. As noted previously, FY 2009-10 is the first fiscal year in which special taxes will be levied. The Special Tax Roll which lists the actual special tax levied against each parcel is attached hereto as Exhibit D.

**TABLE III-1
COMMUNITY FACILITIES DISTRICT NO. 2006-1
FISCAL YEAR 2009-10 MAXIMUM AND ACTUAL SPECIAL TAX RATES**

MAXIMUM SPECIAL TAX	FY 2009-10 SPECIAL TAX	PERCENT OF MAXIMUM
\$9,548.62/Parcel	\$9,189.24/Parcel	96.24%

¹ Capitalized terms not otherwise defined herein shall have the meanings set forth in the RMA.

IV. FY 2008-09 Property Tax Collections

No special taxes were levied in FY 2008-09. However, the FY 2008-09 property tax collection rate is used for purposes of budgeting for delinquent special taxes in FY 2009-10. As of May 29, 2009, one (1) parcel of the forty-four (44) parcels within CFD No. 2006-1 was delinquent in the payment of both property tax installments for FY 2008-09 and three (3) parcels were delinquent in the payment of the second property tax installment. If special taxes were levied during FY 2008-09, each parcel within CFD No. 2006-1 would have had the same special tax levy amount. Dividing the five (5) unpaid property tax installments by a total of eighty-eight (88) property tax installments within CFD No. 2006-1 yields a delinquency rate of 5.68% for FY 2008-09 if the special taxes were levied.

V. Prepayment of Special Taxes

CFD No. 2006-1 special taxes may be prepaid and permanently satisfied by payment of an amount calculated pursuant to the prepayment formula adopted at the time CFD No. 2006-1 was formed. Monies received as a result of the prepayment of special taxes are deposited in the Redemption Account of the Special Tax 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 special taxes were prepaid during FY 2008-2009.

VI. Funds and Accounts

Description of Funds and Accounts after Refunding

The bond indenture for the Bonds dated as of December 1, 2008 (the "Indenture") between CFD No. 2006-1 and Deutsche Bank National Trust Company (the "Trustee") established the Special Tax Fund, Rebate Fund, Acquisition and Construction Fund, and Surplus Fund. Within the Special Tax Fund five additional accounts were created: the Interest Account, Principal Account, Reserve Account, Redemption Account, and Administrative Expense Account. The following presents a description of the main funds and accounts relating to CFD No. 2006-1 created pursuant to the Indenture.

Special Tax Fund

Money received from the prepayment of special taxes will be deposited into the Redemption Account of the Special Tax Fund and applied towards the payment of the principal of, premium, and/or interest on the Bonds to be redeemed with such prepayment.

Monies received from the collection of special taxes will be deposited, as received by CFD No. 2006-1, in the Special Tax Fund, which will be held and administered by the Trustee for the benefit of the Owners¹ as provided in the Indenture.

Following the deposits of special taxes set forth in the preceding paragraph, all money in the Special Tax Fund will be transferred by the Trustee, in the following order of priority, to:

- (1) The Administrative Expense Account of the Special Tax Fund up to the Administrative Expenses Cap of \$25,000;
- (2) The Interest Account of the Special Tax Fund;
- (3) The Principal Account of the Special Tax Fund;
- (4) The Redemption Account of the Special Tax Fund;
- (5) The Reserve Account of the Special Tax Fund;
- (6) The Administrative Expense Account of the Special Tax Fund to the extent Administrative Expenses exceed the Administrative Expense Cap;
- (7) The Rebate Fund; and
- (8) The Surplus Fund.

All money in each account of the Special Tax Fund will be held by the Trustee and will be applied, used and withdrawn only for the purposes authorized in the Indenture.

¹ All capitalized terms within this section not defined in the Report are as defined in the Indenture.

