



CITY COUNCIL SPECIAL MEETING

AGENDA

TUESDAY, FEBRUARY 10, 2026

SPECIAL MEETING - WORKSHOP: 3:00 PM

SANTA ROSA CONFERENCE ROOM

23873 CLINTON KEITH ROAD SUITE 209 WILDOMAR, CA 92595

Carlos Marquez - Mayor | District 1

Dustin Nigg - Mayor Pro Tem | District 2

Ashlee DePhillippo - Council Member | District 5

Bridgette Moore - Council Member | District 4

Joseph Morabito - Council Member | District 3

Chris Mann, City Manager

Thomas D. Jex, City Attorney

The City of Wildomar will be a Safe and Active Community with Responsible Growth and Quality Infrastructure while keeping a Hometown Feel

CALL TO ORDER - WORKSHOP

ROLL CALL

1. WORKSHOP

1.1 Wildomar Code Enforcement Division Study Session

Location: Citywide

Presented By: Raul Berroteran , Community Development Department

RECOMMENDATION:

1. Receive and File the Code Enforcement Division report; and
2. Provide direction on Code Enforcement goals and priorities.

1.2 Sidewalk Ordinance Study Session

Presented By: Emily Wolf , Administrative Services Department

RECOMMENDATION:

Receive the presentation and provide staff direction on adopting a local ordinance related to sidewalk repair.

ADJOURN THE MEETING

ACCOMODATIONS

In compliance with the Americans with Disabilities Act, if requested, the agenda and backup materials will be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans With Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof. Any person that requires a disability-related modification or accommodation, including auxiliary aids or services, in order to participate in the public meeting, may request such modification, accommodation, aid or service by contacting the City Clerk either in person or by phone at 951-677-7751, no later than 10:00 a.m. on the day preceding the scheduled meeting.

REPORTS

All agenda items and reports are available for review at City Hall, 23873 Clinton Keith Road and on the City's website at the following address: Wildomar.gov. Any writings or documents provided to a majority of the City Council regarding any item on this agenda (other than writings legally exempt from public disclosure) will be made available by appointment for public inspection at City Hall during regular business hours.

AFFIDAVIT OF POSTING

I, Janet Morales Garcia, Wildomar City Clerk, do certify that at least 24 hours prior to the meeting, a true and correct copy of this agenda was posted at Wildomar City Hall, 23873 Clinton Keith Road; U.S. Post Office, 21392 Palomar Street; Wildomar Library, 34303 Mission Trail Blvd; and on the City's website at Wildomar.gov.

Janet Morales Garcia, CMC

City Clerk

Dated: February 9, 2026.



**CITY OF WILDOMAR
CITY COUNCIL SPECIAL MEETING
WORKSHOP
Agenda Staff Report # 1.1
Meeting Date: February 10, 2026**

SUBJECT: Wildomar Code Enforcement Division Study Session

SUBMITTED BY: Robert Flores, Community Development Director

PREPARED BY: Raul Berroteran, Code Enforcement Manager

ACTION:

1. Receive and File the Code Enforcement Division report; and
2. Provide direction on Code Enforcement goals and priorities.

SUMMARY:

A presentation from the Code Enforcement Division ("Division") to the Wildomar City Council for discussion. This report will briefly outline the Division's mission, responsibilities, duties, enforcement process, program highlights, and tools used for enforcement, followed by a report on important statistical data on citywide code case and homeless outreach trends. The report will conclude with discussion on prominent citywide issues such as signage within right-of-way, RV parking, driveways and approaches, parking enforcement support for the Riverside County Sheriff's Office (RSO), and unpermitted vending operations (street and private property).

ATTACHMENTS:

[Code Enforcement - Study Session](#)



City Council Study Session

Code Enforcement Division
February 10, 2026

Code Enforcement Division

Mission and Responsibilities

- Safe and active community with responsible growth and quality infrastructure.
- Safe and desirable living and working environments.
- Fair and unbiased enforcement of State laws and local ordinances to reduce hazards that create blight and adversely affect the quality of life.

Enforcement

- Violations are misdemeanors subject to administrative abatement, citations, and/or criminal and civil action.
- Due Process

Public Safety, Health, and Quality of Life

- Police Powers
- Code Enforcement efforts promote the City Council's Vision of a "Safe and Active Community" by creating an safe and attractive place for those who live, visit, and work in the community.

