

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 \$556,731.95, 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 \$556,731.95 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:

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SAM LICCARDO  
Mayor

ATTEST:

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TONI J. TABER, CMC  
City Clerk

**EXHIBIT A**

<b>CITYWIDE WRITE-OFF REPORT - MARCH 2019</b>					
<b>Name</b>	<b>Invoice Number</b>	<b>Invoice Type</b>	<b>Date of Invoice</b>	<b>Amount owed (Write-Off Amount)</b>	<b>Reason for Write-Off</b>
STEFFON T SIMMS	1117614	Property Subrogation	08/14/2012	5,410.30	Collection Agency Assignment. Initial collection attempts by Finance Staff then by collection agency staff. Out of Statute.
DONNY J TORRES	1114337	Property Subrogation	05/01/2012	5,585.35	Collection Agency Assignment. Initial collection attempts by Finance Staff then by collection agency staff. Out of Statute.
SELECT PORTFOLIO SERVICING INC	1038321	Vacant Building Citation	07/25/2012	5,796.38	Property was sold March 2013. Collection Agency Assignment. Initial collection attempts by Finance Staff then by collection agency staff . Out of Statute.
SELECT PORTFOLIO SERVICING INC	1038310	Blight Citation	05/11/2012	5,841.98	Property was sold March 2013. Collection Agency Assignment. Initial collection attempts by Finance Staff then by collection agency staff. Out of Statute.
SELECT PORTFOLIO SERVICING INC	1038316	Blight Citation	03/06/2012	5,887.58	Property was sold March 2013. Collection Agency Assignment. Initial collection attempts by Finance Staff then by collection agency staff. Out of Statute.
1505 HERVEY LLC	1063556	Sidewalk Repairs	06/11/2014	6,159.02	Property was sold January 2015. Collection Agency Assignment. Initial collection attempts by Finance Staff then by collection agency staff. Out of Statute.
DANNY CHU	1026442	Property Subrogation	10/25/2012	6,442.13	Collection Agency Assignment. Initial collection attempts by Finance Staff then by collection agency staff. Out of Statute.
JOSHE LORDS	1113043	Property Subrogation	02/23/2012	7,145.80	Collection Agency Assignment. Initial collection attempts by Finance Staff then by collection agency staff. Out of Statute.

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CITYWIDE WRITE-OFF REPORT - MARCH 2019					
Name	Invoice Number	Invoice Type	Date of Invoice	Amount owed (Write-Off Amount)	Reason for Write-Off
AURORA LOAN SVCS LLC	1057942	Sidewalk Repairs	02/19/2013	9,393.94	Property was sold March 2012. Collection Agency Assignment. Initial collection attempts by Finance Staff then by collection agency staff. Out of Statute.
SVTC TECHNOLOGIES LLC	1024326	Sewer Service and Use Charge	09/26/2012	11,357.50	No longer in business as of October 2012. Out of Statute.
ROBERT L BARD SR TRUSTEE	1062063	Administrative Remedies	09/29/2014	12,356.10	Property was sold December 2014. Collection Agency Assignment. Initial collection attempts by Finance Staff then by collection agency staff. Out of Statute.
SVTC TECHNOLOGIES LLC	1024342	Sewer Service and Use Charge	10/22/2012	12,554.30	No longer in business as of October 2012. Out of Statute.
MELISSA VILLAREAL	1127454	Property Subrogation	03/28/2014	13,649.49	Collection Agency Assignment - No assets. Initial collection attempts by Finance Staff then by collection agency staff. Out of Statute.
SVTC TECHNOLOGIES LLC	1024349	Sewer Service and Use Charge	08/27/2012	13,675.20	No longer in business as of October 2012. Out of Statute.
SPARKLE SWIM SCHOOL	1128194	Pool Rental	05/14/2014	14,053.34	No longer in business as of June 2014. Out of Statute.
ROBERT L BARD SR TRUSTEE	1062067	Administrative Remedies	05/07/2014	15,455.46	Property was sold December 2014. Collection Agency Assignment. Initial collection attempts by Finance Staff then by collection agency staff. Out of Statute.
ROBERT L BARD SR TRUSTEE	1062068	Administrative Remedies	11/20/2014	16,318.53	Property was sold December 2014. Collection Agency Assignment. Initial collection attempts by Finance Staff then by collection agency staff. Out of Statute.
MYTH TAVERNA & LOUNGE	1057103	Business Incentive Parking Program Early Termination Fees	12/04/2013	17,189.13	No longer in business/change of ownership as of June 2014.
PATY FERREIRA CORTEZ	1118908	Property Subrogation	11/14/2012	17,828.56	Collection Agency Assignment. Initial collection attempts by Finance Staff then by collection agency staff. Out of Statute.

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BONNIE L BAMBURG TRUSTEE	1066684	Medical Marijuana Security Citation	11/19/2014	25,000.00	Collective was closed as of 2014. Out of Statute.
BONNIE L BAMBURG TRUSTEE	1066685	Medical Marijuana Security Citation	11/25/2014	25,000.00	Collective was closed as of 2014. Out of Statute.
ROBERT L BARD SR TRUSTEE	1062062	Administrative Remedies	08/21/2014	41,722.50	Property was sold December 2014. Collection Agency Assignment. Initial collection attempts by Finance Staff then by collection agency staff. Out of Statute.
ROBERT L BARD SR TRUSTEE	1062066	Administrative Remedies	10/10/2013	44,937.46	Property was sold December 2014. Collection Agency Assignment. Initial collection attempts by Finance Staff then by collection agency staff. Out of Statute.
ROBERT L BARD SR TRUSTEE	1062065	Administrative Remedies	02/27/2014	47,095.90	Property was sold December 2014. Collection Agency Assignment. Initial collection attempts by Finance Staff then by collection agency staff. Out of Statute.
NOVELLUS SYSTEMS INC	1074171	Sanitary Sewer/Industrial Fees	06/17/2008	170,876.00	Original company/property owner (Novellus) exceeded discharge capacity in 2008. Novellus subsequently merged with Lam Research and then ceased operations in 2014. Property was sold to developer in 2016. Unsuccessful attempt to collect charges from Novellus and Lam Research. It does not appear at this time that current owner/developer will need additional discharge capacity used by Novellus. Out of Statute.
				<u>\$556,731.95</u>	

<b>Total Number of Invoices</b>	<b>25</b>
<b>Total Number of Parties</b>	<b>15</b>
<b>Total Write-Off Amount</b>	<b>\$556,731.95</b>