


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

SPONSORED BY: MAYOR DOWNING

COUNCILMAN'S RESOLUTION

RESOLUTION NO.

No. CR-94  
Series of 2011

\_\_\_\_\_  
Series of 2011

A RESOLUTION CERTIFYING DELINQUENT NUISANCE ABATEMENT 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 9-11-12 of the Municipal Code specifically authorizes the City of Northglenn to certify unpaid nuisance charges to the Adams County Treasurer for collection, providing as follows:

Section 9-11-12. Recovery of Expense of Abatement. Upon the expiration of the period of notice provided in Section 9-11-7 or at any time thereafter, if the nuisance has not been abated on the property described in such notice, the City of Northglenn may enter upon such property and abate the nuisance pursuant to the provisions of this ordinance, and actual costs thereof, including five (5) percent for inspection, a minimum fee assessment of twenty-five (\$25.00) dollars and other incidental costs in connection therewith, shall be assessed upon the lot or lots or tracts of land in the City of Northglenn upon which such nuisance is abated. 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 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 nuisance abatement 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  
Nuisance Abatements**

Owner of Record: Motospa of Northglenn LLLP  
Street Address: N/A  
Legal Description: Lot 3, Bunker Hill Village Subdivision Filing No. 3  
Parcel No.: 0157335404006  
Acct. No.: R0173571  
Amount: \$967.60

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: \$414.65

~~Owner of Record: William P. Matthews and Barbara A. Matthews~~ *Payment has been received;*  
~~Street Address: 1310 W. 102<sup>nd</sup> Place~~ *lien will be released*  
~~Legal Description: Lot 10, Block 21, Heftler Homes Hillcrest 2<sup>nd</sup> Filing~~  
~~Parcel No.: 0171916109024~~  
~~Acct. No.: R0042683~~  
~~Amount: \$216.57~~

~~Owner of Record: Adrian Ayaquica and Tonie Arias~~ *Payment has been received;*  
~~Street Address: 1948 E. 114<sup>th</sup> Avenue~~ *lien will be released*  
~~Legal Description: Lot 1, Block 3, Northglenn 18<sup>th</sup> Filing~~  
~~Parcel No.: 0171902413001~~  
~~Acct. No.: R0029828~~  
~~Amount: \$422.73~~

Owner of Record: Phillip J. Rendon and Alia J. Gonzales  
Street Address: 1823 E. 115<sup>th</sup> Avenue  
Legal Description: Lot 19, Block 15, Northglenn 18<sup>th</sup> Filing Resubd  
Parcel No.: 0171902405019  
Acct. No.: R0029680  
Amount: \$330.33

Owner of Record: Jessica Holveck  
Street Address: 1961 E. 119<sup>th</sup> Place  
Legal Description: Lot 9, Block 62, Northglenn 23<sup>rd</sup> Filing  
Parcel No.: 0171902101010  
Acct. No.: R0027880  
Amount: \$310.55

Owner of Record: Pedro M. Escamilla and Christopher L. Francis  
Street Address: 10473 Brewer Drive  
Legal Description: Lot 4, Block 7, Northglenn 12<sup>th</sup> Filing  
Parcel No.: 0171909418014  
Acct. No.: R0036137  
Amount: \$498.96

Owner of Record: Mikhail Ponomarev  
Street Address: 11977 Claude Court  
Legal Description: Lot 34, Block 62, Northglenn 23<sup>rd</sup> Filing  
Parcel No.: 0171902101035  
Acct. No.: R0027905  
Amount: \$1,328.82

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: \$1,280.90

Owner of Record: Rosalie Montoya  
Street Address: 11226 Downing Drive  
Legal Description: Lot 40, Block 27, Northglenn 18<sup>th</sup> Filing  
Parcel No.: 0171902317027  
Acct. No.: R0029272  
Amount: \$1,247.55

Owner of Record: CSB 11255 Grant Drive DPC Holdings LLC  
Street Address: 11255 Grant Drive  
Legal Description: DESC: TRACT 2, Bee Hive Homes Subdivision  
Parcel No.: 0171903417026  
Acct. No.: R0116158  
Amount: \$414.65

Owner of Record: CSB 11275 Grant Drive DPC Holdings LLC  
Street Address: 11275 Grant Drive  
Legal Description: DESC: TRACT 1, Bee Hive Homes Subdivision  
Parcel No.: 0171903417025  
Acct. No.: R0116157  
Amount: \$414.65

Owner of Record: John P. Magnuson and Michele Hunt  
Street Address: 10440 Inca Street  
Legal Description: Lot 4, Block 1, Northglenn 4<sup>th</sup> Filing  
Parcel No.: 0171909411005  
Acct. No.: R0035960  
Amount: \$292.22

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: \$379.42

Owner of Record: Tramor Enterprise LLC  
Street Address: 11426 Pearl Street  
Legal Description: Lot 3, Block 2, Webster Lake Third Minor Subd of BLK 2  
Parcel No.: 0171903412011  
Acct. No.: R0031077  
Amount: \$247.46

Owner of Record: Patrick Maguffin and Roxanne D. Maguffin  
Street Address: 1481 Phillips Drive  
Legal Description: Lot 21, Block 43, Northglenn 22<sup>nd</sup> Filing  
Parcel No.: 0171902216016  
Acct. No.: R0028726  
Amount: \$418.25