RESOLUTION NO. 75303

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 $1,702,757.42 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 $1,702,757.42 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 9th day of March, 2010, by the following vote:

AYES:	CAMPOS, CHIRCO, CHU, CONSTANT, HERRERA, KALRA, LICCARDO, NGUYEN, PYLE; REED.
NOES:	OLIVERIO.
ABSENT:	NONE.
DISQUALIFIED:	NONE.

CHUCK REED
Mayor

ATTEST:

LEE PRICE, MMC
City Clerk

EXHIBIT A

Write-offs
12-03-09

Type of Debt Owed	*Department Name*	*Fund #*	*Account #*	*Name*	*Current Balance (Write-Off Amount)*	*Reason for Write-off*
Administrative Citation	Planning, Building, Code Enforcement	1	1706	CENTURY 21 SU CASA	$ 6,975.00	Bankruptcy
Administrative Citation	Planning, Building, Code Enforcement	1	139612	KIRK BRIGGS SIGNS	$ 6,314.00	Out of Business
Administrative Citation	Planning, Building, Code Enforcement	1	139842	SYVERAIN MILLIARDAIRE MD C/O SHASA MEDICAL GROUP	$ 9,281.25	Out of Business
Administrative Citation	Planning, Building, Code Enforcement	1	139957	SYVERAIN MILLIARDAIRE MD C/O SHASA MEDICAL GROUP	$ 18,700.00	Out of Business
Administrative Citation	Planning, Building, Code Enforcement	1	139497	COGS SALES MANDY & FRED HUMMEL	$ 5,082.00	Skip (Unable to locate)
Administrative Citation	Police	1	148129	TANG YING PEARL MASSAGE	$ 7,380.00	No Assets
Administrative Citation	Police	1	148361	ZHANG HONG CHIN'S ACUPUNCTURE	$ 5,244.50	No Assets
Administrative Remedies	Planning, Building, Code Enforcement	1	121322	BAER, MILA UROSEVIC, DENI	$ 5,750.00	Property Sold/Lien Unpaid*
Administrative Remedies	Planning, Building, Code Enforcement	1	121729	BAER, MILA UROSEVIC, DENI	$ 14,250.00	Property Sold/Lien Unpaid*
Administrative Remedies	Planning, Building, Code Enforcement	1	122769	BAER, MILA UROSEVIC, DENI	$ 25,000.00	Property Sold/Lien Unpaid*
Administrative Remedies	Planning, Building, Code Enforcement	1	123472	BAER, MILA UROSEVIC, DENI	$ 6,500.00	Property Sold/Lien Unpaid*
Administrative Remedies	Planning, Building, Code Enforcement	1	110984	BEVIS, WILEY G.	$ 18,909.00	Property Sold/Lien Unpaid*
Administrative Remedies	Planning, Building, Code Enforcement	1	126878	BRENNER, KURT C	$ 6,480.94	Property Sold/Lien Unpaid*
Administrative Remedies	Planning, Building, Code Enforcement	1	111414	CABALLERO, MICAELA	$ 11,200.00	Property Sold/Lien Unpaid*
Administrative Remedies	Planning, Building, Code Enforcement	1	101816	CABALLERO, MICAELA	$ 10,540.90	Property Sold/Lien Unpaid*
Administrative Remedies	Planning, Building, Code Enforcement	1	108211	CISMONDI, ED JR.	$ 6,700.00	Property Sold/Lien Unpaid*
Administrative Remedies	Planning, Building, Code Enforcement	1	101439	FRIAS RAYMOND	$ 26,850.00	Property Sold/Lien Unpaid*
Administrative Remedies	Planning, Building, Code Enforcement	1	101352	GARCIA, CARMEN	$ 6,529.90	Property Sold/Lien Unpaid*
Administrative Remedies	Planning, Building, Code Enforcement	1	100351	GARCIA, CARMEN	$ 22,000.00	Property Sold/Lien Unpaid*
Administrative Remedies	Planning, Building, Code Enforcement	1	101694	GARCIA, CARMEN	$ 20,700.00	Property Sold/Lien Unpaid*
Administrative Remedies	Planning, Building, Code Enforcement	1	122765	HAMMERSLEY, RAYMOND G HAMMERSLEY, MADELYN C	$ 5,011.00	Property Sold/Lien Unpaid*
Administrative Remedies	Planning, Building, Code Enforcement	1	125829	HAMMERSLEY, RAYMOND G HAMMERSLEY, MADELYN C	$ 7,861.00	Property Sold/Lien Unpaid*
Administrative Remedies	Planning, Building, Code Enforcement	1	128047	HAMMERSLEY, RAYMOND G HAMMERSLEY, MADELYN C	$ 6,100.00	Property Sold/Lien Unpaid*
Administrative Remedies	Planning, Building, Code Enforcement	1	101363	KRVAVICA JAMES & JOHN	$ 7,588.95	Property Sold/Lien Unpaid*
