

**CITY OF TEMECULA
AGENDA REPORT**

TO: City Manager/City Council

FROM: Patrick Thomas, Director of Public Works

DATE: May 14, 2024

SUBJECT: Approve Recommendations Related to the Acceptance of Certain Streets Into the City-Maintained Street System for Street Maintenance (At the Request of Subcommittee Members Mayor Stewart and Mayor Pro Tem Kalfus)

PREPARED BY: Ron Moreno, Assistant Director of Public Works
Betsy Lowrey, Assistant to the City Manager
Annie Bostre-Le, Stormwater Program Manager

RECOMMENDATION: That the City Council approve recommendations by the Private-Public Street Maintenance Ad Hoc Subcommittee related to the acceptance of certain streets into the city-maintained street system for street maintenance,

BACKGROUND: On February 13, 2024, the City Council voted, at the request of Mayor Pro Tem Kalfus, 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. On February 27, 2024, the City Council voted to form a Private-Public Street Maintenance Ad Hoc Subcommittee, and Mayor Stewart and Mayor Pro Tem Kalfus were appointed to the Ad Hoc Subcommittee. The Ad Hoc Subcommittee met with Public Works Department staff, City Manager Department staff and legal counsel on March 12, 2024, March 26, 2024, April 9, 2024, and April 23, 2024. Additionally, staff accompanied the Ad Hoc Subcommittee to view certain streets on April 11, 2024. For informational purposes, staff also accompanied the balance of the council (Council Member Alexander and Council Member Schwank) to view the same streets on April 24, 2024.

Public/Private Street Definitions/Street Standards. During the Ad Hoc Subcommittee meetings, staff discussed the differences between private and public roads, and the methods by which streets are developed and gain acceptance into the City’s maintained street system. For reference, City staff also provided a diagram of City Standard No. 104 (Urban and Rural City Street Standards) which is the current roadway standard that the City requires for residential streets to be constructed. (See Attachment 1.)

Under California Streets and Highways Code section 1806, a city is not “held liable for failure to maintain any road until it has been accepted into the city street system in accordance with subdivision (b) or (c).” Streets that are dedicated to the City and are constructed to City standards

may become a city street if the City Council adopts a resolution accepting the street into the maintained system pursuant to Streets and Highways Code section 1806(b).

Street Criteria. Staff provided the Ad Hoc Subcommittee with a citywide draft map of all streets within the City that have not been accepted for maintenance. This gave the Ad Hoc Subcommittee a starting point and an overall understanding of which streets are maintained by the City and which streets are not publicly maintained. With this understanding, the Ad Hoc Subcommittee expressed concern with residential streets that have not yet been accepted by the City for maintenance but are frequently used by the public and/or built to city standards, and requested an updated list of streets that meet all the following criteria:

1. Residential only. (Excluded non-residential streets.)
 - a. Street that has two points of access; one of which connects to a paved street within the City's accepted street maintenance program. (Excluded streets that only service a few homes, such as 3-4 or less.)
- AND/OR
- b. Street is constructed/paved (in accordance with city street standards required by the City) and connects to a paved street that has been accepted by the City. (Excluded all dirt and gravel roads.)
2. Street is dedicated for public use by the property owner for public use.
 3. Street has not been accepted by a City Council Resolution for maintenance.
 4. There is no property association or homeowners association along the street to implement a funding mechanism for street maintenance.
 5. The street is not in an area subject to a community facilities district or assessment district to fund street maintenance.
 6. Excluded streets that will be improved by a development project. (Staff will pursue acceptance by the City Council for street maintenance in the future, after construction of street to city standards.)

As a result, the following streets were identified with varying recommendations by the Ad Hoc Subcommittee as follows:

1. Calle Medusa (Nicolas Road to Enfield Lane). Recommended to be accepted as-is into the City's street maintenance system.
2. Green Tree Road (Pauba Road to Deodar Lane). Recommended to be accepted as-is into the City's street maintenance system.
3. Deodar Lane (Green Tree Road to end of cul-de-sac). Tract Map 26521, filed

with the County Recorder on August 17, 2000, designates Deodar Lane as a "Private Street." The Ad Hoc Subcommittee suggests that if all Deodar Lane homeowners request their street to be part of the City's maintenance system in the future and Green Tree Road is already accepted into the system, the City should agree. This is because Deodar Lane meets the City's street standards and connects to Green Tree Road, which is set to be maintained by the City if accepted. Homeowners will have to provide documentation, such as an updated Tract Map and revised CC&Rs if applicable, to make this request.

4. Ormsby Road (Santiago Road to Estero Road). A segment of Ormsby Road has not yet been dedicated for public use by the property owner. Upon dedication of said segment for public use by the property owner, Ormsby Road is recommended to be accepted into the City's street maintenance system as-is.
5. Via El Delora (Ormsby Road to the end of cul-de-sac). Upon acceptance of Ormsby Road, the recommendation is for Via El Delora to also be accepted into the City's street maintenance system as-is. This recommendation is because Via El Delora was constructed in accordance with street standards required by the City and connects to a paved street that will be accepted for maintenance by the City if the recommendation to accept Ormsby Road is approved.

City staff updated the status of five streets, out of a total of 3,580 streets assessed citywide, within the City's mapping tool to reflect that these streets were already "accepted" into the City's street maintenance system. These streets included Calle Girasol, Calle Chapos, Alhezon Circle, Cresta Verde, and Dahlia Way. Joseph Road and Via La Vida were also assessed but excluded from immediate acceptance based on criteria outlined above because these streets will undergo improvements through development projects. Once these development projects are completed, city staff will seek approval from the City Council for the inclusion of these streets in the street maintenance program.

When the City Council adopts a resolution accepting streets into the City's maintained system, they become City-public maintained streets according to the Streets and Highways Code section 1806. Should the City Council agree with the recommendations of the Ad Hoc Subcommittee, staff will present resolutions and legal documents for approval at a subsequent meeting. Upon adoption of such resolutions, the streets specified will be integrated into the pavement management system and citywide roster of streets for maintenance.

FISCAL IMPACT: See Attachment 2.

ATTACHMENT:

- 1) Diagram of City Standard No. 104 (Urban and Rural City Street Standards)
- 2) Fiscal Impact and Annual Average Daily Trips (AADT)