

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 City's Director of Finance to write off as uncollectible any account or claim exceeding \$5,000 upon approval by the San José City Council ("Council"); and

WHEREAS, the City of San José ("City") has attempted collection efforts on accounts totaling \$535,974.74 as listed in the "Bad Debt 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 \$535,974.74 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 _____, 2012, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

CHUCK REED
Mayor

ATTEST:

DENNIS D. HAWKINS, CMC
City Clerk

Bad Debt Write-Offs
April 30, 2012

Type of Debt Owed	Department Name	Fund #	Account #	Name	Current Balance (Write-Off Amount)	Reason for Write-Off	Recovery Information
Event Fees and Charges	Team San Jose	536	6241, 6337, 6398, 6512, 6593, 6707, 6786, 6790, 6894, 7099, 7257, 7382, 7402, 7607	American Musical Theatre	\$ 439,323.33	Bankruptcy	AAMT filed Chapter 7 bankruptcy; December 2008; recovered \$335,064.82 but the remaining balance of \$439,323.33 was discharged
Event Fees and Charges	Team San Jose	536	2483	Elite Dance	8,008.00	Bankruptcy	Uncollectible; discharged in bankruptcy
Event Fees and Charges	Team San Jose	536	6654	Acomas Senses LLC	5,095.40	Statute of Limitations	Uncollectible - Initial collection attempts by TSI, then by City AR. Collection efforts have been exhausted.
Event Fees and Charges	Team San Jose	536	2376, 7387	Asia Media Group	6,500.00	Statute of Limitations	Uncollectible - Initial collection attempts by TSI, then by City AR. Collection efforts have been exhausted.
Event Fees and Charges	Team San Jose	536	9994, 10653	B Box Entertainment	7,991.79	Statute of Limitations	Uncollectible - Initial collection attempts by TSI, then by City AR. Collection efforts have been exhausted.
Event Fees and Charges	Team San Jose	536	2491	Lux 5 Events	6,077.10	Statute of Limitations	Uncollectible - Initial collection attempts by TSI, then by City AR. Collection efforts have been exhausted.
Event Fees and Charges	Team San Jose	536	7420	San Jose Airport Garden Hotel	6,615.00	Statute of Limitations	Uncollectible - Initial collection attempts by TSI, then by City AR. Collection efforts have been exhausted.
Event Fees and Charges	Team San Jose	536	7056, 7207, 7397	Styleshoppe and Edsan	9,875.65	Statute of Limitations	Uncollectible - Initial collection attempts by TSI, then by City AR. Collection efforts have been exhausted.
Event Fees and Charges	Team San Jose	536	7375	The Christopher Howard Companies	10,400.00	Statute of Limitations	Uncollectible - Initial collection attempts by TSI, then by City AR. Collection efforts have been exhausted.
Event Fees and Charges	Team San Jose	536	7378	The Works	6,000.00	Statute of Limitations	Uncollectible - Initial collection attempts by TSI, then by City AR. Collection efforts have been exhausted.
Event Fees and Charges	Team San Jose	536	6189	Top Music	9,786.68	Statute of Limitations	Uncollectible - Initial collection attempts by TSI, then by City AR. Collection efforts have been exhausted.
Fire Permits	Fire	1	400569	Spartan Gas / Le Family, Inc.	6,000.22	Bankruptcy	Uncollectible; discharged in bankruptcy
Fire Permits	Fire	1	408161	Essoesa Gas Station	7,768.42	Statute of Limitations	Uncollectible - Initial collection attempts by Fire, then by City AR. Collection efforts have been exhausted.
Fire Permits	Fire	1	400829	Gas of America / Peregrine Nest Egg LLC	6,533.15	Statute of Limitations	Uncollectible - Initial collection attempts by Fire, then by City AR. Collection efforts have been exhausted.
Total					\$ 535,974.74		