

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 \$641,761.52, 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 \$641,761.52 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 \_\_\_\_\_, 2021, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

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SAM LICCARDO  
Mayor

ATTEST:

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TONI J. TABER, CMC  
City Clerk

EXHIBIT A

Write-off list over \$5,000 October 6, 2021						
<i>Debtor</i>	<i>Invoice Number</i>	<i>Invoice Type</i>	<i>Entered Date</i>	<i>Invoice Balance (Write-off Balance)</i>	<i>Fund</i>	<i>Reason for Write-off</i>
SAN JOSE SOCCER LEAGUE	1092117	RETURNED CHECK	11/17/2008	\$5,037.08	001	Out of Statute Collection Agency Assignment Initial collection attempts by Finance Staff then by collection agency staff.
JESUS HERRERA	1146451	SIDEWALK REPAIRS	03/21/2017	\$5,192.40	001	Property sold 3/2018 Collection Agency Assignment Initial collection attempts by Finance Staff then by collection agency staff.
STORY ROAD TAMALE FESTIVAL INC	1137384	RETURNED CHECK	09/21/2015	\$5,265.36	001	Out of Statute Collection Agency Assignment Initial collection attempts by Finance Staff then by collection agency staff.
MONTROSE MOVING SYSTEM	1147492	PROPERTY SUBROGATION	06/12/2017	\$5,366.33	001	Out of Statute Collection Agency Assignment Initial collection attempts by Finance Staff then by collection agency staff.
CARLOS CAMPOS	1049308	ADMINISTRATIVE REMEDIES	03/22/2013	\$5,636.00	001	Filed Chapter 13 2/21/17 Property was sold
GABRIELA PITA	1078223	PROPERTY SUBROGATION	04/20/2016	\$5,712.49	001	Out of Statute Collection Agency Assignment Initial collection attempts by Finance Staff then by collection agency staff.
ALVIN LAM CHUNG	1143530	PROPERTY SUBROGATION	08/30/2016	\$5,786.57	001	Out of Statute Collection Agency Assignment Initial collection attempts by Finance Staff then by collection agency staff.
MIRION STRALEY	1148833	PROPERTY SUBROGATION	09/14/2017	\$5,880.99	001	Out of Statute Collection Agency Assignment Initial collection attempts by Finance Staff then by collection agency staff.
CARLOS CAMPOS	1049317	ADMINISTRATIVE REMEDIES	09/17/2013	\$5,973.50	001	Filed Chapter 13 2/21/17 Property was sold

ANNETTE ROSENOW	1070746	ANIMAL SERVICES	04/19/2017	\$6,055.39	001	Out of Statute Collection Agency Assignment Initial collection attempts by Finance Staff then by collection agency staff.
LINDA RAY	1148177	PROPERTY SUBROGATION	08/02/2017	\$6,098.20	001	Out of Statute Collection Agency Assignment Initial collection attempts by Finance Staff then by collection agency staff.
CARLOS CAMPOS	1049310	ADMINISTRATIVE REMEDIES	06/27/2013	\$6,162.50	001	Filed Chapter 13 2/21/17 Property was sold
CARLOS CAMPOS	1049305	ADMINISTRATIVE REMEDIES	08/07/2013	\$6,242.00	001	Filed Chapter 13 2/21/17 Property was sold
ANGELA I PADULA TRUSTEE	1139992	SIDEWALK REPAIRS	02/24/2016	\$6,510.51	001	Property sold 3/2016 Collection Agency Assignment Initial collection attempts by Finance Staff then by collection agency staff.
ARC HEALING CENTER COOPERATIVE	1057530	MARIJUANA BUSINESS TAX - LATE PAYMENT	11/14/2012	\$6,734.27	001	Business closed early 2014
ANNETTE ROSENOW	1070744	ANIMAL SERVICES	02/20/2017	\$7,009.29	001	Out of Statute Collection Agency Assignment Initial collection attempts by Finance Staff then by collection agency staff.
ROCHELLE WILSON	1139483	PROPERTY SUBROGATION	01/21/2016	\$7,071.48	001	Out of Statute Collection Agency Assignment Initial collection attempts by Finance Staff then by collection agency staff.
CARLOS CAMPOS	1049311	ADMINISTRATIVE REMEDIES	05/14/2013	\$7,187.00	001	Filed Chapter 13 2/21/17 Property was sold
MOHINI LALLA	1144154	PROPERTY SUBROGATION	10/05/2016	\$7,487.29	465	Out of Statute Collection Agency Assignment Initial collection attempts by Finance Staff then by collection agency staff.
CARLOS CAMPOS	1049313	ADMINISTRATIVE REMEDIES	02/06/2013	\$7,652.00	001	Filed Chapter 13 2/21/17 Property was sold
JESSE ROMERO	1139412	ANIMAL SERVICES	01/15/2016	\$7,652.25	001	Out of Statute Collection Agency Assignment Initial collection attempts by Finance Staff then by collection agency staff.

