

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE AUTHORIZING THE DIRECTOR OF FINANCE TO WRITE OFF UNCOLLECTIBLE ACCOUNTS

WHEREAS, San José Municipal Code Section 4.24.030 allows the Director of Finance for the City of San José (“City”) to write off as uncollectible any account or claim exceeding \$5,000, upon approval by the San José City Council; and

WHEREAS, the City has attempted collection efforts on accounts totaling \$381,357.80, as listed in the “Citywide Write-off Report,” which is attached to this Resolution as Exhibit A; and

WHEREAS, collection efforts on these accounts have been unsuccessful for various reasons; and

WHEREAS, writing off uncollectible debts is desirable to facilitate accurate maintenance of the City’s book of accounts;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SAN JOSE THAT:

1. The write off of the uncollectible accounts listed in Exhibit A in the amount of \$381,357.80 is hereby approved and the Director of Finance is authorized to write off these uncollectible accounts.
2. The write off of the uncollectible accounts listed in Exhibit A is authorized solely to facilitate the keeping of the books of account of the City, and under no circumstances shall any such write off be deemed to constitute a relinquishment

or abandonment by the City of any such account or claim, and nothing shall be deemed or construed to prevent the City from collecting or enforcing payment of any such account or claim at any time.

ADOPTED this _____ day of _____, 2019, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

VACANT:

SAM LICCARDO
Mayor

ATTEST:

TONI J. TABER, CMC
City Clerk

EXHIBIT A

| CITYWIDE WRITE-OFF REPORT - DECEMBER 2019 | | | | | |
|---|----------------|-------------------------|-----------------|--------------------------------|---|
| Name | Invoice Number | Invoice Type | Date of Invoice | Amount Owed (Write-Off Amount) | Reason for Write-Off |
| OUTBOARD INBOARD MARINE R | 412154 | DELINQUENT FIRE PERMITS | 08/25/2014 | 5,049.60 | Per Fire Inspector; Out Of Business Unable To Locate; Skipped |
| CARZONE REPAIR SERVICE | 600974 OLD-1 | DELINQUENT FIRE PERMITS | 11/13/2012 | 5,094.73 | Per Fire Inspector; Out Of Business Unable To Locate; Skipped |
| MATTHEW PANIAGUA | 1138157 | PROPERTY SUBROGATION | 10/27/2015 | 5,226.33 | Out of Statute Collection Agency Assignment Initial collection attempts by Finance staff then by collection agency staff. |
| VERNON'S STORAGE | 408258 | DELINQUENT FIRE PERMITS | 06/19/2013 | 5,260.80 | Per Fire Inspector; Out Of Business Unable To Locate; Skipped |
| NICKLE CITY | 410844 | DELINQUENT FIRE PERMITS | 01/19/2010 | 5,295.10 | Per Fire Inspector; Out Of Business Unable To Locate; Skipped |
| THE ORIGINAL PANCAKE HOUSE | 601106 | DELINQUENT FIRE PERMITS | 02/02/2012 | 5,554.00 | Per Fire Inspector; Out Of Business Unable To Locate; Skipped |
| MCKEE AUTO CARE | 601454 OLD-1 | DELINQUENT FIRE PERMITS | 08/22/2012 | 5,708.40 | Per Fire Inspector; Out Of Business Unable To Locate; Skipped |
| WIN GLOBAL MANUFACTURING INC | 408741 OLD-2 | DELINQUENT FIRE PERMITS | 08/16/2018 | 5,712.24 | Per Fire Inspector; Out Of Business Unable To Locate; Skipped |
| GABRIELA PITA | 1078223 | PROPERTY SUBROGATION | 04/20/2016 | 5,712.49 | Collection Agency Assignment Initial collection attempts by Finance staff then by collection agency staff |
| SOUTH BAY INTERIORS | 1143649 | PROPERTY SUBROGATION | 09/12/2016 | 6,062.73 | Collection Agency Assignment Initial collection attempts by Finance staff then by collection agency staff |
| PARK CLEANERS & SHOE REPAIR | 407203 | DELINQUENT FIRE PERMITS | 09/02/2010 | 6,167.02 | Per Fire Inspector; Out Of Business Unable To Locate; Skipped |

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|--|-----------------------|---|------------------------|---------------------------------------|---|
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| BAY FIBERGLASS & PRECAST | 406684 OLD-1 | DELINQUENT FIRE PERMITS | 08/16/2009 | 6,175.74 | Per Fire Inspector; Out Of Business Unable To Locate; Skipped |
| AUTO TRUCK PERFORMANCE CENTER | 600384 | DELINQUENT FIRE PERMITS | 06/30/2010 | 6,488.64 | Per Fire Inspector; Out Of Business Unable To Locate; Skipped |
| ANGELA I PADULA TRUSTEE | 1139992 | SIDEWALK REPAIR | 02/24/2016 | 6,510.51 | Collection Agency Assignment Initial collection attempts by Finance staff then by collection agency staff |
| K C METAL PRODUCTS INC | 402375 | DELINQUENT FIRE PERMITS | 05/23/2018 | 6,666.60 | Per Fire Inspector; Out Of Business Unable To Locate; Skipped |
| ARC HEALING CENTER COOPERATIVE | 1057530 | MARIJUANA BUSINESS TAX ASSESSMENT LATE FEES ASSESSED FOR SEPTEMBER 2012 | 11/14/2012 | 6,734.27 | Business is no longer operating Statute of limitations has expired. |
| CALEB PAYNE | 1137418 | PROPERTY SUBROGATION | 09/22/2015 | 6,737.76 | Out of Statute Collection Agency Assignment Initial collection attempts by Finance staff then by collection agency staff. |
| SAN JOSE AUTO REPAIR | 600244 | DELINQUENT FIRE PERMITS | 02/28/2012 | 6,919.80 | Per Inspector Out Of Business Unable To Locate Skipped |
| A & M PAINT & BODY SHOP | 402282 | DELINQUENT FIRE PERMITS | 06/08/2010 | 7,037.62 | Per Inspector Out Of Business Unable To Locate Skipped |
| BLAIR E CO INC | 401088 | DELINQUENT FIRE PERMITS | 04/02/2009 | 7,292.20 | Per Inspector Out Of Business Unable To Locate Skipped |
| ELEMENTS | 488316 OLD-1 | DELINQUENT FIRE PERMITS | 03/01/2006 | 7,534.75 | Per Inspector Out Of Business Unable To Locate Skipped |

