


**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**

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**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](mailto:jsmall@northglenn.org) or 303-450-8757 with any questions or comments.

SPONSORED BY: MAYOR DOWNING

COUNCILMAN'S RESOLUTION

RESOLUTION NO.

No. CR-103  
Series of 2012

\_\_\_\_\_  
Series of 2012

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 \_\_\_\_\_ 2012.

\_\_\_\_\_  
JOYCE DOWNING  
Mayor

ATTEST:

\_\_\_\_\_  
JOHANNA SMALL, CMC  
City Clerk

APPROVED AS TO FORM:

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COREY Y. HOFFMANN  
City Attorney

## EXHIBIT A

### 2012 Lien Certification Properties Utility Accounts

Owner of Record: Yoon Don Park and Insoon Park  
Street Address: 1144 W. 97<sup>th</sup> Avenue  
Legal Description: Lot 6, Block 1, Deza Estates 2<sup>nd</sup> Filing  
Parcel No.: 0171916414037  
Acct. No.: R0044235  
Amount: \$524.60

Owner of Record: Jerry S. Riedy  
Street Address: 1509 W. 102<sup>nd</sup> Avenue  
Legal Description: Lot 32, Block 21, Heftler Homes Hillcrest 2<sup>nd</sup> Filing  
Parcel No.: 0171916109002  
Acct. No.: R0042661  
Amount: \$569.91

Owner of Record: Bank of America NA  
Street Address: 129 E. 104<sup>th</sup> Place  
Legal Description: Lot 7, Block 9, Northglenn 1<sup>st</sup> Filing  
Parcel No.: 0171910416006  
Acct. No.: R0037576  
Amount: \$424.46

Owner of Record: David A. Minear and Deborah F. Minear  
Street Address: 381 E. 109<sup>th</sup> Place  
Legal Description: Lot 1, Block 29, Northglenn 2<sup>nd</sup> Filing  
Parcel No.: 0171910117020  
Acct. No.: R0036604  
Amount: \$488.25

Owner of Record: Tiffany J. Ferraro and Richard A. Ferraro  
Street Address: 463 E. 111<sup>th</sup> Place  
Legal Description: Lot 1 DESC: EXC N 5 FT, Block 45, Northglenn 2<sup>nd</sup> Filing  
Parcel No.: 0171910101002  
Acct. No.: R0036170  
Amount: \$1,092.31

Owner of Record: Susan Kay Bergh  
Street Address: 1376 E. 111<sup>th</sup> Place  
Legal Description: Lot 27, Block 3, Northglenn 6<sup>th</sup> Filing  
Parcel No.: 0171911204021  
Acct. No.: R0037918  
Amount: \$434.47

Owner of Record: Robert Swope and Joyce E. Swope  
Street Address: 10975 Alvin Drive  
Legal Description: Lot 18, Block 16, Northglenn 9<sup>th</sup> Filing  
Parcel No.: 0171911216012  
Acct. No.: R0038129  
Amount: \$773.55

Owner of Record: Daniel Rodriguez III  
Street Address: 11768 Delaware Court  
Legal Description: Lot 11, Block 6, Huron Heights 1<sup>st</sup> Filing  
Parcel No.: 0171903207004  
Acct. No.: R0030820  
Amount: \$496.28

Owner of Record: Jose Gonzalez Tello and Elizabeth Y. Gonzalez  
Street Address: 11380 Downing Drive  
Legal Description: Lot 17, Block 27, Northglenn 18<sup>th</sup> Filing  
Parcel No.: 0171902317004  
Acct. No.: R0029249  
Amount: \$1,041.37

Owner of Record: Diana Patricia Montgomery  
Street Address: 11736 Elati Court  
Legal Description: Lot 8, Block 5, Huron Heights 1<sup>st</sup> Filing  
Parcel No.: 0171903206007  
Acct. No.: R0030809  
Amount: \$853.02

Owner of Record: Wayne C. Harvey  
Street Address: 11050 Emerson Street  
Legal Description: Lot 2, Block 10, Northglenn 6<sup>th</sup> Filing  
Parcel No.: 0171911208006  
Acct. No.: R0037984  
Amount: \$399.55