Program Overview

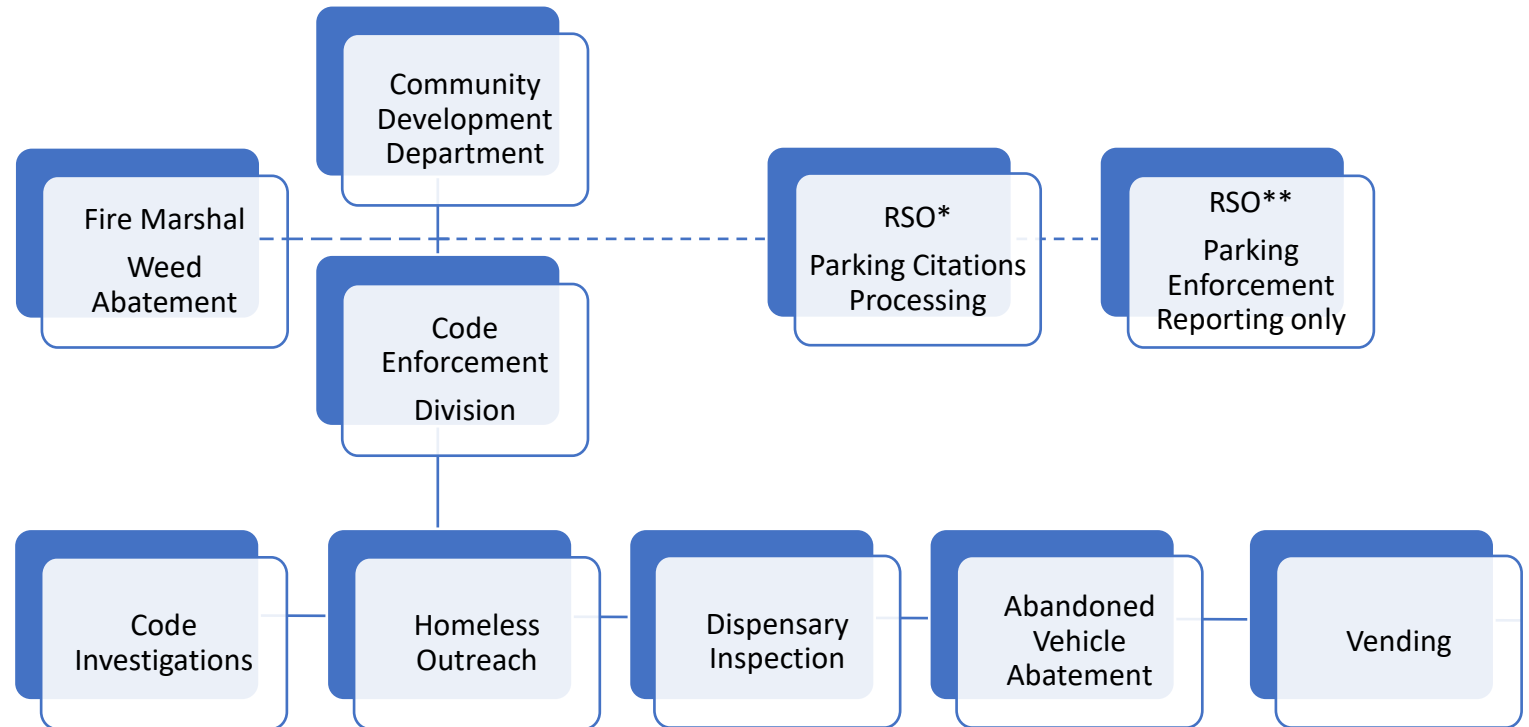
Program Highlights and Accomplishments

- Riverside County Vehicle Abatement Program (AVA).
 - Black Series Trailer removals.
- Collaborated with the City of Murrieta, City Net, and Project Touch to develop an MOU aimed at eliminating homelessness.

Tools and Technologies Used

- Complaints received via email, internet, in-person, online, and telephone.
 - Comcate tracking system (integration with See-Click-Fix)
- Abatement principles and legal remedies.
- Customer services and relationship building.

Code Enforcement Duties



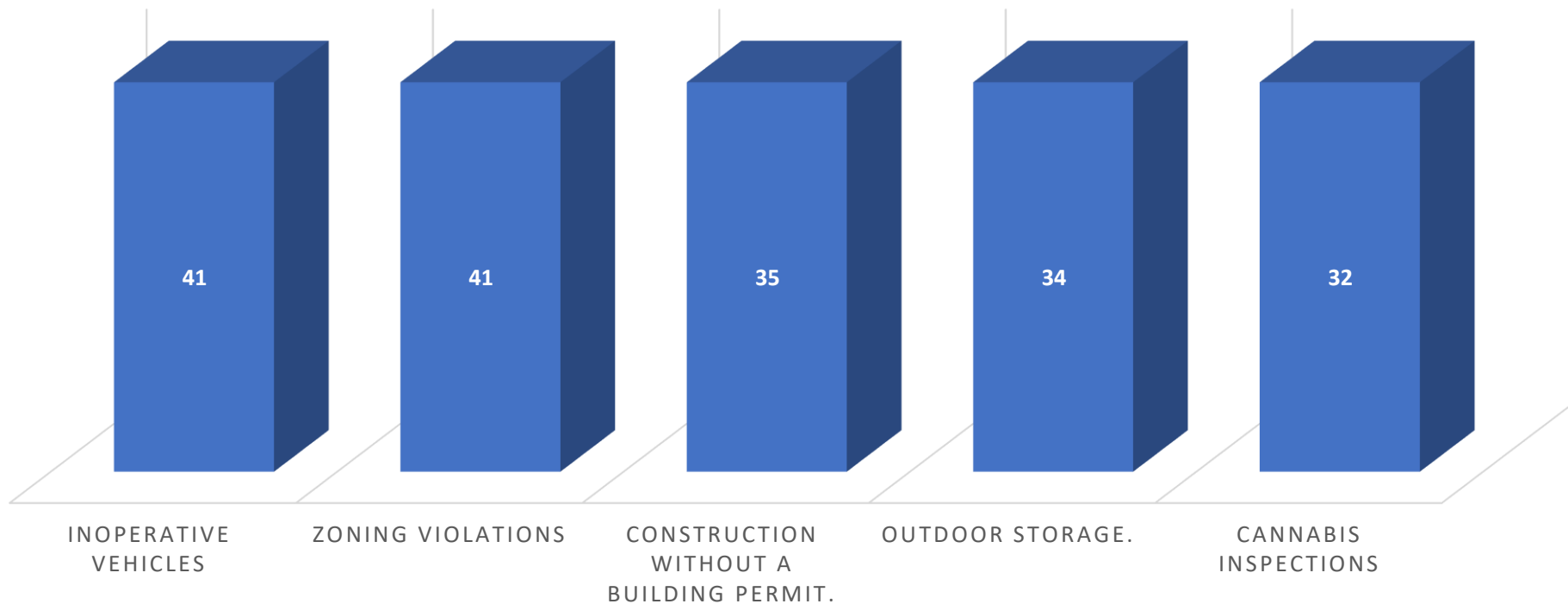
***CE processes all admin./parking citations issued by RSO Deputies.**