Administrative Remedies	Planning, Building, Code Enforcement	1	100182	LIOU, YAW-JU	$ 15,718.00	Property Sold/Lien Unpaid*
Administrative Remedies	Planning, Building, Code Enforcement	1	100212	MONTANO AL & LYDIA J	$ 15,529.90	Property Sold/Lien Unpaid*
Administrative Remedies	Planning, Building, Code Enforcement	1	102032	OROZCO, PAUL RUBEN	$ 10,588.95	Property Sold/Lien Unpaid*
Administrative Remedies	Planning, Building, Code Enforcement	1	102019	OROZCO, PAUL RUBEN	$ 15,707.05	Property Sold/Lien Unpaid*
Administrative Remedies	Planning, Building, Code Enforcement	1	103751	PASCENCIA, RIGOBERTO	$ 26,200.00	Property Sold/Lien Unpaid*
Administrative Remedies	Planning, Building, Code Enforcement	1	104481	ROMO, MANUELA	$ 7,011.00	Property Sold/Lien Unpaid*
Administrative Remedies	Planning, Building, Code Enforcement	1	113498	SANCHEZ, AURELIO	$ 5,700.00	Property Sold/Lien Unpaid*
Administrative Remedies	Planning, Building, Code Enforcement	350	121978	CHEW, WINSTON F CHEW, JOHANNA J	$ 10,932.42	Property Sold/Lien Unpaid*
Administrative Remedies	Planning, Building, Code Enforcement	350	100903	PALOMBO ROCCO	$ 6,730.52	Property Sold/Lien Unpaid*
Administrative Remedies	Planning, Building, Code Enforcement	553	101645	SARTORIS LOUIS AND ARVILLA	$ 10,864.20	Statute of Limitations
Administrative Remedies	Planning, Building, Code Enforcement	553	101637	SARTORIS LOUIS AND ARVILLA	$ 19,391.20	Statute of Limitations
Board-up	Parks, Recreation & Neighborhood Services	553	101268	HERNANDEZ, NICHOLAS AND ANNIE	$ 13,362.25	Statute of Limitations
Event Charges	Team San Jose	1	797	CHILDREN'S MUSICAL THEATER SAN JOSE	$ 5,775.00	Dispute over Invoice
Event Charges	Team San Jose	1	766	SAN JOSE STAGE COMPANY	$ 13,205.50	Dispute over Invoice
Event Charges	Team San Jose	1	1599	SAN JOSE STAGE COMPANY	$ 5,040.00	Dispute over Invoice
Event Charges	Team San Jose	1	3106	THE LEARNING ANNEX	$ 81,712.50	Dispute over Invoice
Event Charges	Team San Jose	1	3138	THE LEARNING ANNEX	$ 6,800.00	Dispute over Invoice
Event Charges	Team San Jose	1	3958+4012	HOPPE AND HOPE LLC	$ 6,300.00	Out of Business
Event Charges	Team San Jose	1	3520	PULVER.COM	$ 6,975.30	Out of Business
Event Charges	Team San Jose	1	1901	MONSTER MAGIC	$ 16,837.00	Skip (Unable to locate)
Federal Aid Reimbursement	Transportation	429	121459	DEPT OF TRANSPORTATION ACCOUNTING SERVICE CENTER	$ 10,899.25	Dispute over Invoice
Permit Fees	Public Works	1	122906	SBC ACCOUNTS PAYABLE	$ 5,760.00	Dispute over Invoice
Property Subrogation	General Services	552	101399	BRACAMONTE, LIZ	$ 15,929.22	Statute of Limitations
Property Subrogation	General Services	552	102231	CONLON, JOHN THOMAS (DRIVER)	$ 7,800.65	Statute of Limitations
Property Subrogation	General Services	552	102051	MENDOZA, SERGIO HERNANDEZ (DR)	$ 5,286.45	Statute of Limitations
Property Subrogation	General Services	552	100510	PRANGE, SCOTT MICHAEL (DR/RO)	$ 6,579.40	Statute of Limitations
Property Subrogation	Human Resources	1	102664	BANK STEVEN	$ 6,746.77	Statute of Limitations
Property Subrogation	Human Resources	1	100055	CHAVARRIA ROGER MURO (DRIVER)	$ 26,510.17	Statute of Limitations
Property Subrogation	Human Resources	1	120840	CONNELL, STEPHEN CONNELL, STEPHEN PAUL II	$ 5,182.97	Statute of Limitations
Property Subrogation	Human Resources	1	101427	CUSHING STEVE BRIAN (D/L)	$ 67,011.58	Statute of Limitations
Property Subrogation	Human Resources	1	100202	DE LA ROSA, RENATO B. (DRIVER)	$ 10,276.11	Statute of Limitations
Property Subrogation	Human Resources	1	113377	FLORES, MARIANE BETTENCOUR	$ 14,725.00	Statute of Limitations

