

**RESOLUTION NO. 21-05**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF MORAGA-ORINDA FIRE DISTRICT CONFIRMING AND ADOPTING THE REPORTED COSTS INCURRED BY THE MORAGA-ORINDA FIRE DISTRICT (“DISTRICT”) IN ABATING PUBLIC NUISANCES ON CERTAIN PROPERTY WITHIN THE DISTRICT PURSUANT TO HEALTH AND SAFETY CODE SECTION 14912.**

**WHEREAS**, the Moraga-Orinda Fire District (“District”) previously identified public nuisances, which exist on certain parcels of land described in the District’s “Abatement Report on Abatement Costs incurred by the Moraga-Orinda Fire District on or after June 15, 2020,” (“the Abatement Report”) attached is Exhibit “A” and incorporated herein by reference; and,

**WHEREAS**, after giving all forms of notice required by law and conducting a hearing regarding the removal of the nuisances, the Board of Directors of the District (“Board”), acquired jurisdiction to proceed with the removal of such nuisances from the property identified in Exhibit “A”; and,

**WHEREAS**, the **DISTRICT** subsequently abated the nuisances in the manner authorized by law on or after June 15, 2020; and,

**WHEREAS**, the District has duly noticed and agendized a hearing to be held on March 17, 2021, at 7:00 pm., or as soon thereafter as may be heard, at which the Board shall receive and consider the report of costs incurred by the District for abating the nuisances as set forth in the Abatement Report and shall hear any objections or protests of the property owners to be assessed for the costs of the abatement performed by the District; and,

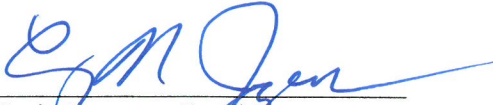
**NOW THEREFORE BE IT RESOLVED**, by the Board of Directors of the Moraga-Orinda Fire District that:

1. The Board hereby orders the Abatement Report to be confirmed and further orders that the abatement costs identified therein shall constitute special assessments against the respective parcels of land identified in the Abatement Report and shall be a lien on such parcels for the amounts of the respective assessments.
2. The District Clerk is hereby directed to record a certified copy of this Resolution with the County Recorder pursuant to Health and Safety Code section 14912, less any payment made prior to this date required for submission to the county Recorder.


**PASSED, APPROVED and ADOPTED** this 17<sup>th</sup> day of March 2021 at a regular meeting of the District Board of Directors held virtually due to the COVID-19 pandemic, on motion made by Director Danziger and seconded by Director Jorgens, and duly carried with the following roll call vote.

<b>AYES:</b>	<b>DIRECTORS DANZIGER AND JORGENS</b>
<b>NOES:</b>	<b>DIRECTOR BAITX</b>
<b>ABSENT:</b>	<b>DIRECTOR DONNER</b>
<b>ABSTAIN:</b>	<b>NONE</b>
<b>RECUSAL:</b>	<b>DIRECTOR JEX</b>

Resolution 21-05  
Dated: March 17, 2021

  
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Craig Jorgens, President  
Board of Directors

**ATTEST:**

  
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Marcia Holbrook  
District Secretary/District Clerk

**EXHIBIT A - Amended**

**Weed Abatement Report – UPDATED 3/12/2021**

<u>Case #</u>	<u>Assessor Parcel #</u>	<u>Owner</u>	<u>Mitigation Cost</u>	<u>MOFD Admin Fee</u>	<u>Amount of Lien</u>
20-0536	270-460-005	JANDALI NASSER 46 CEDAR TER, ORINDA CA	\$9,740.00	<del>\$4,870.00</del> \$3,000.00	<del>\$14,610.00</del> \$12,740.00