



April 26, 2024

Carol Case, Foreperson
Yolo County Grand Jury 2023-2024
P.O. Box 2142
Woodland, CA 95776
Also emailed to patti.lamb@yolocounty.org

Ms. Case:



Thank you for your letter dated February 27, 2024. The City received notice of this letter via email on April 10, 2024. As per the Grand Jury's request, we have provided responses to your questions below.

***R-1** - The Grand Jury recommends that the City clarify its expectations that private property owners maintain City-owned Street Trees on their property so that Street Trees do not suffer early decline that forces early removal at City expense. Publication of specific expectations for watering and coordination with other landscaping is needed. This outreach effort should include extra measures to communicate with absentee owners and property managers. This should be done by January 1, 2024.*

Status Update: The Public Works Utilities and Operations Department of the City operates a robust outreach program that has been managing the outreach efforts for the Urban Forestry program since 2021. From the time that the City received the Grand Jury letter to present, the following information has been shared regarding specific watering expectations for trees of all ages on private property:

This includes:

- Materials (including handouts and booklets) provided for events:
 - Nov. 2023 Discover Davis and Dia De Los Muertos event
 - April 2024 Arbor Day Festival
- A booklet (Greener Davis Guidebook) mailed to all Davis addresses in fall of 2023 with a section on Protection and Care for Trees
- Mailers to tree care and landscape management companies with business licenses for the cities of Davis, Woodland and West Sacramento outlining City regulations for property owners with City trees on their property (sent in Fall 2023 and Spring 2024)

530-757-5602 | @CityofDavis @  
23 Russell Boulevard, Davis, CA 95616

CITYOFDAVIS.ORG



- A utility bill insert (distributed to all utility customers) in September 2023 on Sustainable Landscaping (includes a section on Tree Selection & Care)
- A utility bill insert in January 2024 on Checking for Leaks and Watering Restrictions which included information on continuing to water trees & how to water them
- In Greener Davis Newsletter E-blasts (via email to over 16,000 addresses):
 - September 2023 (Fall is the time to plant)
 - October 2023 (Lend a hand to our urban forest)
 - January 2024 (Plant a tree under 10 simple ways to be green in 2024)
 - April 2024 (Arbor Day event)
 - April 2024 – Special edition Tree eblast
- In the City's monthly column in the Davis Enterprise:
 - Sept. 2023: sustainable landscaping
 - January 2024: top 10 new year's environmental resolutions (number 9 on using mulch includes trees)
 - March 2024: Green Gardening (Consider the right tree for the right place)
 - May 2024: (running soon) spring irrigation and landscape tips includes "Don't forget your trees"
- In Greener Davis Social Media, on Facebook and Instagram
 - September Tree Davis volunteer post, memorial grove stewardship
 - October Tree Davis volunteer posts (2)
 - October sustainable landscaping post includes trees
 - November save our water water-wise fruit tree post, leaf mulch posts (4)
 - December Tree Davis volunteer post
 - April Arbor day event posts, water-wise trees post, sustainable landscaping talk post
 - August/September 2023 social media campaign on Trees Need TLC and H₂O (a sample of this outreach is provided below)



530-757-5602 | @CityofDavis @ @CityofDavis
23 Russell Boulevard, Davis, CA 95616



Public Works Utilities and Operations staff have been working with the City's Renter's Resources Program to provide information to all landlords regarding tree care responsibilities and protections within the City. Multifamily property landlords have already been receiving this information.

R-2 - *The City should enforce compliance with Chapter 37 obligations to maintain City Street Trees.*

Status Update: As stated in the response letter, modifications to the Chapter 37 of the municipal code are necessary to spell out repercussions for lack of maintenance of City trees, as the current code relates to the removal or significant visible damage to trees. City staff have been in the process of drafting updates to Chapter 37 for review. As staff anticipates a robust community discussion around the updates to the City's tree ordinance, we envision the process starting late fall of 2024, and extending into 2025 for legal drafting and review. Additional staffing resources have bolstered the Urban Forestry program and violations of Chapter 37 continue to be enforced. In addition to the outreach and education focused on tree care and maintenance as discussed above, additional outreach on obligations of property owners to conform to regulations regarding City trees on their property has been widely shared via handouts and online media platforms.

R-4 - *The Grand Jury recommends that the City amend the language of Ordinance 2521, now DMC sections 15.14.010, 15.14.040, and 15.14.070, to effectuate voter's intent in adopting Measure H. This should be completed by January 1, 2024.*

Status Update: Ordinance 2648 adopted by the City Council on December 5, 2023 is attached. The Municipal Code has been updated.

R-5 - *The Grand Jury recommends that the City post on its website a simplified summary of annual revenues received from Measure H and related appropriate annual City allocations and expenditures. This should be completed by January 1, 2024.*

Status Update: The information is posted on the city's webpage at <https://www.cityofdavis.org/city-hall/finance/park-maintenance-tax>

R-6 - *The Grand Jury recommends that Davis Municipal Code, Chapter 37, be amended to clearly identify responsible departments and officials charged with overseeing each element of the City's tree program. This information should be clearly posted on the City's website. This should be completed by January 1, 2024.*



Status Update: The responsible department overseeing the Urban Forestry program is clearly posted on the City's website at <https://www.cityofdavis.org/city-hall/urban-forestry>

We hope this satisfies your requests. Please let us know if we can provide you with further information.

Sincerely,

A handwritten signature in blue ink that reads "Michael Webb".