*Property Sold/Lien Unpaid: Judgment lien against owner, not property.

75303

EXHIBIT A

Write-offs
12-03-09

Type of Debt Owed	*Department Name*	*Fund #*	*Account #*	*Name*	*Current Balance (Write-Off Amount)*	*Reason for Write-off*
Property Subrogation	Human Resources	1	100355	FOLEY, LLOYD THOMAS	$ 59,500.00	Statute of Limitations
Property Subrogation	Human Resources	1	100891	HOYT, HENRY WAYNE	$ 15,498.57	Statute of Limitations
Property Subrogation	Human Resources	1	101767	MEZA ARMANDO	$ 9,487.11	Statute of Limitations
Property Subrogation	Human Resources	1	121248	NGUYEN, TRAN THANH LUU	$ 5,271.89	Statute of Limitations
Property Subrogation	Human Resources	1	100472	ROGERS MAXINE	$ 5,855.54	Statute of Limitations
Property Subrogation	Human Resources	1	120134	VALLERU, LAKSHMI ROJA	$ 7,006.50	Statute of Limitations
Property Subrogation	Parks, Recreation & Neighborhood Services	1	101449	MEXICO AUTO BODY	$ 7,709.95	Statute of Limitations
Property Subrogation	Transportation	1	131234	LOPEZ, PABLO	$ 6,162.90	Dispute over Invoice
Property Subrogation	Transportation	1	122244	MEKONNEN, KEBEBUS TAMENE	$ 9,999.46	Dispute over Invoice
Property Subrogation	Transportation	1	129359	RICHARDSON, JASON ANTON	$ 8,083.75	No Assets
Property Subrogation	Transportation	1	122082	AMERIGUARD MAINTENANCE	$ 12,120.92	Statute of Limitations
Property Subrogation	Transportation	1	100759	CARAPINHA, GLORIA	$ 6,801.98	Statute of Limitations
Property Subrogation	Transportation	1	100326	CERVANTES, PEDRO LEYVA	$ 7,819.12	Statute of Limitations
Property Subrogation	Transportation	1	100339	GOYETTE, MICHAEL DUANE	$ 8,153.12	Statute of Limitations
Property Subrogation	Transportation	1	101478	MACK, RICHARD ERNEST	$ 6,429.39	Statute of Limitations
Property Subrogation	Transportation	1	101634	MARTIN, JOSE SANCHE	$ 5,452.52	Statute of Limitations
Property Subrogation	Transportation	1	119352	SANCHEZ, MIGUEL A	$ 13,196.34	Statute of Limitations
Property Subrogation	Transportation	1	116897	TELLEZ, BERNARDO DELUCIO, JUANA	$ 7,922.47	Statute of Limitations
Property Subrogation	Transportation	1	123570	TRENADO, ARMANDO MORA	$ 8,394.00	Statute of Limitations
Property Subrogation	Transportation	350	112390	RAMLOGAN, RAJMATIE G	$ 16,651.12	Statute of Limitations
Rent	General Services	393	119774	SANTA CLARA COUNTY LIBRARY ATTN: SHARON RODRIGUEZ	$ 6,400.00	Dispute over Invoice
Rent	Public Works	391	107687	METRICOM INC ATTN:NETWORK REAL ESTATE DEPT	$ 37,500.00	Bankruptcy
Rent	Public Works	391	107689	METRICOM INC ATTN:NETWORK REAL ESTATE DEPT	$ 37,500.00	Bankruptcy
Rent	Public Works	521	107912	MOBILE STAR NETWORK CORP REF:166/2077 AIRPORT BLVD	$ 60,000.00	Out of Business
Rent	Public Works	1	121577	CINGULAR WIRELESS ATTN: PROPERTY MANAGER	$ 8,428.93	Statute of Limitations
Retirement Overpayment	Finance	1	130247	SALDIVAR, JAIME E	$ 16,862.17	Dispute over Invoice
Retirement Overpayment	Finance	1	122653	TORRES, RALPH R	$ 23,478.27	Statute of Limitations
Return to Maker Check (Non-Sufficient Funds)	Finance	1	128781	SMEDLEY & SONS	$ 7,026.09	Out of Business
Return to Maker Check (Non-Sufficient Funds)	Finance	1	117565	WORLD VACATION EXPO	$ 5,042.50	Out of Business
Sewer Service & Use Fees	Environmental Services	541	102491	INT'L MICROELECTRONIC PRODUCTS ATTN: ROY CHETI	$ 5,869.60	Bankruptcy
