


CITY CLERK'S OFFICE MEMORANDUM
#10-04

October 14, 2010

TO: Honorable Mayor Joyce Downing and City Council Members

FROM: Johanna Small, City Clerk 

SUBJECT: CR-133, Certification of Delinquent Municipal Charges;
CR-134, Certification of Delinquent Nuisance Abatement Charges; and
CR-135, 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 charges, 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 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. The property liens are released by the City upon full payment.

There are a total of 124 liens proposed to be certified. 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 1, 2010 to pay the charges due and avoid the 10% fee, which is added as part of the certification process.

BUDGET/TIME IMPLICATIONS:

The City is required to submit the lists of accounts to be certified to the County Treasurer by October 20, 2010. If the attached resolutions are approved and the special assessments are paid in 2011, an amount of \$73,093.36 could be remitted to the City from the County Treasurer in 2011 for the delinquent charges collected.

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 a person or title company pays the amounts due to clear the property's title in the 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-135
Series of 2010

Series of 2010

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 _____ 2010.

JOYCE DOWNING
Mayor

ATTEST:

JOHANNA SMALL, CMC
City Clerk

APPROVED AS TO FORM:

COREY Y. HOFFMANN
City Attorney

EXHIBIT A

2010 Lien Certification Properties Utility Accounts

Owner of Record: Janine L. Ziegler
Street Address: 1203 W. 100th Place
Legal Description: Lot 15, Block 24, Heftler Homes Hillcrest 2nd Filing
Parcel No.: 0171916115014
Acct. No.: R0042838
Amount: \$717.87

Owner of Record: Charlene A. Lyons
Street Address: 1348 W. 102nd Avenue
Legal Description: Lot 7, Block 22, Heftler Homes Hillcrest 2nd Filing
Parcel No.: 0171916111025
Acct. No.: R0042736
Amount: \$683.62

Owner of Record: Alvin M. Jiron
Street Address: 1681 E. 105th Place
Legal Description: Lot 34, Block 33, Northglenn 13th Filing
Parcel No.: 0171911406012
Acct. No.: R0038959
Amount: \$747.87

Owner of Record: Mile E. May Jr. LLC
Street Address: 197 E. 107th Avenue
Legal Description: Lot 3, Block 22, Northglenn 2nd Filing
Parcel No.: 0171910409009
Acct. No.: R0037415
Amount: \$1,011.27

Owner of Record: Sonia Urvina and Jaime Urvina
Street Address: 2889 E. 110th Drive
Legal Description: Lot 4, Block 1, Fox Run Filing No. 11
Parcel No.: 0171912211004
Acct. No.: R0120698
Amount: \$749.50

Owner of Record: Susan Kay Bergh
Street Address: 1376 E. 111th Place
Legal Description: Lot 27, Block 3, Northglenn 6th Filing
Parcel No.: 0171911204021
Acct. No.: R0037918
Amount: \$378.79

Owner of Record: Kenneth M. Chambers
Street Address: 3000 E. 112th Avenue #1
Legal Description: Lot 1, Homestead at Seven Stones Subd
Parcel No.: 0171912211024
Acct. No.: R0124959
Amount: \$601.67

Owner of Record: Marylynn Henke
Street Address: 3000 E. 112th Avenue #66
Legal Description: Lot 66, Homestead of Seven Stones Subd
Parcel No.: 0171912211128
Acct. No.: R0125066
Amount: \$650.05

Owner of Record: Richard J. Yanez
Street Address: 1846 E. 113th Place
Legal Description: Lot 2, Block 13, Northglenn 18th Filing
Parcel No.: 0171902419008
Acct. No.: R0029944
Amount: \$476.43

Owner of Record: David A. and Cara J. Nicoll
Street Address: 1781 E. 114th Place
Legal Description: Lot 59, Block 12, Northglenn 18th Filing
Parcel No.: 0171902408010
Acct. No.: R0029731
Amount: \$871.70

Owner of Record: Adrian Ayaquica and Tonie Arias
Street Address: 1948 E. 114th Avenue
Legal Description: Lot 1, Block 3, Northglenn 18th Filing
Parcel No.: 0171902413001
Acct. No.: R0029828
Amount: \$891.94

Owner of Record: Phillip J. Rendon and Alia J. Gonzales
Street Address: 1823 E. 115th Avenue
Legal Description: Lot 19, Block 15, Northglenn 18th Filing Resubd
Parcel No.: 0171902405019
Acct. No.: R0029680
Amount: \$911.68

Owner of Record: Randall R. Priest and Pamela S. Priest
Street Address: 1922 E. 116th Place
Legal Description: Lot 3, Block 81, Northglenn 23rd Filing
Parcel No.: 0171902120003
Acct. No.: R0028362
Amount: \$779.03

Owner of Record: Clarence Young
Street Address: 10707 Corona Street
Legal Description: Lot 22, Block 29, Northglenn 11th Filing
Parcel No.: 0171911306022
Acct. No.: R0038512
Amount: \$862.24

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: \$375.44

Owner of Record: JP Morgan Chase Bank National Association
Street Address: 11042 Gaylord Street
Legal Description: Lot 15, Block 3, Fox Run Filing No. 12
Parcel No.: 0171911113015
Acct. No.: R0118610
Amount: \$761.43

Owner of Record: Salvatore Conti
Street Address: 11956 High Street
Legal Description: Lot 15, Block 69, Northglenn 23rd Filing
Parcel No.: 0171902107001
Acct. No.: R0028054
Amount: \$730.35

Owner of Record: Christian M. Chartier and Robyn S. Chartier
Street Address: 11877 Lafayette Street
Legal Description: Lot 19, Block 58, Northglenn 22nd Filing
Parcel No.: 0171902204013
Acct. No.: R0028463
Amount: \$519.81

Owner of Record: J. Kelly Dause
Street Address: 11783 Logan Street
Legal Description: Lot 6, Block 6, Northglenn 27th Filing
Parcel No.: 0171903119016
Acct. No.: R0030536
Amount: \$735.49

Owner of Record: Daniel Joe Foster and Melissa D. Foster
Street Address: 663 Melody Drive
Legal Description: Lot 36, Block 3, Northglenn 19th Filing
Parcel No.: 0171915310006
Acct. No.: R0042066
Amount: \$862.91

Owner of Record: Richard F. Siminas II
Street Address: 841 Niver Avenue
Legal Description: Lot 13, Block 8, Victoria Heights West Amended
Parcel No.: 0171916407008
Acct. No.: R0044077
Amount: \$750.78

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: \$497.30

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: \$229.89

Owner of Record: Gaylord Gallegos
Street Address: 10449 Williams Street
Legal Description: Lot 10, Block 52, Northglenn 13th Filing
Parcel No.: 0171911410010
Acct. No.: R0039032
Amount: \$1,300.23