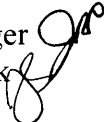


CITY CLERK'S OFFICE MEMORANDUM
#13-07

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

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 or 303-450-8757 with any questions or comments.

SPONSORED BY: MAYOR DOWNING

COUNCILMAN'S RESOLUTION

RESOLUTION NO.

No. CR-93
Series of 2013

Series of 2013

A RESOLUTION CERTIFYING DELINQUENT WATER AND SEWER 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 16-10-6(i) of the Municipal Code specifically authorizes the City of Northglenn to certify unpaid utility charges to the Adams County Treasurer for collection, providing as follows:

Section 16-10-6(i). The City shall have as security for collection of all utilities charges, a lien upon the real property served. The lien shall become effective upon supplying of water utility services and/or billing of capital charge, trash collection/removal, and other associated rates, penalties and charges. The lien shall not be discharged until payment of all utilities charges. In order to preserve any lien created by operation of this ordinance, the City shall file for record a lien statement in the office of Adams County Clerk and Recorder, at any time before the expiration of five months after the day in which a bill for utilities charges becomes delinquent as defined by this Article. All liens created and perfected by virtue of this ordinance shall relate back to and take effect as of the time that utilities services are first provided to or billed for, respectively, the real property. Such lien shall be enforceable against any person acquiring an interest in such real property. Liens which are created by this ordinance, but not perfected, shall be enforceable against any person, with an interest in the real property subject to the lien, that has notice of such lien. In the event the lien provided by this section is not discharged by payment, the City Manager shall report the delinquency to the City Council and the City Council shall be authorized to collect the delinquent charges, rates and penalties by certification of such delinquency with the Adams County Treasurer and collected as all other taxes as authorized by C.R.S. 31-20-101 to 107 as amended.

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 utility 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 16-10-6(i) 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 Utility Accounts

Owner of Record: Salvatore R. Pacifico and Kimberly J. Pacifico
Street Address: 3343 E. 108th Avenue
Legal Description: Lot 34, Block 1, Fox Run Filing No. 4
Parcel No.: 0171912412014
Acct. No.: R0107029
Amount: \$557.34

Owner of Record: US Bank National Association as Trustee
Street Address: 2399 E. 110th Drive
Legal Description: Lot 7, Block 6, Fox Run Filing No. 10A
Parcel No.: 0171912201034
Acct. No.: R0120409
Amount: \$625.11

Owner of Record: Erik D. Utzinger
Street Address: 3000 E. 112th Avenue #96
Legal Description: Lot 96, Homestead at Seven Stones Subd
Parcel No.: 0171912211092
Acct. No.: R0125105
Amount: \$736.29

Owner of Record: Mari J. Walhood
Street Address: 907 E. 115th Avenue
Legal Description: Lot 10, Block 32, Northglenn 21st Filing
Parcel No.: 0171902312010
Acct. No.: R0029164
Amount: \$1,205.45

Owner of Record: Wells Fargo Bank NA
Street Address: 2004 E. 115th Avenue
Legal Description: Lot 5, Block 7, Northglenn 18th Filing
Parcel No.: 0171902410020
Acct. No.: R0029780
Amount: \$485.07

Owner of Record: Linda J. Urban
Street Address: 11854 Claude Court
Legal Description: Lot 23, Block 74, Northglenn 23rd Filing
Parcel No.: 0171902102011
Acct. No.: R0027915
Amount: \$784.56

Owner of Record: Karen A. Boland
 Street Address: 11662 Community Center Drive #88
 Legal Description: Lot 88, Block 1, Parkview
 Parcel No.: 0171903122106
 Acct. No.: R0030699
 Amount: \$517.11

Owner of Record: Cambridge Development Corp.
 Street Address: 9960 Croke Drive
 Legal Description: Lot 1, Block 7, Victoria Heights West Amended
 Parcel No.: 0171916408001
 Acct. No.: R0044083
 Amount: \$760.67

