


CITY CLERK'S OFFICE MEMORANDUM
#11-06

October 13, 2011

TO: Honorable Mayor Joyce Downing and City Council Members

FROM: Johanna Small, City Clerk 

SUBJECT: CR-93, Certification of Delinquent Municipal Charges;
CR-94, Certification of Delinquent Nuisance Abatement Charges; and
CR-95, 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.

A total of 77 liens (26 administrative citation liens; 21 nuisance liens; and 30 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 October 3, 2011 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 28, 2011. If the attached resolutions are approved and the special assessments are paid in 2012, an amount of \$51,155.57 could be remitted to the City from the County Treasurer in 2012 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 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 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-93
Series of 2011

Series of 2011

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 _____ 2011.

JOYCE DOWNING
Mayor

ATTEST:

JOHANNA SMALL, CMC
City Clerk

APPROVED AS TO FORM:

COREY Y. HOFFMANN
City Attorney

EXHIBIT A

**2011 Lien Certification Properties
Municipal Charges**

Owner of Record: David A. Minear and Deborah F. Minear
Street Address: 381 E. 109th Place
Legal Description: Lot 1, Block 29, Northglenn 2nd Filing
Parcel No.: 0171910117020
Acct. No.: R0036604
Amount: \$216.70

Owner of Record: Eric Archuleta and John Lopez
Street Address: 469 E. 109th Avenue
Legal Description: Lot 6, Block 17, Northglenn 2nd Filing
Parcel No.: 0171910120007
Acct. No.: R0036683
Amount: \$818.40

Owner of Record: Eric A. Curran
Street Address: 2648 E. 109th Court
Legal Description: Lot 11, Block 2, Fox Run Filing No. 10A
Parcel No.: 0171912207045
Acct. No.: R0120670
Amount: \$818.40

Owner of Record: Tiffany J. Ferraro and Richard A. Ferraro
Street Address: 463 E. 111th Place
Legal Description: Lot 1, DESC: EXC N 5FT, Block 45, Northglenn 2nd Filing
Parcel No.: 0171910101002
Acct. No.: R0036170
Amount: \$216.70

Owner of Record: Patrick Vansciver and Susan Sayre Vansciver
Street Address: 1226 E. 111th Place
Legal Description: Lot 34, Block 3, Northglenn 6th Filing
Parcel No.: 0171911204001
Acct. No.: R0037898
Amount: \$216.70

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: \$1,752.30

Owner of Record: Jack A. Carroll Jr.
Street Address: 10432 Brewer Drive
Legal Description: Lot 12, Block 6, Northglenn 12th Filing
Parcel No.: 0171909417012
Acct. No.: R0036112
Amount: \$590.70

Owner of Record: Sandra Jane Dube
Street Address: 10512 Carlile Street
Legal Description: Lot 10, Block 41, Northglenn 13th Filing
Parcel No.: 0171911315003
Acct. No.: R0038711
Amount: \$216.70

Owner of Record: Monty Talkington and Joshua Talkington
Street Address: 11112 Clayton Street
Legal Description: Lot 8, Block 3, Fox Run Filing No. 8
Parcel No.: 0171912011008
Acct. No.: R0114501
Amount: \$818.40

Owner of Record: Francisco J. Rodriguez
Street Address: 10432 Franklin Street
Legal Description: Lot 2, Block 51, Northglenn 13th Filing
Parcel No.: 0171911409009
Acct. No.: R0039009
Amount: \$1,752.30

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: Nancy S. Ward
Street Address: 11681 Logan Street
Legal Description: DESC: N 36/33 FT BLK 8, Northglenn 25th Filing
Parcel No.: 0171903104046
Acct. No.: R0030314
Amount: \$216.70

Owner of Record: Mike Reust
Street Address: 10500 Marion Street
Legal Description: Lot 8, Block 47, Northglenn 13th Filing
Parcel No.: 0171911321003
Acct. No.: R0038832
Amount: \$818.40

Owner of Record: Frank E. Maestas and Brenda I. Maestas
Street Address: 123 Northglenn Drive
Legal Description: Lot 9, Block 25, Northglenn 2nd Filing
Parcel No.: 0171910124011
Acct. No.: R0036765
Amount: \$216.70

Owner of Record: Joey R. Giron
Street Address: 10902 Northglenn Drive
Legal Description: Lot 16, Block 25, Northglenn 2nd Filing
Parcel No.: 0171910124004
Acct. No.: R0036758
Amount: \$216.70

Owner of Record: Brenda J. Morgan
Street Address: 10539 Ogden Street
Legal Description: Lot 18, Block 42, Northglenn 13th Filing
Parcel No.: 0171911316018
Acct. No.: R0038751
Amount: \$161.70

Owner of Record: JP Morgan Chase Bank NA
Street Address: 11018 Ogden Street
Legal Description: Lot 1, Block 9, Northglenn 6th Filing
Parcel No.: 0171911207009
Acct. No.: R0037969
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: Brian John
Street Address: 10595 Washington Way
Legal Description: Lot 26, Block 5, Northglenn 1st Filing
Parcel No.: 0171910414027
Acct. No.: R0037529
Amount: \$818.40