

From: [Orth, Carol, Auditor Agency](#)
To: [Dalton, Eileen, CDA](#); [Kay, Jeff](#)
Cc: [Guo, Jason, Auditor Agency](#); [Manning, Steve, Auditor Agency](#)
Subject: FW: San Leandro Successor Agency True up Payment
Date: Friday, December 28, 2012 11:18:04 AM
Attachments: [San Leandro-DOF - Stipulation.DOC](#)

Eileen and Jeff,

Based on the attached proposed Stipulation and the requirement of HSC 34183.5(b)(3)

(3) If an affected taxing entity has not received the full amount to which it was entitled pursuant to paragraph (4) of subdivision (a) of Section 34183 for the period January 1, 2012, through June 30, 2012, and paragraph (1), the county auditor-controller shall (*added for emphasis*) reapply the provisions of paragraph (1) to each subsequent property tax allocation until such time as the affected taxing entity has received the full amount to which it was entitled pursuant to paragraph (4) of subdivision (a) of Section 34183 for the period January 1, 2012, through June 30, 2012.

the County Auditor will withhold from each of your ROPS payments the amounts needed to cover the demand shortfall to the extent allowed by code for a reasonable period of time so that the intent of the proposed stipulation and related matters can be carried out. If the judgment is rendered in accordance with the proposed stipulation, the distributions will be made to your SA. If that is not accomplished, the withheld funds shall be distributed to the affected taxing entities. The Auditor also reserves any discretion he may have to interplead these withheld funds.

Please let me know if you have any questions. Since I am out of the office until January 7 with limited access to my e-mail, please include Jason in your response.

Carol S. Orth, Tax Manager
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