

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 \$496,681.64, 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 \$496,681.64 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 _____, 2018, 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 - APRIL 2018 | | | | | | |
|---|-----------------------|-------------------------|------------------------------|------------------------|---------------------------------------|---|
| Name | Invoice Number | Invoice Type | Invoice/Permit amount | Date of Invoice | Amount owed (Write-Off Amount) | Reason for Write-Off |
| BETO'S AUTO CHECK | 600885 OLD-1 | Delinquent Fire Permits | \$5,069.52 | 5/25/2011 | \$5,069.52 | Out of Business and past statute of limitations; Initial collection attempts by Finance Staff; Unable to locate responsible party. |
| ALL AUTO BODY & FRAME | 600502 OLD-1 | Delinquent Fire Permits | 5,393.70 | 7/14/2014 | 5,393.70 | Out of Business Initial collection attempts by Finance Staff; Unable to locate responsible party. |
| GONZALEZ AUTO REPAIR & BODY | 411268 OLD-1 | Delinquent Fire Permits | 5,493.12 | 11/4/2009 | 5,493.12 | Out of Business and past statute of limitations; Initial collection attempts by Finance Staff; Unable to locate responsible party. |
| GENESIS PRESCHOOL | 410410 OLD-1 | Delinquent Fire Permits | 5,650.25 | 12/1/2007 | 5,650.25 | Out of Business and past statute of limitations; Initial collection attempts by Finance Staff; Unable to locate responsible party. |
| T & H BODY SHOP INC | 402638 OLD-2 | Delinquent Fire Permits | 5,723.12 | 2/9/2015 | 5,723.12 | Out of Business Initial collection attempts by Finance Staff; Unable to locate responsible party. |
| DESIGNER SIGN SYSTEMS | 410432 OLD-1 | Delinquent Fire Permits | 5,724.52 | 12/1/2008 | 5,724.52 | Out of Business and past statute of limitations; Initial collection attempts by Finance Staff; Unable to locate responsible party. |
| BRET HARTE CLEANERS | 488313 OLD-1 | Delinquent Fire Permits | 5,965.90 | 9/1/2010 | 5,965.90 | Out of Business and past statute of limitations; Initial collection attempts by Finance Staff; Unable to locate responsible party. |
| THE BROKEN SPOKE WESTERN SALOON | 602451 | Delinquent Fire Permits | 6,015.60 | 5/23/2016 | 6,015.60 | Out of Business Initial collection attempts by Finance Staff; Unable to locate responsible party. |
| MAXRUN CORP DBA AAMCO | 400322 OLD-1 | Delinquent Fire Permits | 6,074.82 | 3/1/2013 | 6,074.82 | Franchisee out of Business and past statute of limitations; Initial collection attempts by Finance Staff; Unable to locate responsible party. |
| ROZANNE RABY | 1127213 | Payroll Overpayment | 6,191.77 | 03/27/2014 | 6,191.77 | Statute of limitations Initial collection attempts by Finance Staff; Item was past statute when invoiced |

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| PRO KRAFT AUTOWORKS | 487318 | Delinquent Fire Permits | 6,272.52 | 12/3/2010 | 6,272.52 | Out of Business and past statute of limitations; Initial collection attempts by Finance Staff; Unable to locate responsible party. |
| DUONG SANG PRINTING | 433287 | Delinquent Fire Permits | 6,314.08 | 9/15/2004 | 6,314.08 | Out of Business and past statute of limitations; Initial collection attempts by Finance Staff; Unable to locate responsible party. |
| CNA AUTO SERVICE | 411183 OLD-1 | Delinquent Fire Permits | 6,333.72 | 1/5/2009 | 6,333.72 | Out of Business and past statute of limitations; Initial collection attempts by Finance Staff; Unable to locate responsible party. |
| CAL AIR INC | 402312 OLD-1 | Delinquent Fire Permits | 6,346.84 | 3/11/2010 | 6,346.84 | Out of Business and past statute of limitations; Initial collection attempts by Finance Staff; Unable to locate responsible party. |
| CHASTITY WOODLIEF | 1124301 | Property Subrogation | 8,177.60 | 10/08/2013 | 6,476.19 | Settlement accepted; Remaining balance to be written off |
| CHOI A INVESTMENT INC | 400632 OLD-1 | Delinquent Fire Permits | 6,497.52 | 4/2/2010 | 6,497.52 | Out of Business and past statute of limitations; Initial collection attempts by Finance Staff; Unable to locate responsible party. |
| CESAR HERNANDEZ | 1114336 | Property Subrogation | 6,616.06 | 05/01/2012 | 6,616.06 | Statute of limitations Initial collection attempts by Finance Staff; Unable to locate responsible party |
| MC KEE BEACON | 402315 OLD-1 | Delinquent Fire Permits | 6,742.80 | 6/7/2010 | 6,742.80 | Out of Business and past statute of limitations; Initial collection attempts by Finance Staff; Unable to locate responsible party. |
| GALANTE BROTHERS GEN ENG I | 407441 OLD-1 | Delinquent Fire Permits | 6,849.10 | 3/4/2011 | 6,849.10 | Out of Business and past statute of limitations; Initial collection attempts by Finance Staff; Unable to locate responsible party. |
| PHEO TRAN | 1114021 | Property Subrogation | 7,586.95 | 04/19/2012 | 7,586.95 | Statute of limitations Initial collection attempts by Finance Staff; Unable to locate responsible party |