****CE receives a parking enforcement complaints: reporting**

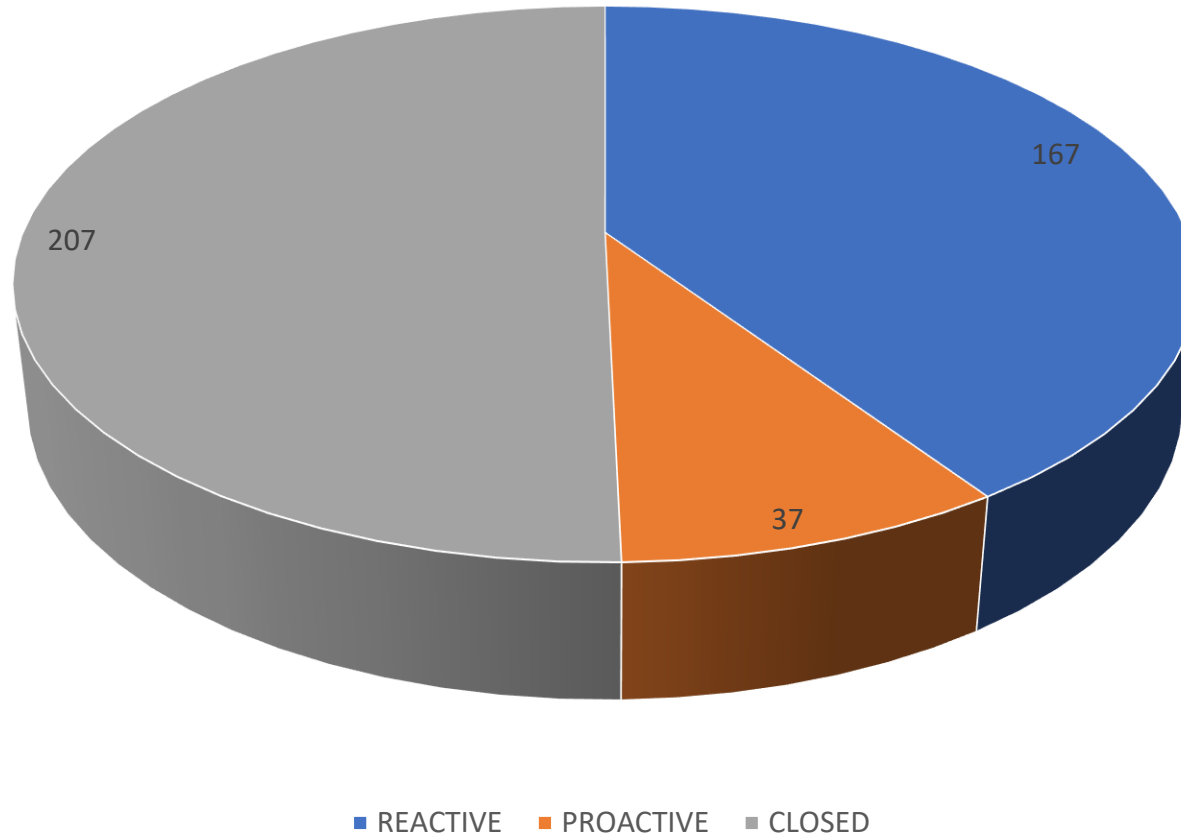
TOP 5 CODE ENFORCEMENT COMPLAINTS

July 1, 2025 – December 22, 2025

TOP 5 VIOLATIONS THIS PERIOD



Code Enforcement Cases Created July 1, 2025 – December 22, 2025



HOMELESS OUTREACH

July - September 2025

- **July 2025**

Male: 6 | Female: 7 | New Contacts: 3 |
Arrested: 1 | Denied Services: 2 | Shelter: 4 |
Relocated/Self Exit/Higher Care: 0

