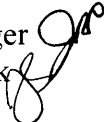


**CITY CLERK'S OFFICE MEMORANDUM**  
**#13-07**

October 28, 2013

**TO:** Honorable Mayor Joyce Downing and City Council Members

**FROM:** John R. Pick, City Manager  
Johanna Small, City Clerk 

**SUBJECT:** **CR-91, Certification of Delinquent Municipal Charges;**  
CR-92, Certification of Delinquent Nuisance Abatement Charges; and  
CR-93, Certification of Delinquent Water and Sewer Charges

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**RECOMMENDATION:**

Attached to this memorandum are resolutions which, if approved, would authorize the City to certify delinquent municipal, nuisance abatement, and water and sewer charges to the Adams County Treasurer to be collected as special assessments with property taxes and paid to the City. Staff recommends approval of the proposed resolutions.

**BACKGROUND:**

C.R.S. § 31-20-105 authorizes municipalities to certify delinquent charges to the County Treasurer for collection if the municipality has adopted an enabling ordinance to do so. The City has adopted ordinances that allow for the certification of these types of charges. Once the amounts are certified, the County Treasurer assigns these special assessments to the property accounts and collects the charges in addition to the property taxes. The County then remits payment, less their fee of 1%, to the City on a monthly basis. The property liens are released by the City upon receipt of full payment.

A total of 82 delinquent charges (40 administrative citation liens; 19 nuisance abatement liens; and 23 utility liens) are proposed to be certified. Properties may have multiple administrative citation and nuisance abatement liens. Each of the property owners were sent a notice of the City's intent to certify the delinquent amounts and were given a deadline of September 30, 2013 to pay the charges due and avoid a 10% fee, which is added as part of the certification process by ordinance.

**BUDGET/TIME IMPLICATIONS:**

The City is required to submit the lists of accounts to be certified to the County Treasurer by November 30, 2013. If the attached resolutions are approved and the special assessments are paid in 2014, \$37,958.65 could be remitted to the City from the County Treasurer for the delinquent charges collected.

If the delinquent accounts are not certified to the County, the liens that have been filed against the properties to secure the charges will remain in place until the charges are paid or until the property changes ownership and an individual or title company pays the amounts due to clear the property's title in a real estate transaction.

**STAFF REFERENCE:**

Please contact Johanna Small, City Clerk at [jsmall@northglenn.org](mailto:jsmall@northglenn.org) or 303-450-8757 with any questions or comments.

SPONSORED BY: MAYOR DOWNING

COUNCILMAN'S RESOLUTION

RESOLUTION NO.

No. CR-91  
Series of 2013

\_\_\_\_\_  
Series of 2013

A RESOLUTION CERTIFYING DELINQUENT MUNICIPAL CHARGES TO THE ADAMS COUNTY TREASURER FOR COLLECTION PURSUANT TO C.R.S. SECTION 31-20-105

WHEREAS, C.R.S. Section 31-20-105 authorized municipalities to certify delinquent charges to the county treasurer for collection and provides as follows:

C.R.S. 31-20-105. Municipality may certify delinquent charges. Any municipality, in addition to the means provided by law, if by ordinance it so elects, may cause any or all delinquent charges, assessments, or taxes made or levied to be certified to the treasurer of the county in the same manner as the taxes are authorized to be by this title; and

WHEREAS, Section 5-14-1 of the Municipal Code specifically authorizes the City of Northglenn to certify delinquent charges for any municipal advance, loan, fee or charge to the Adams County Treasurer for collection, providing as follows:

Section 5-14-1. Certification of delinquent charges. In the event that any municipal advance, loan, fee or charge is not repaid in accordance with its terms, the unpaid amount of the loan and any interest and costs thereof, shall be assessed upon the lot or lots or tracts of land in the City of Northglenn for the benefit of which such advance, loan, fee or charge was made. Such assessment shall be made pursuant to the procedures provided by law in the ordinances of the City of Northglenn for special assessments. Every such assessment shall be a lien in the several amounts assessed against such lot or tract of land until paid, and shall have priority over all other liens, except general taxes and prior special assessments. In case any assessment is not paid within thirty (30) days after the same have been certified to the City Clerk by the City Council, the City Clerk shall then be and is hereby authorized to certify to the County Treasurer of the County in which the property is located, the list of all delinquent assessments, giving the name of the owner as appears of record, the number of lot, block and subdivision, or other legal descriptions sufficient to identify such property upon the records of the said County Treasurer, and the amount of the assessment. Said certification shall be the same in substance and in the same form as required for the certification of special assessment, and the County Treasurer, upon the receipt of such certified list is hereby authorized to place the same upon the tax list for the current year and to collect the special assessment in the same manner as other taxes are collected with a ten percent (10%) penalty thereon; and all the laws of the State for the assessment and collection of general taxes, including the laws for the sale of property for taxes and the redemption thereof, shall apply to and have full force and effect for the collection of such assessments.