Owner of Record: Edward J. DeHerrera
 Street Address: 11465 Fowler Drive
 Legal Description: Lot 17, Block 39, Northglenn 21st Filing
 Parcel No.: 0171902304013
 Acct. No.: R0029006
 Amount: \$474.29

Owner of Record: Jerry Snyder and Pamela Snyder
 Street Address: 11492 Gilpin Street
 Legal Description: Lot 10, Block 15, Northglenn 18th Filing
 Parcel No.: 0171902405010
 Acct. No.: R0029671
 Amount: \$1,048.36

Owner of Record: Martin A. Gonzalez and Shirley L. Gonzalez
 Street Address: 11916 High Street
 Legal Description: Lot 11, Block 69, Northglenn 23rd Filing
 Parcel No.: 0171902107005
 Acct. No.: R0028058
 Amount: \$880.81

Owner of Record: John P. Magnuson and Michele Hunt
 Street Address: 10440 Inca Street
 Legal Description: Lot 4, Block 1, Northglenn 4th Filing
 Parcel No.: 0171909411005
 Acct. No.: R0035960
 Amount: \$1,055.96

Owner of Record: Raul Garcia
 Street Address: 11310 Irma Drive
 Legal Description: Lot 20, Block 12, Northglenn 18th Filing
 Parcel No.: 0171902420001
 Acct. No.: R0029946
 Amount: \$424.53

Owner of Record: Tina Bonogofsky
Street Address: 11331 Lafayette Street
Legal Description: Lot 19, Block 24, Northglenn 18th Filing
Parcel No.: 0171902320019
Acct. No.: R0029378
Amount: \$446.91

Owner of Record: Clyde Jason Orris and Kelli Rachael Orris
Street Address: 263 Leonard Lane
Legal Description: Lot 5, Block 30, Northglenn 2nd Filing
Parcel No.: 0171910109013
Acct. No.: R0036368
Amount: \$408.28

Owner of Record: Alfonso Zuniga
Street Address: 10483 Lincoln Court
Legal Description: Lot 21, Block 10, Northglenn 1st Filing
Parcel No.: 0171910415019
Acct. No.: R0037550
Amount: \$554.26

Owner of Record: Suzanna R. Bustamante
Street Address: 11672 Logan Street
Legal Description: DESC: S 21 FT OF N 99/33 FT, Block 7, Northglenn 25th Filing
Parcel No.: 0171903102009
Acct. No.: R0030206
Amount: \$511.20

Owner of Record: James D. Riegel
Street Address: 9629 Lou Drive
Legal Description: Lot 11, Block 3, Tol Win Subd
Parcel No.: 0171915320014
Acct. No.: R0042257
Amount: \$531.44

Owner of Record: Jared L. Bender
Street Address: 908 Ogden Circle
Legal Description: Lot 16, Block 9, Northglenn 9th Filing
Parcel No.: 0171911216021
Acct. No.: R0038138
Amount: \$521.59

Owner of Record: Raymond Shephard and Clara B. Shephard
Street Address: 10373 Pecos Street
Legal Description: Lot 1, Block 35, Heftler Homes Hillcrest 2nd Filing
Parcel No.: 0171916104001
Acct. No.: R0042554
Amount: \$599.04

Owner of Record: Francis P. Slumski
Street Address: 11713 Quam Drive
Legal Description: Lot 22, Block 49, Northglenn 22nd Filing
Parcel No.: 0171902212022
Acct. No.: R0028635
Amount: \$440.94

Owner of Record: Carolyn A. Scott
Street Address: 10860 Rosalie Drive
Legal Description: Lot 7, Block 23, Northglenn 10th Filing
Parcel No.: 0171911108007
Acct. No.: R0037791
Amount: \$1,069.88

Owner of Record: Maria Arroyo and Hector Juarez
Street Address: 10433 Washington Way
Legal Description: Lot 6, Block 5, Northglenn 1st Filing
Parcel No.: 0171910414007
Acct. No.: R0037509
Amount: \$716.33