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| MAGDA VILLALON | 1117412 | Property Subrogation | 7,725.98 | 07/20/2012 | 7,725.98 | Statute of limitations Initial collection attempts by Finance Staff; Unable to locate responsible party |
| LEGEND AUTO BODY | 400554 OLD-1 | Delinquent Fire Permits | 7,781.32 | 5/1/2008 | 7,781.32 | Out of Business and past statute of limitations; Initial collection attempts by Finance Staff; Unable to locate responsible party. |
| JOSEPH CLARK | 1118138 | Property Subrogation | 8,210.51 | 09/27/2012 | 8,210.51 | Statute of limitations Initial collection attempts by Finance Staff; Unable to locate responsible party |
| YONY GOMEZ | 1140504 | Property Subrogation | 17,965.38 | 03/24/2016 | 9,125.98 | Insurance coverage limited to \$10,000 - Settlement of \$8,839.40 received |
| NIDIA DIAZ | 1124060 | Property Subrogation | 9,569.92 | 09/11/2013 | 9,569.92 | Vehicle was stolen at the time of the accident - vehicle owner not at fault |
| R CIANFAGLIONE TRUSTEES | 1055753 | Administrative Remedies | 35,008.61 | 05/29/2014 | 9,592.23 | Received settlement; Remaining balance to be written off |
| AAA AUTO REPAIR BODY | 410800 | Delinquent Fire Permits | 9,630.72 | 5/1/2008 | 9,630.72 | Out of Business and past statute of limitations; Initial collection attempts by Finance Staff; Unable to locate responsible party. |
| ROAD KING MOTORS | 409631 OLD-1 | Delinquent Fire Permits | 9,773.97 | 5/1/2005 | 9,773.97 | Out of Business and past statute of limitations; Initial collection attempts by Finance Staff; Unable to locate responsible party. |
| STEVE AUTO REPAIR | 409877 | Delinquent Fire Permits | 10,002.52 | 12/1/2008 | 10,002.52 | Out of Business and past statute of limitations; Initial collection attempts by Finance Staff; Unable to locate responsible party. |
| TOGAMI AUTO REPAIR | 403190 | Delinquent Fire Permits | 12,558.92 | 3/1/2006 | 12,558.92 | Out of Business and past statute of limitations; Initial collection attempts by Finance Staff; Unable to locate responsible party. |
| MATTHEW SMITH | 1133361 | Payroll Overpayment | 13,301.24 | 02/09/2015 | 13,301.24 | Statute of limitations Initial collection attempts by Finance Staff; Item was past statute when invoiced. |

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| AUTO AMERICA | 410269 | Delinquent Fire Permits | 13,304.07 | 9/15/2005 | 13,304.07 | Out of Business and past statute of limitations; Initial collection attempts by Finance Staff; Unable to locate responsible party. |
| GARY RESZ | 1069005 | Property Subrogation | 13,390.72 | 02/09/2015 | 13,390.72 | Statute of limitations Initial collection attempts by Finance Staff; Unable to locate responsible party. |
| U-PLATE | 407005 | Delinquent Fire Permits | 14,561.00 | 9/17/2010 | 14,561.00 | Out of Business and past statute of limitations; Initial collection attempts by Finance Staff; Unable to locate responsible party. |
| MATTHEW RYDZIK | 1124163 | Property Subrogation | 16,485.11 | 09/26/2013 | 16,485.11 | Statute of limitations Initial collection attempts by Finance Staff; Unable to locate responsible party. |
| BONNIE L BAMBURG TRUSTEE | 1069679 | Administrative Remedies | 23,836.38 | 12/16/2014 | 23,836.38 | Received settlement on three outstanding invoices, of which one was paid in full; Remaining balances to be written off |
| NEIGHBORHOOD HOUSING SERVICES SILICON VALLEY | 1142100 | Business Incentive Parking Program | 37,216.00 | 06/09/2016 | 37,216.00 | Out of Business Initial collection attempts by Finance Staff; Unable to locate responsible party. |
| BONNIE L BAMBURG TRUSTEE | 1069680 | Administrative Remedies | 62,797.50 | 07/10/2015 | 62,797.50 | Received settlement on three outstanding invoices, of which one was paid in full; Remaining balances to be written off |
| PROGRESSIVE WEST INSURANCE CO | 1139169 | Property Subrogation | 88,755.74 | 01/05/2016 | 84,479.45 | Insurance coverage limited to \$10,000 - Settlement accepted; Remaining balance to be written off |
| Total Number of Invoices | 39 | | | | | |
| Total Number of Parties | 38 | | | | | |
| Total Write-Off Amount | \$496,681.64 | | | | | |