

**CITY OF TEMECULA  
AGENDA REPORT**

**TO:** City Manager/City Council

**FROM:** Randi Johl, Director of Legislative Affairs/City Clerk

**DATE:** February 27, 2024

**SUBJECT:** Consider the Creation of an Ad Hoc Subcommittee to Discuss Issues Related to the Acceptance of Streets into the City-Maintained Street System for Street Maintenance by the City (At the Request of Mayor Pro Tempore Kalfus)

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**PREPARED BY:** Randi Johl, Director of Legislative Affairs/City Clerk

**RECOMMENDATION:** That the City Council:

1. Consider the creation of an ad hoc subcommittee to discuss issues related to the acceptance of streets into the city-maintained street system for street maintenance by the City and City policies and standards relating to the acceptance of streets.
2. If the subcommittee is created, appoint two Council Members to the subcommittee.
3. If the subcommittee is created, authorize City staff to provide the necessary document production and research necessary for the subcommittee's consideration of the issues.

**BACKGROUND:** On February 13, 2024, the City Council voted to place the creation of an ad hoc subcommittee to discuss issues related to the acceptance of streets into the city-maintained street system for street maintenance by the City at the request of Mayor Pro Tempore Kalfus.

Pursuant to Government Code Section 830, "public property" means real or personal property owned or controlled by the public entity. It does not include easements, encroachments and other property that is located on the property of a public entity that is not owned or controlled by the public entity. Public property is financially supported and maintained by public taxpayer dollars.

Pursuant to Streets and Highways Code Section 1806, streets may become public and included in the street system if they are formally accepted pursuant to the process set forth in the law. Specially Section 1806(b) and (c) state as follow:

“(b) Except as provided by Section 989, or by Section 57329 or 57385 of the Government Code, no public or private street or road shall become a city street or

road until the governing body, by resolution, has caused the street or road to be accepted into the city street system.

(c) In lieu of the procedure set forth in subdivision (b), the governing body of a city may, by ordinance, designate a city officer to accept, on behalf of the governing body, streets and roads or portions thereof, into the city street system and to record conveyances to the city of real property interests for street and road uses and purposes. The designee shall, prior to recording any conveyance under this section, affix a certificate to the instrument stating the acceptance into the city street system and designating the name or number, or both, of the city street or road.”

From time to time, the City receives inquiries from community members requesting consideration for their street to be publicly maintained and incorporated into the City’s street system. Generally, a public purpose is identified to consider such a request given the funding mechanism connected to such maintenance and incorporation.

The subject of public property and public streets is broad. As such, it is recommended that if the Council wishes to establish an ad hoc subcommittee, it also provide tailored direction to the subcommittee on its purview within the broader subject. This will also require staff to research and analyze the specific issues that are being considered for policy consideration and implementation.

**FISCAL IMPACT:** Staff time.

**ATTACHMENTS:** None