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| SUPERIOR WHEEL & BUMPER IN | 404952 | DELINQUENT FIRE PERMITS | 08/22/2017 | 7,557.60 | Per Inspector Out Of Business Unable To Locate Skipped |
| JESSE ROMERO | 1139412 | ANIMAL SERVICES | 01/15/2016 | 7,652.25 | Collection Agency Assignment Initial collection attempts by Finance staff then by collection agency staff |
| VIP AIRPORT SHUTTLE | 937 | AIRPORT ANNUAL ADMIN FEES, TRIP FEES, & LATE FEES | 04/16/2015 | 7,775.42 | Out of Statute - Permit revoked 6/2014 due to lack of response Collection attempts by Airport staff |
| ROCHELLE WILSON | 1139483 | PROPERTY SUBROGATION | 01/21/2016 | 7,914.92 | Collection Agency Assignment Initial collection attempts by Finance staff then by collection agency staff |
| GERARDO OSORIO-RAMOS | 1137420 | PROPERTY SUBROGATION | 09/22/2015 | 8,510.88 | Out of Statute Collection Agency Assignment Initial collection attempts by Finance staff then by collection agency staff. |
| EZ PARK FLY LLC | 3259 | AIRPORT GROUND TRIP FEES | 06/09/2014 | 9,673.87 | Out of Statute - Permit closed due to non renewal 6/2014 Collection attempts by Airport staff |
| ALL SEASONAL SECURITY SERVICES | 3081 | AIRPORT CONCESSION, EMPLOYEE PARKING/BADGING | 03/10/2014 | 10,109.49 | Out of Statute - Agreement with the Airport terminated 8/2013 Collection attempts by Airport staff |
| T.D. AUTOBODY | 405908 OLD-1 | DELINQUENT FIRE PERMITS | 12/03/2010 | 10,531.07 | Per Inspector Out Of Business Unable To Locate Skipped |
| ARC HEALING CENTER COOPERATIVE | 1057531 | MARIJUANA BUSINESS TAX ASSESSMENT LATE FEES ASSESSED FOR OCTOBER 2012 | 01/15/2013 | 10,646.12 | Business is no longer operating Statute of limitations has expired |
| SILICON VALLEY COLLECTIVE INC | 1062310 | MARIJUANA BUSINESS TAX ASSESSMENT MBT ASSESSMENT FOR JANUARY 2014 | 03/20/2014 | 11,301.23 | Business is no longer operating Statute of limitations has expired |

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|---|----------------|---|-----------------|--------------------------------|---|
| Name | Invoice Number | Invoice Type | Date of Invoice | Amount Owed (Write-Off Amount) | Reason for Write-Off |
| AIRSECO MECHANICAL INC | 1069860 | ADMINISTRATIVE CITATION ISSUED BY CODE ENFORCEMENT CITED FOR SECURITY | 04/30/2015 | 11,608.00 | Out of statute Out of business |
| RED ROCKET PARKING | 849 | AIRPORT LATE REPORT, GROUND TRIP & LATE FEES | 06/09/2014 | 12,788.14 | Out of Statute - Agreement with Airport terminated 4/2003 - Collection attempts by Airport staff |
| WAYPORT, INC. | 420 | AIRPORT MONTHLY FIXED RENTS | 04/16/2015 | 14,986.52 | Out of Statute - Removed equipment 11/2013 - Agreement with the Airport terminated 11/2015 - Collection attempts by Airport staff |
| SWIFT TRANSPORTATION CO OF AZ | 1139949 | PROPERTY SUBROGATION | 02/23/2016 | 17,410.71 | Collection Agency Assignment Initial collection attempts by Finance staff then by collection agency staff |
| PAYLESS RENT A CAR, INC. | 347 | AIRPORT MONTHLY FIXED RENTS, CONCESSIONS, & LATE CFC FEES | 12/01/2011 | 18,582.72 | Out of Statute - Agreement terminated with the Airport 1/2007 Collection attempts by Airport Staff |
| MESA ENERGY SYSTEMS | 1143510 | PROPERTY SUBROGATION | 08/29/2016 | 27,609.84 | Collection Agency Assignment Initial collection attempts by Finance staff then by collection agency staff |
| AIRSECO MECHANICAL INC | 1069859 | ADMINISTRATIVE CITATION ISSUED BY CODE ENFORCEMENT CITED FOR SECURITY | 05/14/2015 | 28,500.00 | Out of statute Out of business |
| AMERICAN INDOOR ADVERTISING, INC. | 221 | AIRPORT MONTHLY FIXED RENTS & LATE FEES | 12/01/2011 | 29,257.69 | Out of Statute - Business closed - Agreement with the Airport terminated 8/2005 - Collection attempts by Airport staff |
| | | | | \$381,357.80 | |

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|---------------------------------|---------------------|
| Total Number of Invoices | 39 |
| Total Number of Parties | 37 |
| Total Write-Off Amount | \$381,357.80 |