UNITED STATES POSTAL SERVICES	1016953	DOWNTOWN SAN JOSE PROPERTY-BASED BUSINESS IMPROVEMENT DISTRICT - SPECIAL ASSESSMENT	09/14/2012	\$7,810.06	001	This property is owned by the United States Postal Service, an independent establishment of the Executive Branch of the Government of the United States, created pursuant to the provisions of the Postal Reorganization Act, Public Law 91-375, codified at 39 U.S.C. §§ 201 et sea. As such, its property is immune from state and local taxation under the Supremacy Clause of the United States Constitution (U.S. Const, Art. VI., Ci. 2).
UNITED STATES POSTAL SERVICES	1017003	DOWNTOWN SAN JOSE PROPERTY-BASED BUSINESS IMPROVEMENT DISTRICT - SPECIAL ASSESSMENT	03/06/2017	\$8,143.49	001	This property is owned by the United States Postal Service, an independent establishment of the Executive Branch of the Government of the United States, created pursuant to the provisions of the Postal Reorganization Act, Public Law 91-375, codified at 39 U.S.C. §§ 201 et sea. As such, its property is immune from state and local taxation under the Supremacy Clause of the United States Constitution (U.S. Const, Art. VI., Ci. 2).
UNITED STATES POSTAL SERVICES	1061407	DOWNTOWN SAN JOSE PROPERTY-BASED BUSINESS IMPROVEMENT DISTRICT - SPECIAL ASSESSMENT	11/18/2014	\$10,580.26	001	This property is owned by the United States Postal Service, an independent establishment of the Executive Branch of the Government of the United States, created pursuant to the provisions of the Postal Reorganization Act, Public Law 91-375, codified at 39 U.S.C. §§ 201 et sea. As such, its property is immune from state and local taxation under the Supremacy Clause of the United States Constitution (U.S. Const, Art. VI., Ci. 2).
ARC HEALING CENTER COOPERATIVE	1057531	MARIJUANA BUSINESS TAX - LATE PAYMENT	01/15/2013	\$10,646.12	001	Business closed in early 2014
SILICON VALLEY COLLECTIVE INC	1062310	MARIJUANA BUSINESS TAX - LATE PAYMENT	03/20/2014	\$11,301.23	001	Business closed and unable to locate

NICHOLAS LEROY	1136271	RETURNED CHECK	07/09/2015	\$11,369.42	001	Out of Statute Collection Agency Assignment Initial collection attempts by Finance Staff then by collection agency staff.
UNIVAR SOLUTIONS USA, INC	2020008145	FIRE PERMIT FEES	06/19/2020	\$11,909.00	001	Out of business per fire inspector
PARENTS OF IVAN FRANCISCO CRUZ	1145100	PROPERTY SUBROGATION	12/13/2016	\$12,003.98	001	Out of Statute Collection Agency Assignment Initial collection attempts by Finance Staff then by collection agency staff.
CARLOS CAMPOS	1049316	ADMINISTRATIVE REMEDIES	01/27/2012	\$12,016.35	001	Filed Chapter 13 2/21/17 Property was sold
UNITED STATES POSTAL SERVICES	1061410	DOWNTOWN SAN JOSE PROPERTY-BASED BUSINESS IMPROVEMENT DISTRICT - SPECIAL ASSESSMENT	05/18/2015	\$12,321.70	001	This property is owned by the United States Postal Service, an independent establishment of the Executive Branch of the Government of the United States, created pursuant to the provisions of the Postal Reorganization Act, Public Law 91- 375, codified at 39 U.S.C. §§ 201 et sea. As such, its property is immune from state and local taxation under the Supremacy Clause of the United States Constitution (U.S. Const, Art. VI., Ci. 2).
XRL EVENTS	1147969	SPECIAL EVENT	07/12/2017	\$14,998.08	001	Collection Agency Assignment Business based in Colorado Initial collection attempts by Finance Staff then by collection agency staff.
TUCKER CONSTRUCTION	27760/27760A	ACCOUNTS PAYABLE	10/2/2019	\$15,696.86	001	Fraudulent ACH transaction in the amount of \$22,736.50, Partial recovery in the amount of \$7,039.64 received. Case closed by Wells Fargo and Cybersecurity Team as deemed uncollectable
SWIFT TRANSPORTATION CO OF AZ	1139949	PROPERTY SUBROGATION	02/23/2016	\$17,410.71	001	Out of Statute Collection Agency Assignment Initial collection attempts by Finance Staff then by collection agency staff.

PHI NGUYEN	1144566	PROPERTY SUBROGATION	11/09/2016	\$20,034.87	001	Out of Statute Collection Agency Assignment Initial collection attempts by Finance Staff then by collection agency staff.
MESA ENERGY SYSTEMS	1143510	PROPERTY SUBROGATION	08/29/2016	\$27,609.84	001	Out of Statute Collection Agency Assignment Initial collection attempts by Finance Staff then by collection agency staff.
CHARLES SILVA	1146932	PROPERTY SUBROGATION	04/18/2017	\$43,102.82	001	Out of Statute Collection Agency Assignment Initial collection attempts by Finance Staff then by collection agency staff.
SPENCER3WAYS	1145690	TOW ASSESSMENT	01/30/2017	\$63,661.56	001	Out of Statute Collection Agency Assignment Initial collection attempts by Finance Staff then by collection agency staff.
JERRY GURIERREZ	1051389	ADMINISTRATIVE REMEDIES	01/27/2012	\$76,413.17	001	Filed Chapter 13 1/25/14 Property was sold
PACIFIC GAS & ELECTRIC CO	1082708	EXCAVATION PERMIT FEES	04/10/2000	\$123,019.10	416	Filed Chapter 13 bankruptcy Discharged by bankruptcy court
			<b>40 invoices</b>	<b>\$641,761.52</b>		