



## Donald M. Davis

Partner

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*Pronouns: he, him, his*

Don Davis has provided contract city attorney and general counsel services to public agencies throughout California for over 25 years. He currently serves as the City Attorney for Rolling Hills Estates and General Counsel for the Friant Water Authority. Don also provides special counsel services for numerous other Burke **public** entity clients.

Don has considerable expertise in land use and planning having advised numerous planning commissions and city councils throughout his legal career. He regularly consults with city planning staffs on matters ranging from General Plan amendments to use permits. Don has drafted dozens of major zoning and land use ordinances, and has developed local density bonus programs. As general counsel for the Friant Water Authority, which is responsible for operating and maintaining key facilities of the federal Central Valley Project, Don has been involved in major water infrastructure projects funded by federal, state, and local agencies.

Don enjoys governance issues and has extensive experience in the preparation and amendment of various governance documents such as joint exercise of powers agreements, joint powers authority bylaws, and memorandums of understanding between multiple agencies.

Don is an authority on the Brown Act, Public Records Act, and other government transparency and ethics laws and is the firm's principal instructor for AB 1234 ethics trainings. He has provided seminars around the state on these subjects, which have been attended by hundreds of public officials and staff members and developed the Brown Act Compliance Manual and the Public Records Act Compliance Manual for the California Special Districts Association.

Don regularly handles a broad range of **real estate** transactional matters for public agencies such as property acquisitions, financing, leasing, and dispositions. As part of such transactions, he provides advice on appraisals, title reports, legal descriptions, engineering, and

### PRACTICES

Environmental Land Use and Natural Resources

Litigation

Public Law

Tort Claims and Products Liability

### EDUCATION

J.D., University of California, Davis, 1993

B.A., cum laude, English, Wake Forest University, 1984

### ADMISSION

State Bar of California

United States District Court for the Central District of California

### AFFILIATIONS

California Special Districts Association

Association of California Water Agencies

survey issues. In the course of his practice, Don has assisted public and private clients in the purchase or sale of thousands of acres of property valued in the hundreds of millions of dollars. Don has drafted a variety of easement, license, and encroachment agreements with respect to both public and private uses and projects.

Don has significant experience with a wide variety of **environmental** issues including CEQA and NEPA. In working with the firm's public and private clients, Don has handled all aspects of the CEQA/NEPA compliance process, including the hiring and management of project specialists in various environmental disciplines. He routinely provides advice and opinions on CEQA/NEPA compliance strategies, and has reviewed and commented on numerous CEQA/NEPA documents ranging from notices of preparation to mitigated negative declarations and environmental impact reports.

Don is proficient in negotiating, drafting, and reviewing contracts for public agencies, including contracts for public works projects, maintenance, goods and services, consultants and professional services. Don is a strong proponent of plain language in public contracts, which should be readable and understandable to public agency staff and the general public – not just lawyers.

Don regularly provides advice on a range of public finance matters such as Proposition 218 and 26, the adoption and adjustment of public fees, rates and charges (including sewer, water and solid waste rates), and has advised clients on the formation and oversight of assessment districts, community facilities districts, and other special financing mechanisms.

As a litigator, Don has successfully defended public agencies in matters involving due process, equal protection, freedom of speech, government torts, inverse condemnation, public bidding and contract disputes, and writs of mandamus including CEQA suits. Don also has represented private clients in real estate, contract, and business-related litigation.

Prior to becoming an attorney, Don served as a United States Peace Corps Volunteer in Yemen and also worked as an international educational consultant.

#### **PUBLICATIONS**

Brown Act Compliance Manual for Special Districts

Update on Significant California Public Law Cases

California Public Records Act Compliance Manual for Special Districts

Key Amendments to the Brown Act for 2014