SUTTER COUNTY BOARD OF SUPERVISORS
Board Agenda Staff Report

To: Honorable Board of Supervisors
From: Neal Hay, Director of Development Services
Department: Development Services
Subject: Approval of the acquisition of Butte County’s portion of Luckehe Road Right-of-Way and improvements for Sutter County to maintain the entire width

Recommendation

It is recommended that the Board of Supervisors approves the acquisition/transfer of Butte County’s portion of Luckehe Road right-of-way and improvements for Sutter County to maintain the entire width.

Background

Luckehe Road straddles the Butte County Line for two miles from Township Road west. The easterly portion is improved with asphalt. It also has a recent bridge replacement done by Butte County. However, the westerly portion only has a graveled surface, which creates dust for the Sutter County residents using Luckehe Road as a primary access. There are no Butte County residents which use Luckehe Road as a primary route. The Streets and Highways Code has a provision where one county can own the right-of-way in the adjacent county. Section 1626 states:

“Power hereby is granted to the board of supervisors of any county, to construct, maintain, improve and repair any county highway which in whole or in part forms the boundary line between said county and another county in this State or any other state, or which in its meanderings crosses and recrosses such boundary line; and to acquire by purchase or condemnation any lands or rights-of-way within this State, necessary for such boundary highway; and to enter into joint contracts with authorities of adjoining counties within or without the State, for the construction, maintenance, improvement and repair of such highways. Any such highway shall be considered a county highway and expenditures may be made thereon from funds received by the county from the Highway Users Tax Fund to the extent provided by law for county highways.”

Discussion

By making Luckehe Road the entire responsibility of Sutter County, any future questions about its maintenance and who is responsible will clearly be answered. Therefore, it is recommended that Butte County’s interest in Luckehe Road right-of-way and improvements be transferred to Sutter County by a quitclaim deed.
Prior Board Action

No known past Board actions exists.

Board Alternatives

After considering various alternatives, the recommended action best serves the needs and interests of the County.

Other Department and/or Agency Involvement

Butte County is expected to quitclaim its interest in Luckehe Road to Sutter County.

Action Following Approval

Acquire the northerly portion of the Luckehe Road right-of-way by Quitclaim deed from Butte County.

Fiscal Impact

There is no impact to the General Fund. The cost to process and record the Deeds will be minimal and is included in the Adopted FY 2018-19 Budget (1-920) Engineering Services. The road fund will be used for ongoing maintenance

Countywide Goals & Top Priorities Compliance

Approving the acquisition of Butte County’s portion of Luckehe Road right-of-way and improvements addresses the following:

- Goal E: Provide and enhance public infrastructure, including essential water, wastewater, other utilities, transportation systems (including “Farm to Market” roads), and achieve best possible flood protection for the entire County region, including upgrading necessary levees to obtain reasonable flood insurance coverage for all residents, businesses, and property owners.

Standing Committee Review

This item was reviewed by the Public Works Committee on March 14, 2019 and recommended for placement as an appearance item.

Respectfully Submitted,

s/ Neal Hay
Director of Development Services

Attachments:
1. Draft Quitclaim Deed