



CITY CLERK'S OFFICE MEMORANDUM
#14-04

October 27, 2014

TO: Honorable Mayor Joyce Downing and City Council Members

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

SUBJECT: **CR-108, Certification of Delinquent Municipal Charges;**
CR-109, Certification of Delinquent Nuisance Abatement Charges; and
CR-110, 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 60 delinquent charges (23 administrative citation liens; 22 nuisance abatement liens; and 15 utility liens) are proposed to be certified. Properties may have multiple administrative citation and nuisance abatement liens. A notice was sent to every property owner regarding the City's intent to certify the delinquent amounts. The property owners were given a deadline of September 30, 2014 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, 2014. If the attached resolutions are approved and the special assessments are paid in 2015, \$29,442.11 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 amounts due will not be collected as special assessments by the County Treasurer. The liens that have been filed against the properties to secure the charges will remain in place until the amounts due have been paid by the property owner.

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-108
Series of 2014

Series of 2014

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 _____ 2014.

JOYCE DOWNING
Mayor

ATTEST:

JOHANNA SMALL, CMC
City Clerk

APPROVED AS TO FORM:

COREY Y. HOFFMANN
City Attorney

EXHIBIT A

2014 Lien Certification Properties Municipal Charges

Owner of Record: Gregory M. Rose
Street Address: 1441 W. 100th Avenue
Legal Description: Lot 23, Block 25, Heftler Homes Hillcrest 2nd Filing
Parcel No.: 0171916118004
Acct. No.: R0042914
Amount: \$216.70

Owner of Record: Chris R. Caldwell
Street Address: 1421 E. 105th Place
Legal Description: Lot 22, Block 33, Northglenn 13th Filing
Parcel No.: 0171911311007
Acct. No.: R0038634
Amount: \$1,915.10

Owner of Record: Linda L. Chandler
Street Address: 965 E. 108th Avenue
Legal Description: Lot 25, Block 20, Northglenn 11th Filing
Parcel No.: 0171911220025
Acct. No.: R0038284
Amount: \$216.70

Owner of Record: Travis Jackson and Cassie Jackson
Street Address: 11905 E. 119th Place
Legal Description: Lot 19, Block 73, Northglenn 23rd Filing
Parcel No.: 0171902103016
Acct. No.: R0027953
Amount: \$216.70

Owner of Record: Corona LLC
Street Address: 10677 Corona Street
Legal Description: Lot 20, Block 29, Northglenn 11th Filing
Parcel No.: 0171911306020
Acct. No.: R0038510
Amount: \$433.40

Owner of Record: Pierce Inc.
Street Address: 1225 Elmer Drive
Legal Description: Lot 1, Block 3, Northglenn 6th Filing
Parcel No.: 0171911204002
Acct. No.: R0037899
Amount: \$216.70

Owner of Record: Jose David Hernandez
Street Address: 10515 Franklin Way
Legal Description: Lot 12, Block 49, Northglenn 13th Filing
Parcel No.: 0171911407002
Acct. No.: R0038975
Amount: \$216.70

Owner of Record: Petya G. Georgieva and Christopher A. Ehrlich
Street Address: 10525 Franklin Way
Legal Description: Lot 11, Block 49, Northglenn 13th Filing
Parcel No.: 0171911407001
Acct. No.: R0038974
Amount: \$790.90

Owner of Record: Armida Corral Chavez
Street Address: 10867 Larson Drive
Legal Description: Lot 35, Block 18, Northglenn 9th Filing
Parcel No.: 0171911218016
Acct. No.: R0038191
Amount: \$216.70

Owner of Record: Mark Braun
Street Address: 11338 Larson Lane
Legal Description: Lot 2, Block 25, Northglenn 18th Filing
Parcel No.: 0171902321002
Acct. No.: R0029381
Amount: \$216.70

Owner of Record: Richard Tenze and Shannan R. Tenze
Street Address: 10743 Loren Lane
Legal Description: Lot 32, Block 31, Northglenn 11th Filing
Parcel No.: 0171911309030
Acct. No.: R0038604
Amount: \$790.90

Owner of Record: Bank of America
Street Address: 11847 Maiden Way
Legal Description: Lot 29, Block 69, Northglenn 23rd Filing
Parcel No.: 0171902107020
Acct. No.: R0028073
Amount: \$216.70

Owner of Record: The Margaret O. Yiannikis Revocable Living Trust
Street Address: 563 Melody Drive
Legal Description: Lot 32, Block 3, Northglenn 19th Filing
Parcel No.: 0171915310010
Acct. No.: R0042070
Amount: \$433.40

Owner of Record: Bryant Preston
Street Address: 2100 Phillips Drive
Legal Description: Lot 29, Block 79, Northglenn 23rd Filing
Parcel No.: 0171902118030
Acct. No.: R0028332
Amount: \$216.70

Owner of Record: Evelyn Gallegos Garcia
Street Address: 2121 Phillips Drive
Legal Description: Lot 12, Block 76, Northglenn 23rd Filing
Parcel No.: 0171902113013
Acct. No.: R0028210
Amount: \$216.70

Owner of Record: Lorne D. Normandin and Pamela S. Normandin
Street Address: 10557 Pompey Way
Legal Description: Lot 9, Block 2, Northglenn 24th Filing
Parcel No.: 0171909312020
Acct. No.: R0035669
Amount: \$216.70

Owner of Record: Gavino Mesa
Street Address: 10567 Washington Way
Legal Description: Lot 18, Block 5, Northglenn 1st Filing
Parcel No.: 0171910414019
Acct. No.: R0037521
Amount: \$216.70