Reserve Account of the Special Tax Fund

An amount of \$358,975, equal to the Reserve Requirement, was initially deposited in the Reserve Account of the Special Tax Fund. In the event that special tax receipts are insufficient to pay debt service, money may be transferred from the Reserve Account and used for payment of principal and interest on the Bonds as follows:

- (1) When the moneys in the Interest Account and the Principal Account of the Special Tax Fund are insufficient therefor;
- (2) In connection with an optional redemption or a special redemption of Bonds following the prepayments of special taxes; 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 Account is below the Reserve Requirement, the Trustee shall transfer to the Reserve Account from available moneys in the Special Tax Fund, or from any other legally available funds which the District elects to apply to such purpose, the amount needed to restore the amount of such Reserve Account to the Reserve Requirement. Moneys in the Reserve Account in excess of the Reserve Requirement that are not transferred in accordance with the preceding provisions shall be withdrawn from the Reserve Account on the Business Day before each March 1 and September 1 and shall be transferred to the Project Account of the Acquisition and Construction Fund until all amounts have been disbursed from the Acquisition and Construction Fund (or such fund is closed) and thereafter to the Interest Account of the Special Tax Fund.

Surplus Fund

The amount remaining in the Special Tax Fund after all transfers required by the Indenture have been made, excluding the amount to be retained to reduce the annual special tax levy, will be transferred to the Surplus Fund. All money in Surplus Fund will be held by the Trustee and will be applied, used and withdrawn only for the purposes authorized in the Indenture, including (i) transfers to the Interest Account, the Principal Account, or the Redemption Account of the Special Tax Fund to pay the principal of, including Sinking Fund Payments, premium, if any, and interest on the Bonds in the event that moneys in the Special Tax Fund are insufficient therefor, (ii) to the Reserve Accounts of the Special Tax Fund in order to replenish the Reserve Account to the Reserve Requirement, (iii) to the Administrative Expense Account of the Special Tax Fund to pay Administrative Expenses to the extent that the amounts on deposit in the Administrative Expense Account are insufficient to pay Administrative Expenses, and (iv) for any other lawful purpose of CFD No. 2006-1.

Account Balances

The funds and accounts relating to CFD No. 2006-1 established by the Indenture have the following balances:

**TABLE VI-1
COMMUNITY FACILITIES DISTRICT NO. 2006-1
ACCOUNT BALANCES AS OF MAY 31, 2009**

SPECIAL TAX FUND	\$	0.00
PRINCIPAL ACCOUNT	\$	0.00
INTEREST ACCOUNT	\$	151,067.95
ADMINISTRATIVE EXPENSE ACCOUNT	\$	15,019.44
REDEMPTION ACCOUNT	\$	0.00
RESERVE ACCOUNT	\$	359,439.68 ²
<hr/>		
SURPLUS FUND	\$	0.00
<hr/>		
ACQUISITION AND CONSTRUCTION FUND	\$	499,370.88
COST OF ISSUANCE ACCOUNT	\$	158,507.42

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² The Reserve Requirement equals \$358,975.

EXHIBIT A

**CITY OF MALIBU
COMMUNITY FACILITIES DISTRICT NO. 2006-1**

Boundary Map

**PROPOSED BOUNDARIES OF
CITY OF MALIBU
COMMUNITY FACILITIES DISTRICT NO. 2006-1
(Carbon Beach Undergrounding)
COUNTY OF LOS ANGELES
STATE OF CALIFORNIA**

AUG 21 2006



(1) Filed in the office of the City Clerk of the City of Malibu this 15th day of August, 2006.

Lisa Pope
Lisa Pope
City Clerk, City of Malibu

(2) I hereby certify that the within map showing the proposed boundaries of City of Malibu Community Facilities District No. 2006-1 (Carbon Beach Undergrounding), County of Los Angeles, State of California, was approved by the Council of the City of Malibu at a regular meeting thereof, held on this 14th day of August, 2006, by its Resolution No. 06-54.