- **August 2025**

Male: 6 | Female: 1 | New Contacts: 5 |
Arrested: 1 | Denied Services: 4 | Shelter: 1 |
Relocated/Self Exit/Higher Care: 0

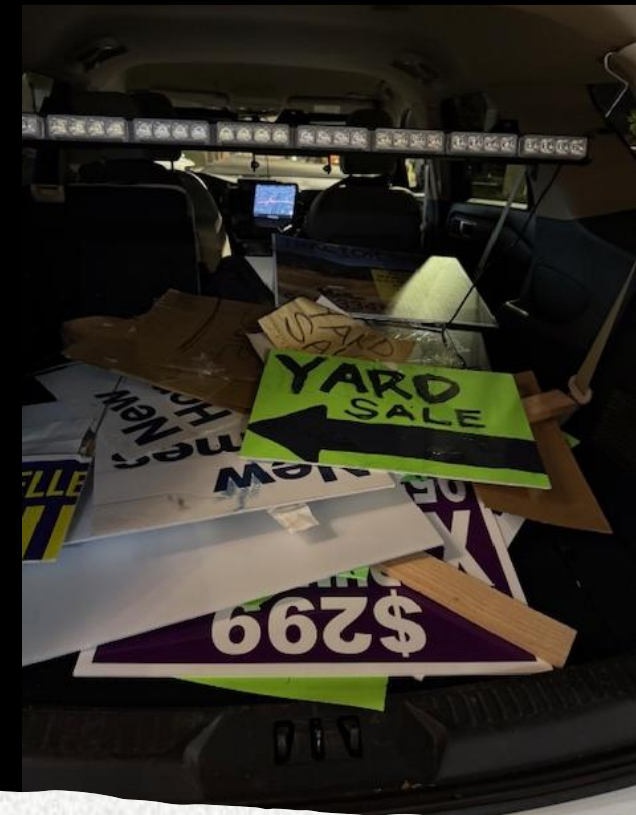
- **September 2025**

Male: 15 | Female: 1 | New Contacts: 8 |
Arrested: 2 | Denied Services: 4 | Shelter: 5 |
Relocated/Self Exit/Higher Care: 0



Recent Code Enforcement Matters

- Unpermitted Signs
- RV Parking, Driveways, and approaches
- Parking Enforcement
- Vendors (street / private property)



Unpermitted Signs
(utility poles and easements)

RV Parking, Driveways, Approaches



RV Parking

- Storage only.
- 2 ft side/rear setbacks.
 - No RV parking in front yard (exceptions).
- Cannot extend into ROW.
- Requires hard surface area.
- RV parking cannot reduce other required parking.
- RVs must be well-kept.



Driveway Approach

- Fire hydrant $\geq 2'$ separation.
- Not near utility, drainage ADA, & road facilities to avoid compromising or potential damaged.
- Separation b/w driveways











Parking Enforcement



Retail Vendors





Food Vendors





Food Vendors

Questions?



**CITY OF WILDOMAR
CITY COUNCIL SPECIAL MEETING
WORKSHOP
Agenda Staff Report # 1.2
Meeting Date: February 10, 2026**

SUBJECT: Sidewalk Ordinance Study Session

SUBMITTED BY: Emily Wolf

ACTION:

Receive the presentation and provide staff direction on adopting a local ordinance related to sidewalk repair.

SUMMARY:

The City of Wildomar currently relies on California Streets and Highways Code Section 5610 to place responsibility for sidewalk maintenance on adjacent property owners; however, the City does not have a locally adopted ordinance establishing procedures or liability related to sidewalk repair. Adoption of a sidewalk maintenance, repair, and liability ordinance would clarify property owner responsibilities, establish repair and noticing procedures, and serve as a risk management tool to help reduce the City's exposure to sidewalk-related claims.

BACKGROUND:

Currently the City of Wildomar does not have a locally adopted policy requiring property owners to maintain and repair the sidewalks abutting their property in a safe and non-dangerous condition.

Instead, the City relies on California Streets and Highways Code § 5610 (SHC 5610), which contains general language imposing an obligation on abutting property owners to maintain and repair sidewalks. While SHC 5610 creates an obligation for property owners to maintain abutting sidewalks, it does not impose liability when a failure to do so results in injury. However, cities are empowered under the California Constitution to enact ordinances and regulations deemed necessary to protect public health, safety, and welfare, which includes the ability to make property owners liable for injuries and damages that occur when they fail to maintain the abutting sidewalks.

Many cities across the State have adopted ordinances expressly imposing liability on property owners for injuries resulting from failure to keep adjacent sidewalks in a safe and non-dangerous condition. Over half of CIRA member agencies have adopted such ordinances. In Southern California, staff is aware of the following municipalities that have done so: Pasadena, Brawley, Santa Maria, Ventura, Santa Barbara, Santa Maria, and San Luis Obispo. Such ordinances serve as an effective risk management tool and are strongly

recommended by CIRA, the statewide risk-sharing Joint Powers Authority providing comprehensive coverage to the City of Wildomar.

