



CITY CLERK'S OFFICE MEMORANDUM
#16-03

October 24, 2016

TO: Honorable Mayor Joyce Downing and City Council Members

FROM: James A. Hayes, AICP, City Manager 
Johanna Small, City Clerk 

SUBJECT: **CR-112 – Certification of Delinquent Municipal Charges;**
CR-113 – Certification of Delinquent Nuisance Abatement Charges; and
CR-114 – 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 that allow for 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 in addition to the property taxes. The County then remits payment, less their fee of 1.5%, to the City on a monthly basis. The property liens are released by the City upon receipt of full payment.

A total of 31 delinquent charges (12 administrative citation liens; 14 nuisance abatement liens; and 5 utility liens) are proposed to be certified. Properties may have multiple administrative citation and nuisance abatement liens. A notice was sent to every property owner regarding the City's intent to certify the delinquent amounts due. The property owners were given a deadline of October 14, 2016 to pay the charges 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 November 30, 2016. If the attached resolutions are approved and the special assessments are paid in 2017, \$16,116.73 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 amounts due will not be collected as special assessments by the County Treasurer. The liens that have been filed against the properties to secure the charges will remain in place until the amounts due have been paid by the property owner.

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-112
Series of 2016

Series of 2016

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 5-14-1 of the Municipal Code of the City of Northglenn, Colorado.

DATED, at Northglenn, Colorado, this _____ day of _____ 2016.

JOYCE DOWNING
Mayor

ATTEST:

JOHANNA SMALL, CMC
City Clerk

APPROVED AS TO FORM:

COREY Y. HOFFMANN
City Attorney

**2016 Lien Certification Properties
Municipal Charges**

Owner of Record: Alexandra Hein
Street Address: 940 W. 100th Avenue
Legal Description: Lot 5, Block 8, Victoria Heights West Amended
Parcel No.: 0171916407013
Acct. No.: R0044082
Amount: \$216.70

Owner of Record: Jordache Loeschke & Ndate Loeschke
Street Address: 261 E. 109th Place
Legal Description: Lot 8, Block 29, Northglenn 2nd Filing
Parcel No.: 0171910117013
Acct. No.: R0036597
Amount: \$216.70

Owner of Record: Lindberg and Occhaito LLC
Street Address: 11904 E. 119th Place
Legal Description: Lot 28, Block 62, Northglenn 23rd Filing
Parcel No.: 0171902101029
Acct. No.: R0027899
Amount: \$790.90

Owner of Record: Cambridge Development Corp
Street Address: 9960 Croke Drive
Legal Description: Lot 1, Block 7, Victoria Heights West Amended
Parcel No.: 0171916408001
Acct. No.: R0044083
Amount: \$216.70

Owner of Record: Joseph A. Geldel
Street Address: 11640 Grant Street
Legal Description: DESC: S 31/15 FT IF N 339/75 FT, Block 9, Northglenn 25th Filing
Parcel No.: 0171903104016
Acct. No.: R0030284
Amount: \$216.70

Owner of Record: Larry T. Campbell
Street Address: 11840 Irma Drive
Legal Description: Lot 16, Block 64, Northglenn 23rd Filing
Parcel No.: 0171902110003
Acct. No.: R0028134
Amount: \$216.70

Owner of Record: Sam Thrall
Street Address: 10820 Mildred Drive
Legal Description: Lot 21, Block 20, Northglenn 10th Filing
Parcel No.: 0171911220021
Acct. No.: R0038280
Amount: \$1,917.20

Owner of Record: Patrick D. Moran
Street Address: 11640 Pearl Street
Legal Description: DESC: S 30/98 FT OF N 339/27 FT, Block 1, Northglenn 25th Filing
Parcel No.: 0171903101015
Acct. No.: R0030194
Amount: \$216.70

Owner of Record: Thomas M. Fallon & Patricia A. Fallon
Street Address: 264 Teal Street
Legal Description: Lot 25, Block 26, Northglenn 2nd Filing
Parcel No.: 0171910123019
Acct. No.: R0036745
Amount: \$574.20