Lisa Pope
Lisa Pope
City Clerk, City of Malibu

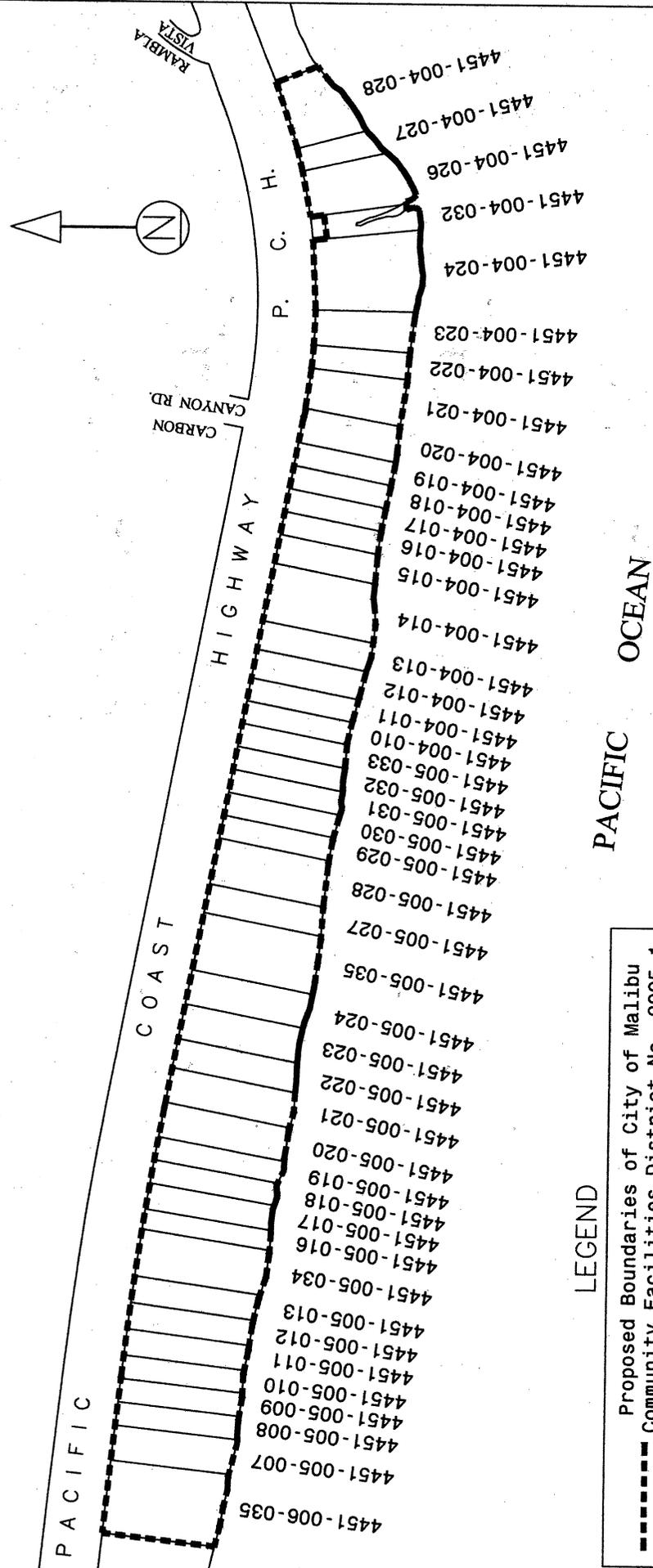
(3) Filed this _____ day of _____, 2006, at the hour of _____ o'clock _____m, in Book _____ of Maps of Assessment and Community Facilities Districts at Page _____ and as Instrument No. _____ in the office of the County Recorder in the County of Los Angeles, State of California.

Conny B. McCormack
Registrar-Recorder/County Clerk,
County of Los Angeles

By _____ Deputy
Fee _____

Exempt recording requested,
per CA Government Code §6103

**PROPOSED BOUNDARIES OF
CITY OF MALIBU
COMMUNITY FACILITIES DISTRICT NO. 2006-1
(Carbon Beach Undergrounding)
COUNTY OF LOS ANGELES
STATE OF CALIFORNIA**



LEGEND

- Proposed Boundaries of City of Malibu
- Community Facilities District No. 2005-1
(Carbon Beach Undergrounding),
Los Angeles County, California
- 4451-00n-0nn Assessor Parcel Number

PACIFIC OCEAN

Reference is hereby made to the Assessor maps of the County of Los Angeles for a description of the lines and dimensions of these parcels.

EXHIBIT B

**CITY OF MALIBU
COMMUNITY FACILITIES DISTRICT NO. 2006-1**

Bond Debt Service Schedule

Debt Service Schedule

The following table presents the annual debt service on the Bonds (including sinking fund redemptions), assuming that there are no optional or special mandatory redemptions. See "Redemption" below.