The following is a loss analysis by claim cause for the last ten years, valued as of June 30, 2025. While the City has only had three claims during this period, two of those claims have occurred within the last two years, with an average cost of \$21,000. Almost all costs associated with these claims are attributable to defense of the City, which could be mitigated. Almost all costs associated with these claims are attributable to defense of the City. By comparison, CIRA and its 59 member agencies have experienced 415 sidewalk claims with total incurred costs exceeding \$8 million over the past ten years.

Cause of Loss	No. of Claims	Indemnity Incurred	Legal Incurred	Total Paid	Total Incurred	Average Incurred
Improper Design	4	\$975,000	\$178,753	\$93,900	\$1,153,908	\$288,477
Recreation Activity/Park	1	\$100,000	\$50,000	\$11,283	\$150,000	\$150,000
Dangerous Condition	5	\$60,000	\$42,810	\$102,810	\$102,810	\$20,562
Sidewalk	3	\$0	\$63,515	\$52,091	\$64,779	\$21,593
Tree	4	\$40,000	\$10,000	\$0	\$50,000	\$12,500
Lighting	1	\$25,000	\$25,000	\$16,377	\$50,000	\$50,000
Road Conditions	21	\$2,411	\$0	\$2,211	\$2,411	\$115
Emergency Response	1	\$0	\$0	\$0	\$0	\$0
Inverse	1	\$0	\$0	\$0	\$0	\$0
Mowing/Weedeating	1	\$0	\$0	\$0	\$0	\$0

DISCUSSION:

The effect of an ordinance would be to set forth the City's procedures for sidewalk repair and establish a measure of legal responsibility for property owners who fail to maintain safe sidewalks. Property owners are often in the best position to quickly identify and address potentially dangerous sidewalk conditions.

In conjunction with Streets and Highways Code Sections 5600 et seq., it is important to include express provisions in the City's Municipal Code requiring public sidewalks to be maintained by adjacent property owners in a condition that is safe for public use. It is recommended that any proposed ordinance include the following requirements:

1. Property owners must maintain adjacent sidewalks in a safe and non-dangerous
2. The City must notify property owners of necessary sidewalk repairs. If property owner fails to timely complete the repairs, the City may complete the repairs and recover the cost from the property. The repair and noticing procedures used by the City are those set forth by either the Streets and Highways Code or administratively as prescribed by City Municipal Code.
3. The failure of a property owner to maintain the adjacent sidewalk in a safe condition is

negligence, and the property owner shall be solely liable to any person that suffers injury or damages as a result of such failure.

Of key significance, a sidewalk maintenance, repair, and liability ordinance will not entirely absolve the City of legal responsibility for dangerous sidewalk conditions. An adjacent property owner is not responsible for sidewalk damage or repair when the damage is caused by the actions of the City or its officials or employees. Additionally, curb and gutter maintenance remains the responsibility of the City.

Impact to Property Owners

City staff recognizes that the adoption of the proposed ordinance may have financial impacts on some property owners. Repair costs may be prohibitive for some property owners, and piecemeal repairs often result in variable sidewalk quality, making it difficult to sustain a completely accessible walking network. Staff will also be recommending the development of options to support the community with necessary repairs. These options could include development of a sidewalk cost-share reimbursement program, loan programs, and/or budget options for an annual sidewalk shaving or grinding program.

ATTACHMENTS:

[Workshop Presentation](#)



Sidewalk Maintenance

Workshop

February 10, 2026

Agenda

- Property Owner Responsibility
- Streets and Highway Code
- Sidewalk Ordinance
- Cost of Repair
- Decision Points
 - Repair Costs
 - Liability





Who am I going to name in the lawsuit?

In all sidewalk cases, the first question that arises is “who do you sue?” The short answer is “Everyone.” You should consider naming the adjacent homeowner, the management company in charge of maintenance (if there is one), the city, and the county. Then let the defendants come forward and start pointing the finger at each other as to who is liable.

The general rule is that an adjacent or abutting property owner is liable for injuries caused by a dangerous condition on the public sidewalk, if the dangerous condition was created through the negligence of the homeowner. (See e.g., *Selger v. Steven Brothers, Inc.* (1990) 222 Cal.App.3d 1585, 1592, 1594 [stating that “an abutting owner has always had a duty to refrain from affirmative conduct which could render the sidewalk itself or use of the sidewalk dangerous to the public”]; *Peters v. City & County of San Francisco* (1953) 41 Cal.2d 419, 423.

“[In California, it has long been the law that a person may be liable for injuries resulting from his failure to use ordinary care in the management of his property.”]) If the trip and fall occurs as a result of a tree root problem, and the tree belongs to the city, then you have to look at the city ordinance to see whether it has clear and unambiguous language, making the homeowner liable for repairs and maintenance.



