

ORDINANCE NO. _____

**AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF
TEHAMA TO AMEND THE PROCESS IN ORDINANCE 1883 FOR ADJUSTING THE
PARCEL CHARGES FOR INFLATION FOR PERMANENT ROAD DIVISION 0602
(BYWOOD DRIVE).**

The Board of Supervisors of Tehama County ordains as follows:

Section 1. Purpose and Authority

Pursuant to Article XIID of the California Constitution and Government Code section 53750 et seq, and Streets and Highways Code Section 1179.5, the County of Tehama (the "County") may fix and collect parcel charges within a permanent road division to pay for the costs of road improvement and maintenance services.

Section 2. Findings and Declarations

- A. The County Board of Supervisors (the "Board") did fix a parcel charge for the Bywood Drive Road Division through Resolution No. 35-2007 on March 20, 2007.
- B. Included in the Engineers report accepted and relied on by the Board to set the parcel charge, was a clearly identified formula based to adjust the amount of the parcel charge for inflation based on the Engineering News Record 20 City Construction Cost Index for the preceding year.
- C. Also on March 20, 2007, the Board adopted Ordinance No. 1883 which provided a method of bringing the calculation for the inflation adjustment to the parcel charge inflation before the Board for approval so that it can be added to the tax roll.
- D. Ordinance No. 1883 specifies that the Road Commissioner is responsible for filing the report with the Clerk of the Board.
- E. In the past, the Director of Public Works has also been appointed as the Road Commissioner.
- F. In February of 2025, the Director of Public Works/Road Commissioner for the County resigned.
- G. Although the County appointed the County Surveyor, William Pike, as Interim Director of Public Works, no new Road Commissioner has been appointed.
- H. The Board finds that the intent of Ordinance No. 1883 was to identify a County executive employee responsible for bringing the annual report in which the inflation adjustments to the parcel charges are provided so the Board could have the Auditor add them to the tax roll.
- I. The Board also finds that there is no technical reason that the person calculating the report should have qualifications required of the Road Commissioner.

SECTION 3. AMENDMENT TO ORDINANCE NO. 1883

Section 3. Subdivision (a) of Ordinance No. 1883 is hereby amended to read:

Once a year, in May or as soon as possible thereafter, the Director of Public Works, shall prepare or cause to be prepared by staff or hired consultant, a written report containing a description of each parcel of real property within Tehama County Permanent Road Division 0602 (Bywood Drive) receiving road maintenance services and the amount of parcel charge for each parcel for such year computed in conformity with the procedure set forth in this Ordinance. Such report shall be filed with the Clerk of the Board of Supervisors.

Section 6. Environmental Determination

This ordinance is not a project subject to review pursuant to CEQA because the amendment will not cause a direct physical change on the environment nor is it reasonably foreseeable that it will cause an indirect physical change.

Section 7. Severability

If any provision, clause, sentence, or paragraph of this ordinance, or any application thereof to any person or circumstance, is held to be unconstitutional or otherwise invalid for any reason, such invalidity shall not affect the validity of the remainder of this ordinance which can be given effect without the invalid provision, clause, sentence, paragraph, or application. To this end, the provisions, clauses, sentences, and paragraphs of this ordinance are hereby declared to be severable. The Board of Supervisors hereby declare that they would have passed this ordinance, and each provision, clause, sentence, or paragraph thereof, irrespective of the fact that one or more provision, clause, sentence, or paragraph be declared invalid or unconstitutional.

Section 8. Effective Date and Term

This Ordinance shall take effect 30 days after its passage and shall continue to be effective until amended or repealed by a subsequent ordinance.

Section 9. Publication

The Clerk of the Board of Supervisors is authorized and directed to publish this Ordinance in accordance with Government Code Section 25124. A complete copy of this Ordinance is on file with the Clerk of the Board of Supervisors and is available for public inspection and copying during regular business hours in the office of the Clerk of the Board of Supervisors, 633 Washington Street, Red Bluff, California, and on the County's website at www.tehama.gov.

PASSED AND ADOPTED by the Board of Supervisors of the County of Tehama, State of California, on the _____ day of _____, 2025, by the following vote:

AYES:

NOES:

ABSENT or NOT VOTING:

Matt Hansen, Chair
Tehama County Board of Supervisors

I, SEAN HOUGHTBY, County Clerk and ex-officio Clerk of the Board of Supervisors of the County of Tehama, State of California, hereby certify the above and forgoing to be a full, true and correct copy of an ordinance adopted by the Board of Supervisors on the _____ day of _____, 2025.

Dated: This _____ day of _____ 2025.

SEAN HOUGHTBY, County Clerk and
ex-officio Clerk of the Board of
Supervisors of the County of
Tehama, State of California.

By: _____
Deputy

Deputy Clerk