<i>Date (September 1)</i>	<i>Principal</i>	<i>Interest</i>	<i>Total</i>
2009	\$ -	\$ 207,773.20 ⁽¹⁾	\$ 207,773.20
2010	55,000	301,606.26	356,606.26
2011	55,000	299,406.26	354,406.26
2012	60,000	297,068.76	357,068.76
2013	60,000	294,368.76	354,368.76
2014	65,000	291,518.76	356,518.76
2015	70,000	288,268.76	358,268.76
2016	70,000	284,593.76	354,593.76
2017	75,000	280,743.76	355,743.76
2018	80,000	276,431.26	356,431.26
2019	85,000	271,631.26	356,631.26
2020	90,000	266,425.00	356,425.00
2021	95,000	260,687.50	355,687.50
2022	100,000	254,512.50	354,512.50
2023	110,000	247,762.50	357,762.50
2024	115,000	240,200.00	355,200.00
2025	125,000	232,150.00	357,150.00
2026	135,000	223,400.00	358,400.00
2027	140,000	213,950.00	353,950.00
2028	155,000	203,975.00	358,975.00
2029	165,000	192,931.26	357,931.26
2030	175,000	180,968.76	355,968.76
2031	190,000	168,281.26	358,281.26
2032	200,000	154,506.26	354,506.26
2033	215,000	139,756.26	354,756.26
2034	230,000	123,900.00	353,900.00
2035	250,000	106,937.50	356,937.50
2036	270,000	88,500.00	358,500.00
2037	290,000	68,587.50	358,587.50
2038	310,000	47,200.00	357,200.00
2039	330,000	24,337.50	354,337.50
Total	<u>\$ 4,365,000</u>	<u>\$ 6,532,379.60</u>	<u>\$ 10,897,379.60</u>

⁽¹⁾ Paid from capitalized interest.

EXHIBIT C

**CITY OF MALIBU
COMMUNITY FACILITIES DISTRICT NO. 2006-1**

Rate and Method of Apportionment of Special Taxes

EXHIBIT C

RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX COMMUNITY FACILITIES DISTRICT NO. 2006-1 OF THE CITY OF MALIBU (CARBON BEACH UNDERGROUNDING)

A Special Tax shall be levied and collected in Community Facilities District No. 2006-1 of the City of Malibu ("CFD No. 2006-1") each Fiscal Year, in an amount determined by the City Council of the City of Malibu acting in its capacity as the legislative body of CFD No. 2006-1 through the application of the procedures described below. All of the real property in CFD No. 2006-1, unless exempted by the provisions hereof, shall be taxed for the purposes, to the extent and in the manner herein provided.

A. DEFINITIONS

The terms used herein shall have the following meanings:

"Act" means the Mello-Roos Community Facilities Act of 1982, as amended, being Chapter 2.5, Part 1, Division 2 of Title 5 of the Government Code of the State of California.

"Administrative Expenses" means the following actual or reasonably estimated costs directly related to the administration of CFD No. 2006-1, including but limited to the following: (i) the costs of computing the Special Taxes and of preparing the annual Special Tax collection schedules (whether by the CFD Administrator or designee thereof, or both); (ii) the costs of collecting the Special Taxes (whether by the County, City, or otherwise); (iii) the costs of remitting the Special Taxes to the fiscal agent or trustee for any Bonds; (iv) the costs of commencing and pursuing to completion any foreclosure action arising from delinquent Special Taxes; (v) the costs of the fiscal agent or trustee (including its legal counsel) in the discharge of the duties required of it under any Indenture; (vi) the costs of the City or designee in complying with arbitrage rebate requirements and disclosure requirements of applicable federal and state securities laws and of the Act, including public inquiries regarding the Special Taxes or the Bonds; (vii) the fees and expenses of CFD No. 2006-1 associated with a prepayment as calculated by the CFD Administrator including, but not limited to, the costs of computing the prepayment, the costs of removing any Special Taxes from the Assessor's Roll, the costs of redeeming the Bonds, and the costs of recording and publishing any notices to evidence the prepayment and the redemption of Bonds; (viii) the costs of the City or designee related to any appeal of the Special Tax; and (ix) an allocable share of the salaries of City staff and City overhead expense directly related to the foregoing. Administrative Expenses shall also include amounts advanced by the City for any administrative purpose of CFD No. 2006-1.

"Assessor's Parcel" means a lot or parcel shown on an Assessor's Parcel Map with an assigned Assessor's Parcel number.

"Assessor's Parcel Map" means an official map of the Assessor of the County designating parcels by Assessor's Parcel number.