Issues to consider when litigating a sidewalk case

YOU MUST DEAL WITH MANY ISSUES IN TAKING ON A SIDEWALK FALL CASE,
BUT FIRST UP IS BEATING THE INEVITABLE SUMMARY JUDGMENT MOTION

Davis to pay \$18 million to woman who slipped, fell on damaged sidewalk

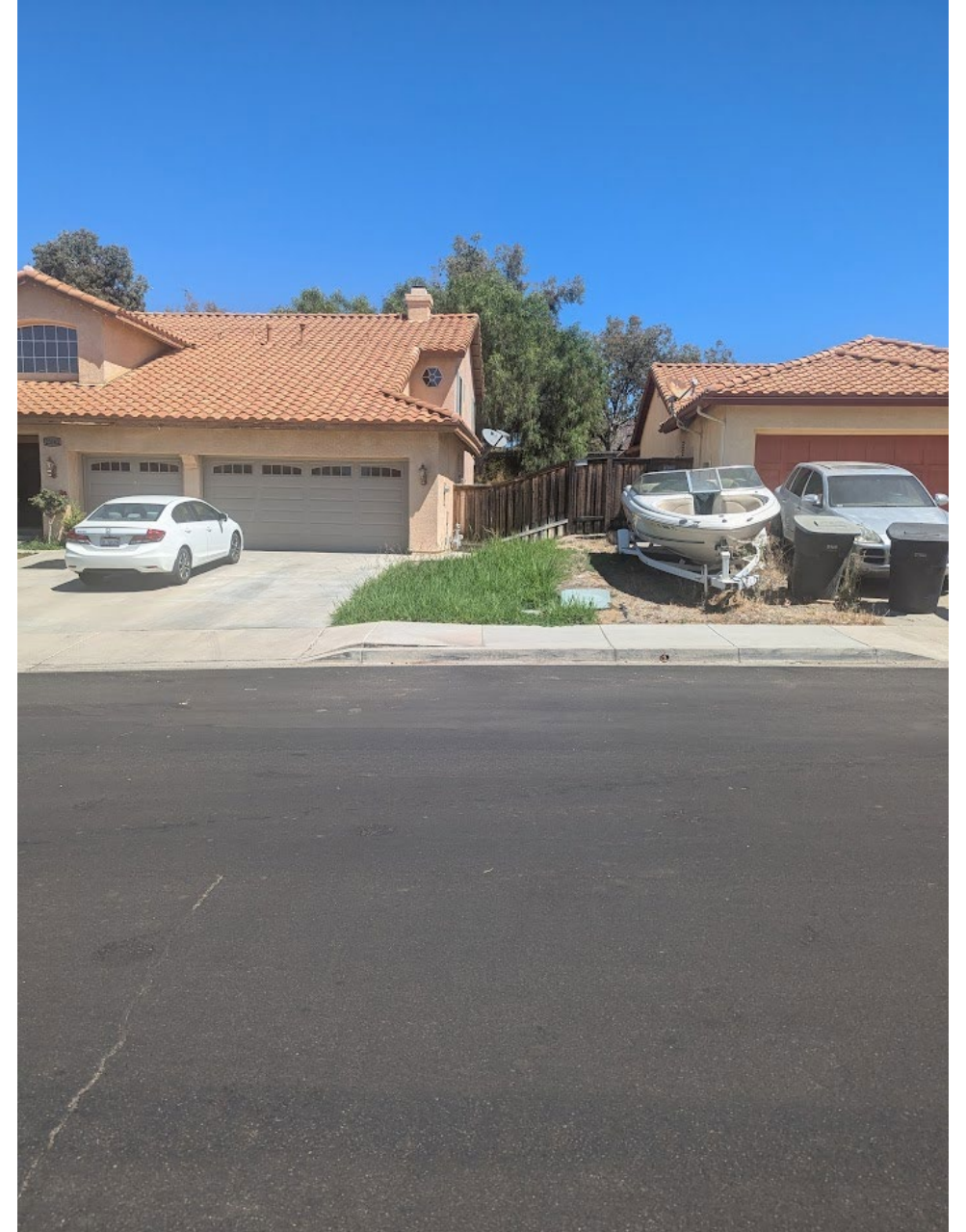
By Daniel Lempres

Updated November 20, 2025 4:05 PM |  Gift Article



The damaged sidewalk in Davis' Wildhorse neighborhood that tripped and severely injured a resident. The protrusion of about an inch and a half led to an \$18 million personal injury settlement. *Schaps Law Office*

Condition of Sidewalks



City of Wildomar General Liability Claims

FY 2016-2025 Valued as of 6/30/25

Cause of Loss	No. of Claims	Indemnity Incurred	Legal Incurred	Total Paid	Total Incurred	Average Incurred
Improper Design	4	\$975,000	\$178,753	\$93,900	\$1,153,908	\$288,477
Recreation Activity/Park	1	\$100,000	\$50,000	\$11,283	\$150,000	\$150,000
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Emergency Response	1	\$0	\$0	\$0	\$0	\$0
Inverse	1	\$0	\$0	\$0	\$0	\$0
Mowing/Weedeating	1	\$0	\$0	\$0	\$0	\$0
Towed	1	\$0	\$0	\$0	\$0	\$0
NOC	3	\$0	\$0	\$0	\$0	\$0
Construction	7	\$0	\$0	\$0	\$0	\$0
Errors and Omissions	1	\$0	\$0	\$0	\$0	\$0
Grand Total	54	\$1,202,411	\$370,128	\$278,672	\$1,573,908	\$29,146