WHEREAS, the City Council of the City of Northglenn wishes to avail itself of these provisions;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NORTHGLENN, COLORADO, THAT:

Section 1. The delinquent municipal charges set forth in Exhibit A, attached hereto, are hereby certified to the Adams County Treasurer to be collected and paid over by the Treasurer in the same manner as other taxes pursuant to C.R.S. Section 31-20-105 and Section 5-14-1 of the Municipal Code of the City of Northglenn, Colorado.

DATED, at Northglenn, Colorado, this \_\_\_\_\_ day of \_\_\_\_\_ 2013.

\_\_\_\_\_  
JOYCE DOWNING  
Mayor

ATTEST:

\_\_\_\_\_  
JOHANNA SMALL, CMC  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
COREY Y. HOFFMANN  
City Attorney

## EXHIBIT A

### 2013 Lien Certification Properties Municipal Charges

Owner of Record: Bryan Alberi and Louanna L. Spagnoli  
Street Address: 750 W. 100<sup>th</sup> Place  
Legal Description: Lot 2, Block 12, Northglenn 19<sup>th</sup> Filing  
Parcel No.: 0171915308017  
Acct. No.: R0042051  
Amount: \$216.70

Owner of Record: Johnny Kin Man Poon  
Street Address: 983 W. 100<sup>th</sup> Place  
Legal Description: Lot 21, Block 11, Victoria Heights West  
Parcel No.: 0171916116010  
Acct. No.: R0042861  
Amount: \$216.70

Owner of Record: Gregory and Yvonne Meinke  
Street Address: 1386 W. 101<sup>st</sup> Place  
Legal Description: Lot 5, Block 23, Heftler Homes Hillcrest 2<sup>nd</sup> Filing  
Parcel No.: 0171916114026  
Acct. No.: R0042821  
Amount: \$216.70

Owner of Record: David Randal Schaefer  
Street Address: 1329 W. 102<sup>nd</sup> Avenue  
Legal Description: Lot 24, Block 21, Heftler Homes Hillcrest 2<sup>nd</sup> Filing  
Parcel No.: 0171916109010  
Acct. No.: R0042669  
Amount: \$1,886.50

Owner of Record: Juan F. Estrada and Agustina Estrada  
Street Address: 860 W. 103<sup>rd</sup> Avenue  
Legal Description: Lot 10, Block 15, Victoria Heights West  
Parcel No.: 0171916107014  
Acct. No.: R0042627  
Amount: \$790.90

Owner of Record: Patrick M. Tessmer and Lorna J. Tessmer  
Street Address: 1223 W. 103<sup>rd</sup> Place  
Legal Description: Lot 23, Block 18, Heftler Homes Hillcrest 1<sup>st</sup> Filing  
Parcel No.: 0171916103015  
Acct. No.: R0042541  
Amount: \$216.70

Owner of Record: Ernesto Ruiz  
Street Address: 2647 E. 111<sup>th</sup> Drive  
Legal Description: Lot 11, Block 1, Fox Run Filing No. 8  
Parcel No.: 0171912009011  
Acct. No.: R0114409  
Amount: \$216.70

Owner of Record: Phuong H. Tran  
Street Address: 255 E. 112<sup>th</sup> Drive  
Legal Description: Lot 7, Block 3, Webster Lake Terrace 1<sup>st</sup> Filing  
Parcel No.: 0171903406007  
Acct. No.: R0031004  
Amount: \$216.70

Owner of Record: Tuy Tran  
Street Address: 436 W. 116<sup>th</sup> Place  
Legal Description: Lot 53, Block 2, Huron Crossing  
Parcel No.: 0171903211053  
Acct. No.: R0030923  
Amount: \$216.70

Owner of Record: Roderick A. Bennett and Edith I. Bennett  
Street Address: 540 E. 116<sup>th</sup> Avenue  
Legal Description: DESC: THE E 29/84 FT OF THE W 178/17 FT OF BLK 3, Northglenn 25<sup>th</sup> Filing  
Parcel No.: 0171903103007  
Acct. No.: R0030258  
Amount: \$216.70

Owner of Record: Rodney L. Rabideau and Diane A. Wilson  
Street Address: 2145 E. 116<sup>th</sup> Drive  
Legal Description: Lot 14, Block 79, Northglenn 23<sup>rd</sup> Filing  
Parcel No.: 0171902118015  
Acct. No.: R0028317  
Amount: \$216.70

Owner of Record: Judith Kay Turnell  
Street Address: 10997 Alvin Drive  
Legal Description: Lot 14, Block 16, Northglenn 9<sup>th</sup> Filing  
Parcel No.: 0171911216016  
Acct. No.: R0038133  
Amount: \$622.60