"Bonds" means any bonds or other indebtedness (as defined in the Act), whether in one or more series, secured by the levy of Special Taxes within CFD No. 2006-1.

"CFD Administrator" means the City Manager of the City, or designee thereof, responsible for determining the Special Tax Requirement and providing for the levy and collection of Special Taxes.

"City" means the City of Malibu, California.

"Council" means the City Council of the City, acting as the legislative body of CFD No. 2006-1.

"County" means the County of Los Angeles, California.

"Fiscal Year" means the period starting on each July 1 and ending on the following June 30.

"Indenture" means the indenture, fiscal agent agreement, trust agreement, resolution or other instrument pursuant to which Bonds are issued, as modified, amended and/or supplemented from time to time, and any instrument replacing or supplementing the same.

"Maximum Special Tax" means the maximum Special Tax, determined in accordance with Section B that can be levied by the Council in any Fiscal Year on any Assessor's Parcel.

"Exempt Property" means any Assessor's Parcel within the boundaries of CFD No. 2006-1 (i) owned by the federal government, the State, the County, the City, or any other public agency and (ii) cannot be developed or improved with any building or structure due to its dimensions or size, as determined by the City. Notwithstanding the preceding, any property leased by a public agency to a private entity and subject to taxation under Section 53340.1 of the Act shall be taxed and classified according to its use.

"Special Tax" means the Special Tax to be levied in each Fiscal Year on each Assessor's Parcel of Taxable Property to fund the Special Tax Requirement.

"Special Tax Requirement" means that amount required in any Fiscal Year to: (1) pay the Administrative Expenses, (2) pay debt service on any issued and outstanding Bonds, (3) replenish any reserve funds attributable to CFD No. 2006-1 and established in connection with Bonds, (4) pay the costs of remarketing, credit enhancement and liquidity facility fees (including such fees for instruments that serve as the basis of a reserve fund in lieu of cash related to any Bonds), (5) pay directly for acquisition or construction of facilities eligible under the Act in accordance with plans established at the time the Bonds are issued or its functional equivalent as modified, and less (6) available funds as provided under the Indenture.

"State" means the State of California.

"Taxable Property" means the following Assessor's Parcels and their successors in the event of a subdivision or consolidation, excluding any Assessor's Parcel classified as Exempt

Property: 4451-004-010, 4451-004-011, 4451-004-012, 4451-004-013, 4451-004-014, 4451-004-015, 4451-004-016, 4451-004-017, 4451-004-018, 4451-004-019, 4451-004-020, 4451-004-021, 4451-004-022, 4451-004-023, 4451-004-024, 4451-004-026, 4451-004-027, 4451-004-028, 4451-005-007, 4451-005-008, 4451-005-009, 4451-005-010, 4451-005-011, 4451-005-012, 4451-005-013, 4451-005-016, 4451-005-017, 4451-005-018, 4451-005-019, 4451-005-020, 4451-005-021, 4451-005-022, 4451-005-023, 4451-005-024, 4451-005-027, 4451-005-028, 4451-005-029, 4451-005-030, 4451-005-031, 4451-005-032, 4451-005-033, 4451-005-034, 4451-005-035, and 4451-006-035.

B. MAXIMUM SPECIAL TAX

The Maximum Special Tax for each Assessor's Parcel of Taxable Property shall be \$9,548.62.

1. Subdivision of Assessor's Parcel

In the event any Assessor's Parcel of Taxable Property is subdivided, the Maximum Special Tax applicable to the Assessor's Parcels created as a result of the subdivision shall be \$9,548.62. Notwithstanding the preceding, no Special Tax shall be levied against any Assessor's Parcel classified as Exempt Property.

2. Consolidation of Assessor's Parcels

The Maximum Special Tax for any Assessor's Parcel created by the consolidation of two or more Assessor's Parcels shall be equal to the sum of the Maximum Special Tax applicable to the Assessor's Parcels which were consolidated.

C. METHOD OF APPORTIONMENT OF THE SPECIAL TAX

Commencing with Fiscal Year 2007-2008 and for each following Fiscal Year, the Council shall determine the Special Tax Requirement. The Special Tax shall be levied in equal percentages on each Assessor's Parcel of Taxable Property, up to the applicable Maximum Special Tax, to satisfy the Special Tax Requirement. Notwithstanding the preceding, under no circumstances will the Special Taxes levied against any Assessor's Parcel used as a private residence be increased as a consequence of delinquency or default by the owner of any other Assessor's Parcel or Assessor's Parcels within CFD No. 2006-1 by more than ten percent (10%) per Fiscal Year.