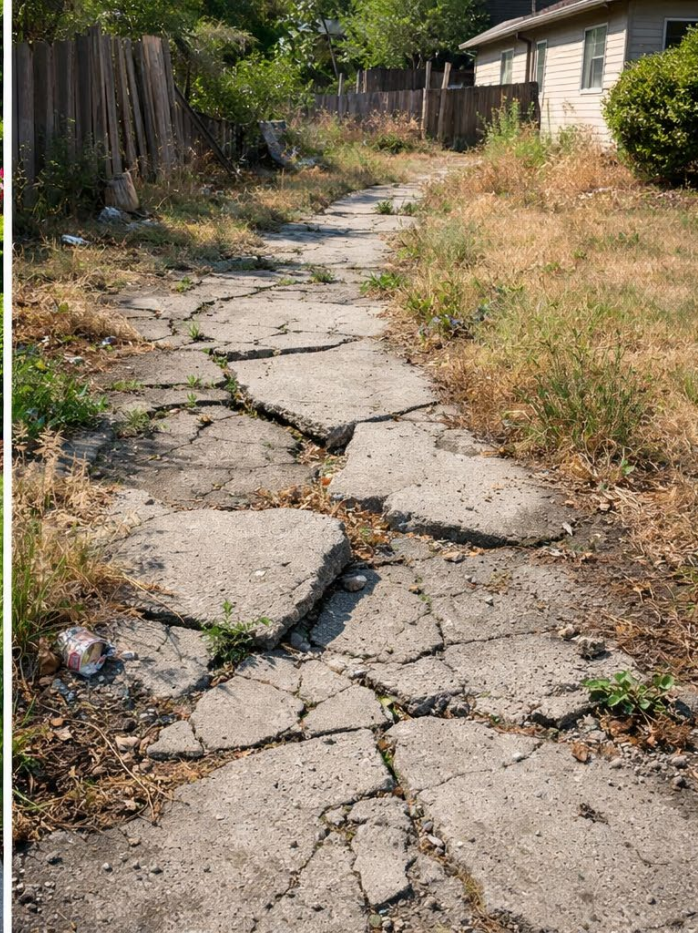
CIRA (all members) General Liability Claims

FY 2016-2025 Valued as of 6/30/25

Cause of Loss	No. of Claims	Indemnity Incurred	Legal Incurred	Total Paid	Total Incurred	Average Incurred
Dangerous Condition	428	\$21,359,232	\$3,794,097	\$22,793,260	\$25,236,456	\$58,964
Excessive Force/ False Arrest/Civil Rights	236	\$13,862,249	\$5,739,275	\$15,510,200	\$19,899,691	\$84,702
Improper Design	155	\$12,613,555	\$3,520,791	\$13,548,859	\$16,201,909	\$104,528
Sidewalk	414	\$3,330,793	\$4,462,584	\$6,144,006	\$8,098,126	\$19,561
EPL	161	\$3,714,733	\$4,059,532	\$6,807,989	\$7,784,938	\$48,354
Vehicle Collision	581	\$4,568,039	\$1,284,224	\$4,467,947	\$6,049,334	\$10,412
Police Pursuit	30	\$2,825,753	\$753,171	\$726,529	\$3,586,805	\$119,560
Sewer	267	\$2,917,450	\$273,462	\$3,387,787	\$3,566,392	\$13,357
Vehicle vs. Pedestrian	20	\$2,664,113	\$427,210	\$2,953,643	\$3,118,610	\$155,930
Road Conditions	877	\$1,753,347	\$1,021,375	\$2,032,580	\$2,795,603	\$3,188

Property Owner Responsibility

Responsible for keeping sidewalks next to their homes **safe** and **accessible** for pedestrians.



Endanger the public safety

Expose the City to liability – costs ultimately paid by **all** Wildomar residents.

Streets and Highway Code

Streets and Highways Code Section 5610-5614

Property owners are responsible for maintaining the sidewalks, curbs, and gutters next to their property and keeping them safe. If they do not, the City may make the repairs and recover the cost from the property owner.



Streets and Highways Code Article 2

5610.

The owners of lots or portions of lots fronting on any portion of a public street or place when that street or place is improved or if and when the area between the property line of the adjacent property and the street line is maintained as a park or parking strip, shall maintain any sidewalk in such condition that the sidewalk will not endanger persons or property and maintain it in a condition which will not interfere with the public convenience in the use of those works or areas save and except as to those conditions created or maintained in, upon, along, or in connection with such sidewalk by any person other than the owner, under and by virtue of any permit or right granted to him by law or by the city authorities in charge thereof, and such persons shall be under a like duty in relation thereto.

Streets and Highways Code Article 2

5611.

