

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 \$2,230,723.30, 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 \$2,230,723.30 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</b>					
<b>Name</b>	<b>Invoice Number</b>	<b>Invoice Type/Description</b>	<b>Date of Assessment</b>	<b>Amount owed (Write-Off Amount)</b>	<b>Reason for Write-Off</b>
YB Fire Inc	1140545	Marijuana Business Tax Assessments MBT Assessed for January 2012 through August 2014	12/11/2015	\$1,363,762.73	Out of Business. Initial collection attempts made by Finance Staff; Unable to locate responsible party.
Revolution Health	1072428	Marijuana Business Tax Assessments MBT Assessed for April 2012 through September 2015	12/11/2015	266,172.35	Out of Business. Initial collection attempts made by Finance Staff; Unable to locate responsible party.
Dusty Wolf Inc	1140549	Marijuana Business Tax Assessments MBT Assessed for December 2011 to January 2013	7/1/2013	158,338.18	Out of Business. Initial collection attempts made by Finance Staff; Unable to locate responsible party. Statute of limitations has expired.
San Jose Apex Group (San Jose Health Center)	1140548	Marijuana Business Tax Assessments MBT Assessed for March 2014 to May 2014	7/1/2014	82,863.45	Out of Business. Initial collection attempts made by Finance Staff; Unable to locate responsible party. Statute of limitations has expired.
Holistic Herbal	1140551	Marijuana Business Tax Assessments MBT Assessed for September 2012 to April 2013	7/1/2013	70,845.45	Out of Business. Initial collection attempts made by Finance Staff; Unable to locate responsible party. Statute of limitations has expired.
408 Collective	1054874	Marijuana Business Tax Assessments MBT Assessed for February 2012 to May 2014	9/12/2014	45,729.57	Out of Business; Initial collection attempts made by Finance Staff; Unable to locate responsible party. Statute of limitations has expired.
Palliative Health	1074339	Marijuana Business Tax Assessments MBT Assessed for May 2014 to July 2014	9/8/2014	45,068.63	Out of Business. Initial collection attempts made by Finance Staff; Unable to locate responsible party. Statute of limitations has expired.
San Jose Apex Group (San Jose Health Center)	1140547	Marijuana Business Tax Assessments MBT Assessed for January 2014 and February 2014	6/6/2014	43,257.21	Out of Business. Initial collection attempts made by Finance Staff; Unable to locate responsible party. Statute of limitations has expired.
Proper Treatment	1140552	Marijuana Business Tax Assessments MBT Assessed for June 2011 to May 2012	7/16/2012	28,982.85	Out of Business. Initial collection attempts made by Finance Staff; Unable to locate responsible party. Statute of limitations has expired.
Palliative Health	1074338	Marijuana Business Tax Assessments MBT Assessed for August 2014 and September 2014	11/10/2014	28,764.20	Out of Business. Initial collection attempts made by Finance Staff; Unable to locate responsible party. Statute of limitations has expired.

**EXHIBIT A**

<b>CITYWIDE WRITE-OFF REPORT</b>					
H5 Distribution (I & I Collective)	1054266	Marijuana Business Tax Assessments MBT Assessed for May 2014 and June 2014	8/1/2014	15,384.37	Out of Business. Initial collection attempts made by Finance Staff; Unable to locate responsible party. Statute of limitations has expired.
H5 Distribution (I & I Collective)	1074310	Marijuana Business Tax Assessments MBT Assessed for May 2014 and June 2014	8/1/2014	14,218.71	Out of Business. Initial collection attempts by Finance Staff; Unable to locate responsible party. Statute of limitations has expired.
Treehouse	1074375	Marijuana Business Tax Assessments MBT Assessed for January 2014 to July 2014	10/3/2014	14,101.37	Out of Business. Initial collection attempts made by Finance Staff; Unable to locate responsible party. Statute of limitations has expired.
Hytica Inc	1145186	Marijuana Business Tax Assessments MBT Assessed for August 2016	11/9/2016	9,963.58	Out of Business. Initial collection attempts made by Finance Staff; Unable to locate responsible party.
Yogajuana Studio	1140553	Marijuana Business Tax Assessments MBT Assessed for April 2012 to February 2013	7/1/2013	9,506.71	Out of Business. Initial collection attempts made by Finance Staff; Unable to locate responsible party. Statute of limitations has expired.
H5 Distribution (I & I Collective)	1054269	Marijuana Business Tax Assessments MBT Assessed for November 2013	6/6/2014	8,705.47	Out of Business. Initial collection attempts made by Finance Staff; Unable to locate responsible party. Statute of limitations has expired.
H5 Distribution (I & I Collective)	1054270	Marijuana Business Tax Assessments MBT Assessed for November 2013	6/6/2014	8,635.03	Out of Business. Initial collection attempts made by Finance Staff; Unable to locate responsible party. Statute of limitations has expired.
H5 Distribution (I & I Collective)	1054264	Marijuana Business Tax Assessments MBT Assessed for May 2014	8/1/2014	8,585.87	Out of Business. Initial collection attempts made by Finance Staff; Unable to locate responsible party. Statute of limitations has expired.
H5 Distribution (I & I Collective)	1074311	Marijuana Business Tax Assessments MBT Assessed for November 2013	6/6/2014	7,837.57	Out of Business. Initial collection attempts made by Finance Staff; Unable to locate responsible party. Statute of limitations has expired.
				<b>\$2,230,723.30</b>	
<b>Total Number of Invoices</b>	<b>19</b>				
<b>Total Number of Parties</b>	<b>12</b>				
<b>Total Write-Off Amount</b>	<b>\$2,230,723.30</b>				