D. TERM

The Maximum Special Tax shall not be levied after Fiscal Year 2042-2043.

E. APPEALS

Any property owner who is current on any and all CFD No. 2006-1 Special Taxes and feels that the amount of the Special Tax levied on his Assessor's Parcel is in error may submit a written appeal to CFD No. 2006-1. The CFD Administrator shall review the appeal, and if he or she concurs, shall grant a credit to eliminate or reduce future Special Taxes on the appellant's Assessor's Parcel(s). No refunds of previously paid Special Taxes shall be made. The Council may interpret this Rate and Method of Apportionment of Special Tax for purposes of clarifying any ambiguity and make determinations relative to the annual administration of the Special Tax and any landowner appeal. Any decision of the Council shall be final and binding as to all persons.

F. MANNER OF COLLECTION

The Special Tax will be collected in the same manner and at the same time as ordinary ad valorem property taxes, provided, however, that CFD No. 2006-1 may collect Special Taxes at a different time or in a different manner as determined by the Council, if necessary to meet its financial obligations.

G. PREPAYMENT OF SPECIAL TAX

1. Prepayment in Full

Following the issuance of the Bonds, The Maximum Special Tax for any Assessor's Parcel may be prepaid and permanently satisfied as described herein, provided that a prepayment may be made only if at the time of the prepayment there are no delinquent Special Taxes with respect to such Assessor's Parcel. An owner of an Assessor's Parcel intending to prepay the Special Tax shall provide the CFD Administrator with written notice of intent to prepay. Within 30 days of receipt of such written notice, the CFD Administrator shall notify such owner of the prepayment amount for such Assessor's Parcel and the date through which the amount any such prepayment shall be valid.

The "Prepayment" shall be an amount equal to the sum of (1) Principal, (2) Premium, (3) Defeasance, and (4) Fees minus the Reserve Fund Credit, where the terms "Principal," "Premium," "Defeasance," "Fees," and "Reserve Fund Credit" have the following meanings:

"Principal" means the principal amount of Bonds to be redeemed and equals the quotient derived by dividing (a) the applicable Maximum Special Tax for the Assessor's Parcel intending to prepay by (b) the aggregate Maximum Special Taxes on all Taxable Property within CFD No. 2006-1 (and excluding from (b) any Maximum Special Taxes which have previously been prepaid), and multiplying the quotient by the principal amount of Bonds issued and outstanding.

"Premium" means an amount equal to the Principal multiplied by the applicable redemption premium, if any, for the Bonds so redeemed with the

proceeds of any such Prepayment.

"Defeasance" means an amount equal to the amount needed to pay interest on the Principal to be redeemed until the earliest redemption date for the outstanding Bonds. Credit shall be given for any Special Tax heretofore paid and which will not be needed for the Special Tax Requirement.

"Fees" equal the fees and expenses of CFD No. 2006-1 directly related to calculating the Prepayment and redeeming Bonds.

"Reserve Fund Credit" shall equal the lesser of (i) the expected reduction in the applicable reserve fund requirement (as defined in the Indenture), if any, following the redemption of Bonds from proceeds of the prepayment or (ii) the amount derived by subtracting the new reserve fund requirement in effect after the redemption of Bonds from the balance in the reserve fund (as such term is defined in the Indenture) on the prepayment date, but in no event shall such amount be less than zero.

The sum of the amounts calculated in the preceding steps shall be paid to CFD No. 2006-1 and shall be used to pay and redeem Bonds in accordance with the Indenture and to pay the Fees. Upon the payment of such Prepayment to CFD No. 2006-1, the obligation to pay the Special Tax for such Assessor's Parcel shall be deemed to be permanently satisfied, the Special Tax shall not be levied thereafter on such Assessor's Parcel, and the CFD Administrator shall cause notice of cessation of the Special Tax for such Assessor's Parcel to be recorded within 30 working days of receipt of the Prepayment.