When any portion of the sidewalk is out of repair or pending reconstruction and in condition to endanger persons or property or in condition to interfere with the public convenience in the use of such sidewalk, the **superintendent of streets shall notify the owner or person** in possession of the property fronting on that portion of such sidewalk so out of repair, to repair the sidewalk.

5612.

Notice to repair may be given by delivering a **written notice** personally to the owner or to the person in possession of the property facing upon the sidewalk so out of repair, or by mailing a postal card, postage prepaid, to the person in possession of such property, or to the owner thereof at his last known address as the same appears on the last equalized assessment rolls of such city or to the name and address of the person owning such property as shown in the records of the office of the clerk.

Streets and Highways Code Article 2

5614.

The notice shall particularly specify what work is required to be done, and how it is to be done, and what materials shall be used in the repair and shall further specify that if the repair is not commenced within two weeks after notice is given and diligently and without interruption prosecuted to completion, the superintendent of streets shall make such repair, and the cost of the same shall be a lien on the property.

Local Ordinance

Maintenance Ordinance

Transfer maintenance to the adjacent landowner

Example: City of San Jose

14.16.2200 - Maintenance and repair of sidewalks.

The owners of lots or portions of lots adjacent to or fronting on any portion of a sidewalk area between the property line of the lots and the street line, including parking strips, sidewalks, curbs and gutters, and persons in possession of such lots by virtue of any permit or right shall repair and maintain such sidewalk areas and pay the costs and expenses therefor,...

League of California Cities: [But It's Your Sidewalk!](#)
[Sidewalk Repair and Liability](#)



Local Ordinance

Liability Ordinance

Transfer liability of an injury to the adjacent landowner if they do not maintain the sidewalk

***Example:** City of San Jose*

14.16.2205 – Liabilities for Injury to Public

The property owner required by Section 14.16.2200 to maintain and repair the sidewalk area shall owe a duty to members of the public to keep and maintain the sidewalk area in a safe and non-dangerous condition. If, as a result of the failure of any property owner to maintain the sidewalk area in a nondangerous condition as required by Section 14.16.2200, any person suffers injury or damage to person or property, the property owner shall be liable to such person for the resulting damages or injury.



Sidewalk Ordinance

A Sidewalk Ordinance sets in place a process for notification of the property owner, as well as a timeline for repairs and assessing the costs to the property owner. In addition, the ordinance will place the liability with the property owner and not the City.

The City will provide a guide with specific requirements, who to contact, and how to request assistance from the City.



Average Cost 2025

5.5' x 5.5' slab, 4" thick approx. \$500 in 2025

Item	Low	Average	High	Notes
Removal	\$2.00	\$3.50	\$6.00	Debris haul off and disposal fees
Replacement Concrete	\$6.00	\$9.50	\$14.00	Concrete strength 3,000 – 4,000 psi common; finished surface
Base & Subgrade Prep	\$1.50	\$3.00	\$5.50	Excavation, compaction, gravel bed
Formwork & Finishing	\$0.50	\$1.50	\$2.50	Controls edges and surface texture
Permits	\$0.00	\$1.00	\$3.50	Depending on City
Delivery & Misc.	\$0.50	\$1.50	\$3.00	Aggregate, washout, etc.
Total (per sq ft)	\$10.50	\$20.00	\$34.50	Residential sidewalk average

Options – Repair Costs

- ① Property owner pays full amount and can choose to use a contractor or pay City to complete.
- ② City conducts the repair and places lien on property for the full cost.
- ③ City will reimburse a portion of the cost of the repair once complete regardless of income.
- ④ City conducts the repair and property owner pays a portion based on income.

Options – Repair Costs

Option	Who Repairs?	Who Pays?
1	Property Owner	Property Owner
2	City	Property Owner
3	Property Owner	Both
4	City	Both – Income Based

Reimbursement Recommendations

- ③ City will reimburse a portion of the cost of the repair once complete regardless of income.

Reimburse 50%, with a cap of \$250.00 per square foot and \$1,000 per parcel.

Requires:

- Prior Inspection
- Before and After Pictures
- Final Inspection
- Receipts/Invoices

Reimbursement Recommendations

- ④ City conducts the repair and property owner pays a portion based on specified factors.

Use a sliding scale to cover the cost through either reimbursement or cost assessment and the work completed by City staff.

	Family Size								
Area Median Income	1	2	3	4	5	6	7	8	City Pays
75%	\$78,150	\$78,150	\$78,150	\$83,925	\$90,675	\$97,388	\$104,100	\$110,813	100%
100%	\$104,200	104,200	104,200	\$111,900	\$120,900	\$129,850	\$138,800	\$147,750	50%
150%	\$117,500	\$134,300	\$151,100	\$167,850	\$181,300	\$194,750	\$208,150	\$221,600	25%

*100% and 150%Amounts based on HUD Homeowner Assistance Fund Income Limits

Options – Liability

- ① City required to defend claim and possible liability. (Current)
- ② Liability transferred to Property owner via ordinance. (City may have some liability if caused by City activities or property, such as a tree root)

Questions?