



**COUNTY OF SAN MATEO**  
**Inter-Departmental Correspondence**

County Counsel

**DATE:** December 22, 2005

**BOARD MEETING DATE:** January 10, 2006

**SPECIAL NOTICE/HEARING:** None

**VOTE REQUIRED:** Majority

**TO:** Honorable Board of Supervisors

**FROM:** County Counsel

**SUBJECT:** Correction of Property Tax Roll  
InterWave Communications Inc.  
Unsecured Assessment No. 015621-0001

**RECOMMENDATION:**

Approve a correction to the 2003 unsecured property tax rolls, and corresponding tax refund with interest, to InterWave Communications Inc. ("InterWave") to correct an error in the property tax assessment of improvements and personal property.

**VISION ALIGNMENT:**

**Commitment:** responsive, effective, and collaborative government.

**Goal 20:** Government decisions based on careful consideration of future impact, rather than temporary relief or immediate gain.

The implementation of this recommendation will further commitments and assist in achieving goals set forth in the County's Shared Vision 2010 report. Specifically, this proposal implements the commitment of providing "responsive, effective, and collaborative government."

**BACKGROUND:**

The Assessor's Office completed an audit of InterWave Communications in 2004, and found numerous reporting errors for several tax years, including non-assessable software reported with computer costs, machinery and equipment improperly identified, and leasehold improvements and equipment misclassified. This action

concerns only the 2003 unsecured property tax roll.

**DISCUSSION:**

Pursuant to section 4831, *et seq.*, of the Revenue and Taxation Code, which allows for corrections to the tax roll, the Assessor proposes to correct the assessment made against the Property for the 2003 tax year. The applicable Request for Approval form is attached for reference.

**FISCAL IMPACT:**

The fiscal impact of this action is a \$62,144.37 decrease in the 2003 tax roll, and a corresponding property tax refund of the same amount, plus interest. The County's General Fund share of that decrease is approximately 14% (i.e., approximately \$8,700.21).

**San Mateo County Assessor's Office-Unsecured Roll**  
**Request for Approval of Increase / Decrease of taxes**  
**Fiscal Year 2003**

To the Controller:

Tax Dollar Decreases less than \$10,000

Tax Dollar Decreases \$10,000 - \$50,000  
requires County Counsel authorization

Tax Dollar Decreases over \$50,000  
also requires Board of Supervisors approval

Correction

Cancellation

Refund

| Secured Parcel Number | Unsecured Assn. Number | Account Number | Tax Rate Area |
|-----------------------|------------------------|----------------|---------------|
|                       | 2003-12461             | 015621-0001    | 08-081        |

| Owner                          | Mailing Address                             |
|--------------------------------|---|
| Inter Wave Communications Inc. | 2495 Leghorn St.<br>Mountain View, CA 94043 |

This is to certify, pursuant to Section 4831.5 of the Revenue and Taxation code that tax roll change or changes are requested as follows, reason for change:

Multiple errors were found as part of the audit and information from tax agent. Non-assessable software was reported with the computer costs. Lab equipment was not properly identified and a longer life. Other items were not classified properly on the roll. Improvement items were misclassified.

|       | Land | Imps          | Pers. Prop  | Leg | Exempt | Net Value     |
|-------|------|---------------|-------------|-----|--------|---------------|
| Brann |      | \$5,484,135   | \$8,584,855 |     |        | \$14,068,990  |
| Imp   |      | \$561,348     | \$7,712,754 |     |        | \$8,274,102   |
| Diff  | \$0  | (\$4,922,787) | (\$872,101) |     | \$0    | (\$5,794,888) |

JRI

Signature / Authorization

|  |                  |  |                  |
|--|------------------|--|------------------|
| Assessor Representative:<br><i>Paula Cuneo</i> | Date:<br>4/29/05 | Deputy Controller:<br><i>[Signature]</i> | Date:<br>11/2/05 |
| County Counsel:<br><i>[Signature]</i>          | Date:<br>8/24/05 | Board of Supervisors:                    | Date:            |

**ACTION:** (date) ROLL CHANGE (date) Tax bill corrected & mailed.

| Computer Multi-yr. Updated by: | Date: |
|--------------------------------|-------|
|                                |       |

- Section 4831 Assessor's errors
- Section 4831.5 Corrections of errors caused by the assessee
- Section 4986 Cancellation of uncollected taxes
- Section 5096 Refunds permissible
- Section 170 Reassessment for calamity/misfortune

SMCA - 107 - SD - 70 (Rev. 7/98)

| Rate    | Valuation   | Dollars     |
|---------|-------------|-------------|
| 1.0724  | 14,068,990  | 150,876.84  |
| Revised | 8,274,102   | 88,731.47   |
| (+) (-) | (5,794,888) | (62,144.37) |

INTEREST REQUIRED: NO  
 REFUND DUE YES AMOUNT \$62,144.37  
 PAYABLE TO: INTERWAVE COMMUNICATIONS