CITY CLERK'S OFFICE MEMORANDUM #08-04

October 23, 2008

TO: Honorable Mayor Kathleen M. Novak and City Council Members

FROM: Johanna Small, Acting City Clerk

SUBJECT: CR-160, Certification of Delinquent Water and Sewer Charges,

CR-161, Certification of Delinquent Nuisance Abatement Charges, and

CR-162, Certification of Delinquent Municipal Charges

RECOMMENDATION:

Attached to this memorandum are resolutions which, if approved, would authorize the City to certify delinquent water and sewer, nuisance abatement, and municipal 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 to allow 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 with the property tax payments. The County then remits payment, less their fee of one percent (1%), to the City on a monthly basis.

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

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 October 6, 2008 to pay the charges due.

BUDGET/TIME IMPLICATIONS:

If the attached resolutions are approved, an amount of \$40,202.75 could be paid to the City from the Adams County Treasurer in 2009 for the delinquent charges collected.

STAFF REFERENCE:

Please contact Johanna Small, Acting City Clerk at <u>ismall@northglenn.org</u> or 303-450-8757 with any questions or comments.

SPONSORED BY: MAYOR NOVAK

COUNCILMAN'S RESOLUTION	RESOLUTION NO.
No. <u>CR-161</u>	
Series of 2008	Series of 2008

A RESOLUTION CERTIFYING DELINQUENT NUISANCE ABATEMENT 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. <u>Municipality may certify delinquent charges</u>. 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 9-11-12 of the Municipal Code specifically authorizes the City of Northglenn to certify unpaid nuisance charges to the Adams County Treasurer for collection, providing as follows:

Section 9-11-12. Recovery of Expense of Abatement. Upon the expiration of the period of notice provided in Section 9-11-7 or at any time thereafter, if the nuisance has not been abated on the property described in such notice, the City of Northglenn may enter upon such property and abate the nuisance pursuant to the provisions of this ordinance, and actual costs thereof, including five (5) percent for inspection, a minimum fee assessment of twenty-five (\$25.00) dollars and other incidental costs in connection therewith, shall be assessed upon the lot or lots or tracts of land in the City of Northglenn upon which such nuisance is abated. 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 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:

The delinquent nuisance abatement 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 9-11-12 of the Municipal Code of the City of Northglenn, Colorado.

DATED, at Northglenn, Colorado, this	day of	2008.
	KATHLEEN M. NOVAK Mayor	
ATTEST:		
JOHANNA SMALL, CMC Acting City Clerk		
APPROVED AS TO FORM:		
COREY Y. HOFFMANN		
City Attorney		

EXHIBIT A

2008 Lien Certification Properties Nuisance Abatements

Owner of Record: Trido Properties LLC

Street Address: N/A

Legal Description: Lot 2, Block 1, Highline Center No. 2

Parcel No.: 0171909117163

Acct. No.: R0158255 Amount: \$623.97

Owner of Record: Isaac M. Nkoyoyo C/O Rev. Dr. Edward A. Black Jr.

Street Address: 982 W. 101st Avenue

Legal Description: Lot 8, Block 11, Victoria Heights West

Parcel No.: 0171916116023 Acct. No.: R0042874 Amount: \$271.70

Owner of Record: Costin Adi Stoian and Cristina Stoian

Street Address: 1434 W. 103rd Place

Legal Description: Lot 5, Block 19, Heftler Homes Hillcrest 2nd Filing

Parcel No.: 0171916105013

Acct. No.: R0042572 Amount: \$271.70

Owner of Record: Fred L. Shaner Street Address: 2406 E. 109th Drive

Legal Description: Lot 25, Block 1, Fox Run Filing No. 10A

Parcel No.: 0171912204075

Acct. No.: R0120511 Amount: \$183.92

Owner of Record: Access Financial Group LLC

Street Address: 223 E. 111th Place

Legal Description: Lot 11, DESC: EXC N 5 FT, Block 35, Northglenn 2nd Filing

Parcel No.: 0171910102006 Acct. No.: R0036195 Amount: \$1,426.70

Owner of Record: Douglas Newville Street Address: 1861 E. 112th Place

Legal Description: Lot 27, Block 2, Northglenn 18th Filing

Parcel No.: 0171902421008

Acct. No.: R0029971 Amount: \$202.34 Owner of Record: Juan Rodriguez Street Address: 1281 E. 119th Place

Legal Description: Lot 10, Block 61, Northglenn 22nd Filing

Parcel No.: 0171902201010 Acct. No.: R0028398 Amount: \$356.01

Owner of Record: Bryan Sullivan Street Address: 1501 E. 119th Place

Legal Description: Lot 21, Block 61, Northglenn 22nd Filing

Parcel No.: 0171902201021

Acct. No.: R0028409 Amount: \$2,951.26

Owner of Record: RB Holdings LLC Street Address: 10532 Carlile Street

Legal Description: Lot 12, Block 41, Northglenn 13th Filing

Parcel No.: 0171911315001 Acct. No.: R0038709 Amount: \$300.57

Owner of Record: Indymac Bank FSB Street Address: 11450 Clarkson Street

Legal Description: Lot 3, Block 33, Northglenn 21st Filing

Parcel No.: 0171902311006

Acct. No.: R0029143 Amount: \$272.55

Owner of Record: Secretary of Housing and Urban Dev C/O Michaelson Conner and Boul Inc.

