

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:

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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 - APRIL 2018</b>						
<b>Name</b>	<b>Invoice Number</b>	<b>Invoice Type</b>	<b>Invoice/Permit amount</b>	<b>Date of Invoice</b>	<b>Amount owed (Write-Off Amount)</b>	<b>Reason for Write-Off</b>
BETO'S AUTO CHECK	600885 OLD-1	Delinquent Fire Permits	\$5,069.52	5/25/2011	<b>\$5,069.52</b>	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	<b>5,393.70</b>	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	<b>5,493.12</b>	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	<b>5,650.25</b>	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	<b>5,723.12</b>	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	<b>5,724.52</b>	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	<b>5,965.90</b>	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	<b>6,015.60</b>	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	<b>6,074.82</b>	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	<b>6,191.77</b>	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	<b>6,272.52</b>	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	<b>6,314.08</b>	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	<b>6,333.72</b>	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	<b>6,346.84</b>	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	<b>6,476.19</b>	Settlement accepted; Remaining balance to be written off
CHOI A INVESTMENT INC	400632 OLD-1	Delinquent Fire Permits	6,497.52	4/2/2010	<b>6,497.52</b>	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	<b>6,616.06</b>	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	<b>6,742.80</b>	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	<b>6,849.10</b>	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	<b>7,586.95</b>	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	<b>7,725.98</b>	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	<b>7,781.32</b>	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	<b>8,210.51</b>	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	<b>9,125.98</b>	Insurance coverage limited to \$10,000 - Settlement of \$8,839.40 received
NIDIA DIAZ	1124060	Property Subrogation	9,569.92	09/11/2013	<b>9,569.92</b>	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	<b>9,592.23</b>	Received settlement; Remaining balance to be written off
AAA AUTO REPAIR BODY	410800	Delinquent Fire Permits	9,630.72	5/1/2008	<b>9,630.72</b>	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	<b>9,773.97</b>	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	<b>10,002.52</b>	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	<b>12,558.92</b>	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	<b>13,301.24</b>	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	<b>13,304.07</b>	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	<b>13,390.72</b>	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	<b>14,561.00</b>	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	<b>16,485.11</b>	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	<b>23,836.38</b>	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	<b>37,216.00</b>	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	<b>62,797.50</b>	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	<b>84,479.45</b>	Insurance coverage limited to \$10,000 - Settlement accepted; Remaining balance to be written off
<b>Total Number of Invoices</b>	<b>39</b>					
<b>Total Number of Parties</b>	<b>38</b>					
<b>Total Write-Off Amount</b>	<b>\$496,681.64</b>					