Owner of Record: Frances Escalante and Samuel G. Escalante  
Street Address: 11357 Fowler Drive  
Legal Description: Lot 23, Block 19, Northglenn 18<sup>th</sup> Filing  
Parcel No.: 0171902417023  
Acct. No.: R0029928  
Amount: \$1,172.80

Owner of Record: Edward J. De Herrera  
Street Address: 11465 Fowler Drive  
Legal Description: Lot 17, Block 39, Northglenn 21<sup>st</sup> Filing  
Parcel No.: 0171902304013  
Acct. No.: R0029006  
Amount: \$1,955.90

Owner of Record: Lionel O. Wyatt Trust C/O Jon Wyatt  
Street Address: 11485 Fowler Drive  
Legal Description: Lot 19, Block 39, Northglenn 21<sup>st</sup> Filing  
Parcel No.: 0171902304015  
Acct. No.: R0029008  
Amount: \$456.05

Owner of Record: Jose M. and Melody A. Rosales  
Street Address: 11546 Fowler Drive  
Legal Description: Lot 8, Block 40, Northglenn 21<sup>st</sup> Filing  
Parcel No.: 0171902303002  
Acct. No.: R0028977  
Amount: \$1,616.52

Owner of Record: Weston J. Utsler  
Street Address: 11093 Gaylord Street  
Legal Description: Lot 32, Block 2, Fox Run Filing No. 12  
Parcel No.: 0171911112032  
Acct. No.: R0118533  
Amount: \$870.74

Owner of Record: Federal Home Loan Mortgage Corporation  
Street Address: 11886 High Street  
Legal Description: Lot 9, Block 69, Northglenn 23<sup>rd</sup> Filing  
Parcel No.: 0171902107007  
Acct. No.: R0028060  
Amount: \$1,212.35

Owner of Record: Tina Bonogofsky  
Street Address: 11331 Lafayette Street  
Legal Description: Lot 19, Block 24, Northglenn 18<sup>th</sup> Filing  
Parcel No.: 0171902320019  
Acct. No.: R0029378  
Amount: \$820.40

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: \$421.10

Owner of Record: Anthony M. Guzman and Laura Guzman  
Street Address: 10502 Marion Way  
Legal Description: Lot 3, Block 46, Northglenn 13<sup>th</sup> Filing  
Parcel No.: 0171911320003  
Acct. No.: R0038816  
Amount: \$312.31

Owner of Record: Daniel Joe Foster and Melissa D. Foster  
Street Address: 663 Melody Drive  
Legal Description: Lot 36, Block 3, Northglenn 19<sup>th</sup> Filing  
Parcel No.: 0171915310006  
Acct. No.: R0042066  
Amount: \$525.58

Owner of Record: Jared L. Bender  
Street Address: 908 Ogden Circle  
Legal Description: Lot 16, Block 9, Northglenn 9<sup>th</sup> Filing  
Parcel No.: 0171911216021  
Acct. No.: R0038138  
Amount: \$527.30

Owner of Record: Francis P. Slumski  
Street Address: 11713 Quam Drive  
Legal Description: Lot 22, Block 49, Northglenn 22<sup>nd</sup> Filing  
Parcel No.: 0171902212022  
Acct. No.: R0028635  
Amount: \$364.56

Owner of Record: Everett Lloyd Tellez Jr.  
Street Address: 11894 Quam Drive  
Legal Description: Lot 6, Block 54, Northglenn 22<sup>nd</sup> Filing  
Parcel No.: 0171902206008  
Acct. No.: R0028510  
Amount: \$1,078.75

Owner of Record: Daryl Johnson and Christine Johnson  
Street Address: 2143 Truda Drive  
Legal Description: Lot 8, Block 75, Northglenn 23<sup>rd</sup> Filing  
Parcel No.: 0171902112012  
Acct. No.: R0028173  
Amount: \$1,452.47

Owner of Record: Brian John  
Street Address: 10595 Washington Way  
Legal Description: Lot 26, Block 5, Northglenn 1<sup>st</sup> Filing  
Parcel No.: 0171910414027  
Acct. No.: R0037529  
Amount: \$1,176.23