Street Address: 11004 Claude Court

Legal Description: Lot 42, Block 4, Fox Run Filing No. 12

Parcel No.: 017191114042 Acct. No.: R0118747 Amount: \$213.22

Owner of Record: Caryn M. Berg Street Address: 11047 Claude Court

Legal Description: Lot 34, Block 3, Fox Run Filing No. 12

Parcel No.: 0171911113034 Acct. No.: R0118629 Amount: \$224.34

Owner of Record: Sytech Development Inc.

Street Address: Approximately 12165 Claude Court Legal Description: Lot 8, Northglenn Pavilion Filing #2

Parcel No.: 0157335403026 Acct. No.: R0153539 Amount: \$675.95 Owner of Record: Wilshire Holding Group Inc.

Street Address: 9960 Croke Drive

Legal Description: Lot 1, Block 7, Victoria Heights West Amended

Parcel No.: 0171916408001 Acct. No.: R0044083 Amount: \$716.65

Owner of Record: Federal National Mortgage Association

Street Address: 9605 Damon Drive

Legal Description: Lot 30, Block 8, Tol Win Subd

Parcel No.: 0171915317007 Acct. No.: R0042216 Amount: \$218.57

Owner of Record: Zack Medina Street Address: 1304 Elmer Drive

Legal Description: Lot 17, Block 4, Northglenn 6th Filing

Parcel No.: 0171911205018 Acct. No.: R0037942 Amount: \$330.01

Owner of Record: Deutsche Bank National Trust Company

Street Address: 9773 Fred Drive

Legal Description: Lot 3, Block 4, Tol Win Subdivision

Parcel No.: 0171915321020 Acct. No.: R0042279 Amount: \$387.20

Owner of Record: Raymond J. Trujillo Street Address: 11332 High Street

Legal Description: Lot 14, Block 11, Northglenn 18th Filing

Parcel No.: 0171902409014 Acct. No.: R0029754 Amount: \$201.24

Owner of Record: Garland C. Wooten Street Address: 11354 Humboldt Street

Legal Description: Lot 2, Block 21, Northglenn 18th Filing

Parcel No.: 0171902318002 Acct. No.: R0029303 Amount: \$1,646.67

Owner of Record: Edward E. Magnuson Street Address: 10440 Inca Street

Legal Description: Lot 4, Block 1, Northglenn 4th Filing

Parcel No.: 0171909411005

Acct. No.: R0035960 Amount: \$1,195.35 Owner of Record: Secretary of Housing and Urban Dev. C/O Michaelson, Connor and Boul Inc.

Street Address: 426 Janice Court

Legal Description: Lot 6, Block 32, Northglenn 2nd Filing

Parcel No.: 0171910106007 Acct. No.: R0036276 Amount: \$287.57

Owner of Record: Alberto Hernandez and Dina Hernandez

Street Address: 1402 Leroy Drive

Legal Description: Lot 5, Block 33, Northglenn 11th Filing

Parcel No.: 0171911311013

Acct. No.: R0038640 Amount: \$1,254.01

Owner of Record: Denise F. Wimer Street Address: 11655 Lincoln Street

Legal Description: DESC: S 29/83 FT OF THE N 222 FT OF BLK 16, Northglenn 25th Filing

Parcel No.: 0171903107011 Acct. No.: R0030391 Amount: \$192.58

Owner of Record: Michele Cohig Street Address: 11534 Marion Street

Legal Description: Lot 8, Block 39, Northglenn 21st Filing

Parcel No.: 0171902304004

Acct. No.: R0028997 Amount: \$371.56

Owner of Record: US Bank National Association

Street Address: 11743 Melody Drive

Legal Description: Lot 6, Block 3, Huron Heights First Filing

Parcel No.: 0171903204009

Acct. No.: R0030783 Amount: \$355.13

Owner of Record: Micky B. McKee Street Address: 526 Niver Avenue

Legal Description: Lot 15 EXC PARC, Block 10, Northglenn 19th Filing

Parcel No.: 0171915213005 Acct. No.: R0041905 Amount: \$201.24

Owner of Record: Pamela Denise Gutenberg Street Address: 10903 Northglenn Drive

Legal Description: Lot 47, Block 36, Northglenn 2nd Filing

Parcel No.: 0171910108013

Acct. No.: R0036327 Amount: \$193.67 Owner of Record: Accredited Home Lenders Inc.

Street Address: 1540 Phillips Drive

Legal Description: Lot 14, Block 42, Northglenn 21st Filing

Parcel No.: 0171902220015 Acct. No.: R0028842 Amount: \$1,142.51

Owner of Record: Kelly Enterprises LLC Street Address: 1821 Phillips Drive

Legal Description: Lot 10, Block 65, Northglenn 23rd Filing

Parcel No.: 0171902114012

Acct. No.: R0028246 Amount: \$643.59

Owner of Record: First Horizons Home Loans

Street Address: 10776 Steele Street

Legal Description: Lot 19, Block 1, Fox Run Filing No. 7

Parcel No.: 0171912006019 Acct. No.: R0111148 Amount: \$387.20

Owner of Record: William E. Guthrie, Jr. Street Address: 10718 Varese Lane

Legal Description: Lot 21, Block 12, Northglenn 24th Filing

Parcel No.: 0171909302004

Acct. No.: R0035423 Amount: \$201.24