Sewer Service & Use Fees	Environmental Services	541	100833	INT'L MICROELECTRONIC PRODUCTS ATTN: ROY CHETI	$ 6,096.20	Bankruptcy
Sewer Service & Use Fees	Environmental Services	541	101951	INT'L MICROELECTRONIC PRODUCTS ATTN: ROY CHETI	$ 13,820.40	Bankruptcy
Sewer Service & Use Fees	Environmental Services	541	105112	INT'L MICROELECTRONIC PRODUCTS ATTN: ROY CHETI	$ 5,104.50	Bankruptcy
Sewer Service & Use Fees	Environmental Services	541	105870	INT'L MICROELECTRONIC PRODUCTS ATTN: ROY CHETI	$ 5,267.90	Bankruptcy
Sewer Service & Use Fees	Environmental Services	541	106585	INT'L MICROELECTRONIC PRODUCTS ATTN: ROY CHETI	$ 10,950.50	Bankruptcy
Sewer Service & Use Fees	Environmental Services	541	107166	INT'L MICROELECTRONIC PRODUCTS ATTN: ROY CHETI	$ 6,898.10	Bankruptcy
Sewer Service & Use Fees	Environmental Services	541	107637	INT'L MICROELECTRONIC PRODUCTS ATTN: ROY CHETI	$ 7,707.70	Bankruptcy
Sewer Service & Use Fees	Environmental Services	541	112254	INT'L MICROELECTRONIC PRODUCTS ATTN: ROY CHETI	$ 6,482.30	Bankruptcy
Sewer Service & Use Fees	Environmental Services	500	106373	LIGHTWAVE MICROSYSTEMS CORP	$ 9,791.63	Out of Business
Sewer Service & Use Fees	Environmental Services	541	100438	STORMEDIA ATTN:LORI EARL	$ 11,401.50	Out of Business
Sewer Service & Use Fees	Environmental Services	541	101050	STORMEDIA ATTN:LORI EARL	$ 10,949.40	Out of Business
Sewer Service & Use Fees	Environmental Services	541	100948	BENECIA FOODS FLAG SHIP FOODS	$ 6,440.50	Statute of Limitations
Sewer Service & Use Fees	Environmental Services	541	101192	BENECIA FOODS FLAG SHIP FOODS	$ 5,108.40	Statute of Limitations
Sewer Service & Use Fees	Environmental Services	541	100992	BENECIA FOODS FLAG SHIP FOODS	$ 13,091.00	Statute of Limitations
Sewer Service & Use Fees	Parks, Recreation & Neighborhood Services	441	100130	GONZALES JOE SR	$ 5,990.40	Statute of Limitations
Staff Charges	Public Works	1	111064	BROOKS FIBER COMMUNICATIONS ATTN: JEROLD E SLAGEL	$ 9,450.86	Bankruptcy
Staff Charges	Public Works	1	111319	BROOKS FIBER COMMUNICATIONS ATTN: JEROLD E SLAGEL	$ 5,066.68	Bankruptcy
Staff Charges	Public Works	1	109177	GLOBAL CROSSING	$ 6,971.11	Bankruptcy
Staff Charges	Public Works	1	105191	METROMEDIA FIBER NETWORK ATTN: ELIZABETH ADAMS	$ 6,858.50	Bankruptcy
Staff Charges	Public Works	1	108410	GLOBAL PHOTON SYSTEMS MR. BILL HARKNESS	$ 9,816.71	Out of Business
Staff Charges	Public Works	1	109178	GLOBAL PHOTON SYSTEMS MR. BILL HARKNESS	$ 6,974.42	Out of Business
Staff Charges	Public Works	1	103329	ICG TELECOM GROUP ATN: CURT HELEY	$ 5,617.01	Out of Business
Staff Charges	Public Works	1	102199	ICG TELECOM GROUP, INC.	$ 5,025.02	Out of Business
Staff Charges	Public Works	1	110544	MCI METRO ATTN: RAY CASTELLANOS	$ 5,340.33	Out of Business
Staff Charges	Public Works	1	111787	MCI WORLDCOM ATTN: JERRY STAGEL	$ 5,750.01	Out of Business
Staff Charges	Public Works	465	120863	MCI-FIBER OPTIC	$ 5,827.87	Out of Business
Supplemental Military Pay Reconciliation	Finance	1	132242	FERNANDEZ, FORREST	$ 14,748.09	Statute of Limitations
Supplemental Military Pay Reconciliation	Finance	1	123067	STOFLET, THOMAS	$ 5,433.06	Statute of Limitations
Utility User's Tax	Finance	1	125223	MCI METRO ACCESS TRANSMISSION SERVICES LLC	$ 20,299.26	Out of Business