Michael Webb
City Manager

Attachment:

- Ordinance 2648

ORDINANCE NO. 2648

AN ORDINANCE OF THE CITY OF DAVIS AMENDING VARIOUS SECTIONS OF THE DAVIS MUNICIPAL CODE TO CLARIFY AND UPDATE CERTAIN SPECIFIED PROVISIONS IN CHAPTERS 1, 2, 15, 16, AND 17

WHEREAS, this ordinance includes updates to outdated references and minor inconsistencies, other technical, non-substantive changes to reflect current and best practices as well as eliminates provisions that have been superseded by federal, state, or case laws; and

WHEREAS, this update is necessary to streamline and clarify certain provisions of the Davis Municipal Code in an effort to promote ease of use by City residents and staff; and

WHEREAS, the revised Davis Municipal Code will protect the public health, safety, and welfare by ensuring the Code provides for the sound and orderly administration of the City's rules and regulations.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF DAVIS DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Section 1.01.095 of the Davis Municipal Code regarding city authority to enforce state laws as needed is hereby added to read in full as follows:

1.01.095 City Authority to Enforce Applicable State Laws.

The City shall have the authority to enforce all applicable state laws, regulations, and legally enforceable orders with any duly adopted amendments using any valid enforcement mechanism defined by Chapter 1 of the Davis Municipal Code, and applicable state law.

SECTION 2. Section 2.01.020 of the Davis Municipal Code regarding City Council meeting is hereby amended to read in full as follows:

2.01.020 Meetings—Special.

(a) Special meetings may be called at any time by the mayor or by three members of the city council, by written notice delivered to each member at least twenty-four hours before the time specified for the proposed meeting. At any special meeting the power of the city council to transact business shall be limited to matters referred to in such written notice.

SECTION 3. Section 2.01.120 of the Davis Municipal Code regarding filling City Council vacancies is hereby amended to read in full as follows:

2.01.120 Filling vacancies.

(a) In accordance with Government Code Section 36512, if a vacancy occurs on the city council, the city council shall, within sixty days from the commencement

of the vacancy, either fill the vacancy by appointment or call a special election to fill the vacancy. If a special election is called, it shall be held on the next regularly established election date not less than one hundred fourteen days from the call of the special election.

SECTION 4. Section 2.02.010 of the Davis Municipal Code regarding the duties of the Mayor is hereby amended to read in full as follows:

2.02.010 Mayor—Duties generally.

The city council shall designate one of its members to be its presiding officer, who shall have the title of mayor. The mayor shall serve a one-year term and may be selected based on criteria identified by the city council. A councilmember shall serve as mayor no more than twice per four-year city council term. The mayor shall be the official head of the city for all ceremonial purposes. The mayor shall preside at city council meetings and shall perform such other duties as may be prescribed by ordinance or as may be imposed by the city council consistent with the office. The mayor shall serve in this capacity at the pleasure of the city council.

Section 5. Section 2.03.010 of the Davis Municipal Code regarding the office of the City Manager is hereby amended to read in full as follows:

2.03.010 Office created—Appointment and qualifications.

There is hereby created the office of city manager. The city manager shall be appointed by and serve at the pleasure of the city council and shall be chosen solely on the basis of his or her executive and administrative qualifications.

SECTION 6. Section 2.19.020 of the Davis Municipal Code regarding restriction on lobbying by former city officials is hereby amended to read in full as follows:

2.19.020 Definitions.

City official means a city councilmember, mayor, vice mayor, city manager, city attorney and the heads of the city departments.

SECTION 7. Section 2.19.050 of the Davis Municipal Code regarding the date of prior ordinance enforcement (adopted in 1996) related to restrictions on lobbying by former city officials is hereby deleted in its entirety. Section 2.19.060 is hereby renumbered to 2.19.050.

SECTION 8. Sections 15.14.010, 15.14.040, and 15.14.070 of the Davis Municipal Code regarding park maintenance tax are hereby amended as follows: The terms “street lighting” and “public lighting” shall be replaced with the term “street trees” throughout Sections 15.14.010, 15.14.040, and 15.14.070.

SECTION 9. Article 16.01 of the Davis Municipal Code regarding Authorization to Implement a Community Choice Aggregation Program is hereby renumbered to Article

2.20. Chapter 16 will have the designation of (RESERVED) until a future ordinance uses this number.

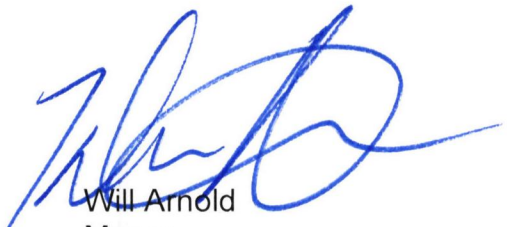
SECTION 10. Chapter 17 of the Davis Municipal Code regarding food and food establishments is hereby deleted in its entirety. Chapter 17 will have the designation of (RESERVED) until a future ordinance uses this number.

SECTION 11. Severability. The provisions of this ordinance are declared to be separate and severable. The invalidity of any clause, phrase, sentence, paragraph, subdivision, section or portion of this ordinance, or the invalidity of the application thereof to any person or circumstance shall not affect the validity of the remainder of this ordinance, or the validity of its application to other persons or circumstances.

INTRODUCED on the 7th day of November, 2023 and PASSED AND ADOPTED by the City Council of the City of Davis on this 5th day of December, 2023 by the following vote:


AYES: Chapman, Neville, Partida, Vaitla, Arnold

NOES:



Will Arnold
Mayor

ATTEST:



Zoe S. Mirabile, CMC
City Clerk