Owner of Record: Michael T. and Cheri A. Elshaw  
Street Address: 10680 Carrol Lane  
Legal Description: Lot 21, Block 16, Northglenn 2<sup>nd</sup> Filing  
Parcel No.: 0171910402011  
Acct. No.: R0037232  
Amount: \$216.70

Owner of Record: Carlos E. Montoya  
Street Address: 10517 Corona Street  
Legal Description: Lot 13, Block 43, Northglenn 13<sup>th</sup> Filing  
Parcel No.: 0171911317022  
Acct. No.: R0038773  
Amount: \$299.20

Owner of Record: Michael Jason Tetley  
Street Address: 10705 Downing Street  
Legal Description: Lot 20, Block 30, Northglenn 11<sup>th</sup> Filing  
Parcel No.: 0171911307020  
Acct. No.: R0038539  
Amount: \$807.40

Owner of Record: Petya A. Georgieva and Christopher A. Ehrlich  
Street Address: 10525 Franklin Way  
Legal Description: Lot 11, Block 49, Northglenn 13<sup>th</sup> Filing  
Parcel No.: 0171911407001  
Acct. No.: R0038974  
Amount: \$216.70

Owner of Record: Ronald E. Grenia  
Street Address: 10478 Lafayette Street  
Legal Description: Lot 5, Block 48, Northglenn 13<sup>th</sup> Filing  
Parcel No.: 0171911322005  
Acct. No.: R0038855  
Amount: \$216.70

Owner of Record: Nancy S. Ward  
Street Address: 11681 Logan Street  
Legal Description: DESC: N 36/33 FT BLK 8, Northglenn 25<sup>th</sup> Filing  
Parcel No.: 0171903104046  
Acct. No.: R0030314  
Amount: \$216.70

Owner of Record: Bruce Gibbs and Michelle D. Gibbs  
Street Address: 10652 Loren Lane  
Legal Description: Lot 14, Block 32, Northglenn 11<sup>th</sup> Filing  
Parcel No.: 0171911310014  
Acct. No.: R0038624  
Amount: \$216.70

Owner of Record: Larry Haustein, Jr.  
Street Address: 11269 Marion Street  
Legal Description: Lot 16, Block 25, Northglenn 18<sup>th</sup> Filing  
Parcel No.: 0171902321016  
Acct. No.: R0029395  
Amount: \$790.90

Owner of Record: Joel Ortiz  
Street Address: 9780 Melody Drive  
Legal Description: Lot 13, Block 2, Northglenn 19<sup>th</sup> Filing  
Parcel No.: 0171915313013  
Acct. No.: R0042154  
Amount: \$216.70

Owner of Record: Douglas C. Group and Julia M. Group  
Street Address: 10488 Ogden Street  
Legal Description: Lot 7, Block 43, Northglenn 13<sup>th</sup> Filing  
Parcel No.: 0171911317005  
Acct. No.: R0038756  
Amount: \$790.90

Owner of Record: Andrew R. Dechant  
Street Address: 11029 Pearl Circle  
Legal Description: Lot 25, Block 40, Northglenn 2<sup>nd</sup> Filing  
Parcel No.: 0171910112022  
Acct. No.: R0036495  
Amount: \$1,724.80

Owner of Record: James Kirby and Jennifer Johnson and Michael S. Taylor  
Street Address: 1240 Phillips Drive  
Legal Description: Lot 1, Block 42, Northglenn 21<sup>st</sup> Filing  
Parcel No.: 0171902220001  
Acct. No.: R0028828  
Amount: \$216.70

Owner of Record: Eric Umberger  
Street Address: 182 Pike Street  
Legal Description: Lot 29, Block 25, Northglenn 2<sup>nd</sup> Filing  
Parcel No.: 0171910124027  
Acct. No.: R0036781  
Amount: \$216.70

Owner of Record: Matthew Gintzler  
Street Address: 10733 Santa Fe Street  
Legal Description: Lot 10, Block 14, Northglenn 15<sup>th</sup> Filing  
Parcel No.: 0171909403006  
Acct. No.: R0035849  
Amount: \$216.70

Owner of Record: Jesus Bacahui  
Street Address: 1583 Truda Drive  
Legal Description: Lot 1, Block 64, Northglenn 23<sup>rd</sup> Filing  
Parcel No.: 0171902110008  
Acct. No.: R0028139  
Amount: \$134.20

Owner of Record: Niki NOsker  
Street Address: 1942 Truda Drive  
Legal Description: Lot 37, Block 76, Northglenn 23<sup>rd</sup> Filing  
Parcel No.: 0171902113038  
Acct. No.: R0228235  
Amount: \$216.70

Owner of Record: Jason M. Estrada  
Street Address: 10442 Washington Way  
Legal Description: Lot 2, Block 4, Northglenn 1<sup>st</sup> Filing  
Parcel No.: 0171910420010  
Acct. No.: R0037617  
Amount: \$1,914.00