75303

EXHIBIT A

Write-offs
12-03-09

Type of Debt Owed	*Department Name*	*Fund #*	*Account #*	*Name*	*Current Balance (Write-Off Amount)*	*Reason for Write-off*
Utility User's Tax	Finance	1	125036	MCIMETRO ACCESS TRANSMISSION SERVICES LLC	$ 9,686.51	Out of Business
Water Bill	Parks, Recreation & Neighborhood Services	1	101848	MAYFAIR COMMUNITY GARDENS	$ 7,293.16	Statute of Limitations
Water Valve Adjustment	Public Works	429	116986	SAN JOSE WATER PURCHASING	$ 6,000.00	Statute of Limitations
Workers' Compensation Subrogation	Human Resources	1	105901	KIELOCK, BRUCE EDWARD	$ 78,706.77	Statute of Limitations
Workers' Compensation Subrogation	Human Resources	1	101982	ARMSTRONG, RICKY DEFORRES	$ 9,688.22	Statute of Limitations
Workers' Compensation Subrogation	Human Resources	1	122248	BACA, SARAH E.	$ 10,000.00	Statute of Limitations
Workers' Compensation Subrogation	Human Resources	1	101088	MENDOZA, ROCKY G	$ 23,732.07	Statute of Limitations
Workers' Compensation Subrogation	Human Resources	1	101640	RAMSEY, DANIEL P	$ 52,720.50	Statute of Limitations
Workers' Compensation Subrogation	Human Resources	1	101044	SARAVIA, VICTOR MANUEL	$ 46,852.03	Statute of Limitations
Workers' Compensation Subrogation	Human Resources	1	102619	VILLEGAS, MANUEL R.	$ 22,137.79	Statute of Limitations
Workers' Compensation Subrogation	Human Resources	1	123240	WATSON, KELLI	$ 12,000.00	Statute of Limitations
					$ 1,702,757.42	

75303