2. Prepayment in Part

Following the issuance of the Bonds, the Maximum Special Tax for any Assessor's Parcel may be prepaid in part as described herein, provided that a prepayment may be made only if at the time of the prepayment there are no delinquent Special Taxes with respect to such Assessor's Parcel. An owner of an Assessor's Parcel intending to partially prepay the Special Tax shall provide the CFD Administrator with written notice of intent to prepay. Within 30 days of receipt of such written notice, the CFD Administrator shall notify such owner of the prepayment amount for such Assessor's Parcel and the date through which the amount any such prepayment shall be valid.

The amount of the "Partial Prepayment" shall be computed pursuant to Section G.1 above substituting the portion of the Maximum Special Tax to be prepaid for the Maximum Special Tax applicable to the Parcel when computing Principal. Upon payment of the Partial Prepayment, the CFD Administrator shall cause a notice of reduction of the Special Tax for such Assessor's Parcel to be recorded within 30 working days of receipt of such Partial Prepayment.

Notwithstanding the foregoing, no Prepayment or Partial Prepayment shall be allowed unless the amount of Maximum Special Taxes that may be levied in CFD No. 2006-1 pursuant to Section B after the proposed prepayment is at least the sum of (i) the estimated

Administrative Expenses and (ii) one hundred ten percent (110%) of the annual debt service for the Bonds, taking into account the Bonds to remain outstanding after such Prepayment or Partial Prepayment.

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EXHIBIT D

**CITY OF MALIBU
COMMUNITY FACILITIES DISTRICT NO. 2006-1**

**Special Tax Roll
Fiscal Year 2009-10**

**CITY OF MALIBU
COMMUNITY FACILITIES DISTRICT NO. 2006-1
(CARBON BEACH)
SPECIAL TAX ROLL
FISCAL YEAR 2009-10**

Assessor's Parcel Number	Maximum Special Tax	FY 2009-10 Special Tax
4451-006-035	\$9,548.62	\$9,189.24
4451-005-007	\$9,548.62	\$9,189.24
4451-005-008	\$9,548.62	\$9,189.24
4451-005-009	\$9,548.62	\$9,189.24
4451-005-010	\$9,548.62	\$9,189.24
4451-005-011	\$9,548.62	\$9,189.24
4451-005-012	\$9,548.62	\$9,189.24
4451-005-013	\$9,548.62	\$9,189.24
4451-005-034	\$9,548.62	\$9,189.24
4451-005-016	\$9,548.62	\$9,189.24
4451-005-017	\$9,548.62	\$9,189.24
4451-005-018	\$9,548.62	\$9,189.24
4451-005-019	\$9,548.62	\$9,189.24
4451-005-020	\$9,548.62	\$9,189.24
4451-005-021	\$9,548.62	\$9,189.24
4451-005-022	\$9,548.62	\$9,189.24
4451-005-023	\$9,548.62	\$9,189.24
4451-005-024	\$9,548.62	\$9,189.24
4451-005-035	\$9,548.62	\$9,189.24
4451-005-027	\$9,548.62	\$9,189.24
4451-005-028	\$9,548.62	\$9,189.24
4451-005-029	\$9,548.62	\$9,189.24
4451-005-030	\$9,548.62	\$9,189.24
4451-005-031	\$9,548.62	\$9,189.24
4451-005-032	\$9,548.62	\$9,189.24
4451-005-033	\$9,548.62	\$9,189.24
4451-004-010	\$9,548.62	\$9,189.24
4451-004-011	\$9,548.62	\$9,189.24
4451-004-012	\$9,548.62	\$9,189.24
4451-004-013	\$9,548.62	\$9,189.24
4451-004-014	\$9,548.62	\$9,189.24
4451-004-015	\$9,548.62	\$9,189.24
4451-004-016	\$9,548.62	\$9,189.24
4451-004-017	\$9,548.62	\$9,189.24
4451-004-018	\$9,548.62	\$9,189.24
4451-004-019	\$9,548.62	\$9,189.24
4451-004-020	\$9,548.62	\$9,189.24
4451-004-021	\$9,548.62	\$9,189.24
4451-004-022	\$9,548.62	\$9,189.24
4451-004-023	\$9,548.62	\$9,189.24
4451-004-024	\$9,548.62	\$9,189.24
4451-004-026	\$9,548.62	\$9,189.24
4451-004-027	\$9,548.62	\$9,189.24
4451-004-028	\$9,548.62	\$9,189.24
44 Parcels	\$420,139.28	\$404,326.56

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