


CITY CLERK'S OFFICE MEMORANDUM
#12-05

October 8, 2012

TO: Honorable Mayor Joyce Downing and City Council Members

FROM: Johanna Small, City Clerk 

SUBJECT: **CR-101, Certification of Delinquent Municipal Charges;**
CR-102, Certification of Delinquent Nuisance Abatement Charges; and
CR-103, 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 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 1%, to the City on a monthly basis. The property liens are released by the City upon full payment.

A total of 77 accounts (31 administrative citation liens; 20 nuisance liens; and 26 utility liens) are 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 September 28, 2012 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 October 15, 2012. If the attached resolutions are approved and the special assessments are paid in 2013, \$43,711.64 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-101
Series of 2012

Series of 2012

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 9-11-12 of the Municipal Code of the City of Northglenn, Colorado.

DATED, at Northglenn, Colorado, this _____ day of _____ 2012.

JOYCE DOWNING
Mayor

ATTEST:

JOHANNA SMALL, CMC
City Clerk

APPROVED AS TO FORM:

COREY Y. HOFFMANN
City Attorney

EXHIBIT A

2012 Lien Certification Properties Municipal Charges

Owner of Record: Vicky Rondinelli and Frank J. Acerno
Street Address: 845 W. 101st Avenue
Legal Description: Lot 15, Block 12, Victoria Heights West Amended
Parcel No.: 0171916113015
Acct. No.: R0042782
Amount: \$216.70

Owner of Record: Anna M. Lucero
Street Address: 1049 W. 102nd Place
Legal Description: Lot 20, Block 15, Victoria Heights West
Parcel No.: 0171916107004
Acct. No.: R0042617
Amount: \$216.70

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: \$1,969.00

Owner of Record: Tiffany J. Ferraro and Richard A. Ferraro
Street Address: 463 E. 111th Place
Legal Description: Lot 1 DESC: EXC N 5 FT, Block 45, Northglenn 2nd Filing
Parcel No.: 0171910101002
Acct. No.: R0036170
Amount: \$1,969.00

Owner of Record: Gregory Walsh and Linda Walsh
Street Address: 602 W. 114th Way
Legal Description: Lot 6, Block 8, Huron Crossing
Parcel No.: 0171903007032
Acct. No.: R0030149
Amount: \$1,969.00

Owner of Record: Eric Mares and Jana Mares
Street Address: 11789 Acoma Street
Legal Description: Lot 2, Block 6, Huron Heights 1st Filing
Parcel No.: 0171903207013
Acct. No.: R0030829
Amount: \$1,969.00

Owner of Record: Edward Gonzales and Patricia A. Gonzales
Street Address: 11127 Claude Court
Legal Description: Lot 54, Block 3, Fox Run Filing No. 12
Parcel No.: 0171911113054
Acct. No.: R0118650
Amount: \$216.70

Owner of Record: Aaron W. Schneider
Street Address: 10308 Fox Court
Legal Description: Lot 27, Block 2, Northglenn 17th Filing
Parcel No.: 0171915203021
Acct. No.: R0041772
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: \$1,035.10

Owner of Record: Dzmitry Miazhevich
Street Address: 10724 Grant Drive
Legal Description: Lot 10, Block 12, Northglenn 2nd Filing
Parcel No.: 0171910405007
Acct. No.: R0037309
Amount: \$216.70

Owner of Record: Nikki E. Shufeldt and Robert L. Goeken and Taylor Timothy Creedon
Street Address: 11754 Grant Street
Legal Description: Lot 14, Block 6, Northglenn 27th Filing
Parcel No.: 0171903119007
Acct. No.: R0030527
Amount: \$216.70

Owner of Record: Ryan Prunk
Street Address: 10711 Larry Drive
Legal Description: Lot 22, Block 36, Northglenn 11th Filing
Parcel No.: 0171911302019
Acct. No.: R0038423
Amount: \$216.70

Owner of Record: Brian J. Atkins and Mary L. Atkins
Street Address: 10931 Larry Drive
Legal Description: Lot 46, Block 20, Northglenn 10th Filing
Parcel No.: 0171911220046
Acct. No.: R0038305
Amount: \$216.70

Owner of Record: Alberto Martinez Flores and Maria Gonzales DeMartinez
Street Address: 10491 Marion Street
Legal Description: Lot 13, Block 46, Northglenn 13th Filing
Parcel No.: 0171911320013
Acct. No.: R0038826
Amount: \$216.70

Owner of Record: Andrew R. Dechant
Street Address: 11029 Pearl Circle
Legal Description: Lot 25, Block 40, Northglenn 2nd Filing
Parcel No.: 0171910112020
Acct. No.: R0036495
Amount: 216.70

Owner of Record: Kristine S. Flores
Street Address: 821 Phillips Drive
Legal Description: Lot 28, Block 44, Northglenn 22nd Filing
Parcel No.: 0171902225028
Acct. No.: R0028938
Amount: \$216.70

Owner of Record: Janice Lovato
Street Address: 10520 Romblon Way
Legal Description: Lot 24, Block 3, Northglenn 24th Filing
Parcel No.: 0171909313007
Acct. No.: R0035678
Amount: \$216.70

Owner of Record: Devin B. and Noelle J. Eaman
Street Address: 10770 Rosalie Drive
Legal Description: Lot 3, Block 26, Northglenn 11th Filing
Parcel No.: 0171911402003
Acct. No.: R0038896
Amount: \$216.70

Owner of Record: Brian John
Street Address: 10595 Washington Way
Legal Description: Lot 26, Block 5, Northglenn 1st Filing
Parcel No.: 0171910414027
Acct. No.: R0037529
Amount: \$1,969.00