

May 28, 2024

Conny B. McCormack
6799 Worsham Dr.
Whittier, CA. 90602

Whittier Mayor & City Council
13230 Penn St.
Whittier, CA. 90602

Dear Mayor and City Council Members:

Through multiple letters¹ over the past few months, and recent, individual phone calls with several of you, I have continually stated that everyone supports improving Uptown, and that achieving that goal and maintaining the tree canopy are not mutually exclusive. Identifying a compromise solution that can be accepted by all stakeholders, both businesses and residents, is possible and vital to quell the uprising and begin the healing process for our community.

Several of you have told me that you are awaiting City Manager Brian Saeki presenting a range of options for discussion at the June 4th special City Council meeting/study session that can bring a resolution to this contentious issue. Why so passive? YOU are the decision makers, elected by Whittier citizens to represent us. YOU need to insist that the City Manager include for consideration at least one option to Keep the Canopy.

If the most significant option the City Manager brings forward merely proposes larger replacement trees (i.e. up to 72" boxes), but still requires removing ALL of the existing trees in the three blocks that constitute the heart of Uptown, that would be unacceptable to residents. Neither would an option that retains a few ficus trees in clusters. Residents are clearly demanding to Keep the Canopy as demonstrated by over 3,465 signatures, and growing, on a petition to Save Our Trees in Uptown Whittier. It's going to be a hard sell to convince many of these residents that phasing-in tree removal and replacement on those three blocks would necessitate the loss of up to half of the existing ficus trees while the replacement trees grow up over the next 15+ years. But I and many other advocates² are committed to working hard to convince residents that the phase-in approach would Keep the Canopy and comply with Whittier's current ordinances/laws including the Uptown Specific Plan (USP) and the Tree Manual.

¹ Letters to you dated Feb. 5, Feb. 20, Feb. 27, Mar. 26, Apr. 30 and May 7, and public comments on Jan. 23, Feb. 13, Feb. 20, Mar 12, March 26, Apr. 23, Apr. 30 and May 14 incorporated by reference.

² These include former city councilmembers who served Whittier for a combined total of 68 years: Bob Henderson, Allan Zolnekoff, Owen Newcomer, and Helen Rahder. Additionally, other people well-known to you and city staff as residents involved in many meetings about Greenleaf Ave Plans over the past five years have publicly expressed support for this compromise.

I hope you will review my April 30th letter about a Tale of Two Cities and their ficus tree canopies. Pasadena's City Council sought public input on the City's Master Street Plan on their ficus tree issue. Following that feedback, they planted 28 new ficus trees last year to fill in the ficus tree canopy on Green St. By contrast, Beverly Hills began removing ficus trees on one side of Robertson Blvd in Feb. 2023 as part of a sidewalk improvement project. Despite public outrage, the City refused to halt the project. Opponents hired an environmental attorney. The trees on the other side of Robertson Blvd. remain standing as litigation has dragged on for the past 15 months. Although my letter includes photos contrasting these cities' approaches, please consider taking a field trip to those cities and to other nearby cities with ficus tree canopies, including Tustin³, to see for yourself.

The large size and scope of the Greenleaf Promenade Plan adopted on 12/12/23, including the design of the street slope, curbs and gutters - and ADA requirements - are described as the structural reasons why the ficus tree canopy cannot be retained, even precluding phasing-in every other tree as called for in the USP⁴. The adopted Plan is definitely large in size and scope as it removes EVERYTHING – all trees, sidewalks, curbs, and gutters, and uses pavers instead of concrete for sidewalks. But our current sidewalks already meet legally-required ADA compliance standards⁵. A significant number of ficus trees could be saved and maintained by pouring new concrete surrounding uplifting roots instead of using pavers in the areas around those trees. Sidewalks could be designed to extend into the street without sacrificing all of the ficus trees. Some pavers could be used decoratively, similar to what exists now. A new water main could still run down the center of the street without losing the canopy. Some businesses complain about roots in the sewers, but sewers are in the alleys and the project does not involve the sewers at all⁶. Ficus tree droppings can and should be cleaned up. Why aren't most businesses doing this? Walking down Greenleaf Ave early one morning recently, I noticed a man cleaning the sidewalk in front of Rokka restaurant which is their practice to keep sidewalks clean. The City could institute a significant and frequent sidewalk power washing schedule.

By contrast, the size and scope of the Greenleaf Promenade Plan is described as small, minor adjustments to the USP in the state-required Environmental Impact Report (EIR) Amendment Negative Declaration adopted on 12/12/23 by the City Council in conjunction with the Greenleaf Promenade Plan. Changes are assessed as so small and insignificant that the report asserts there will be NO IMPACT to the environment in any of the multiple environmental categories required by State law to be reported for this size project.

At your last City Council meeting on May 14, in conjunction with Agenda item 14A about a tree replacement at 6056 Comstock Ave, the City Manager made the surprising admission that he

³ Tustin has a mature ficus tree canopy (and, like Whittier, is a member of CIPA insurance pool).

⁴ Statement made by City Manager Brian Saeki at the April 30th City Council meeting/study session, disregarding tree succession and phasing as described in the City's USP ordinance.

⁵ADA compliance: minimum sidewalk width of 36" (3 ft.) If sidewalks are less than 60" (5 ft.) wide, passing spaces must be constructed every 200 ft.

⁶ Consider reinstating previous City policy to pay half of sewer replacement costs if determined that the damage was caused by a city-owned tree.

was unaware that our City has a Tree Index⁷. The Tree Index denotes the type of city-owned trees planted on every street in Whittier in the strip between the sidewalk and the curb, AND the designated type of replacement trees. That Tree Index is part of the Tree Manual that was codified into law following the City Council's unanimous adoption of Ordinance No. 3045 on January 12, 2016, including aye votes by Cathy Warner, Fernando Dutra and Joe Vinatieri.

When Council member Cathy Warner voted at the May 14th meeting against the type of replacement tree on Comstock Ave she stated her reason: "I can't abrogate policy." Actually, the Tree Index is not policy, it's law. But that Comstock Ave tree had already been removed by the City, against the wishes of the neighborhood, and something had to be done to appease the residents upset about the loss of that tree. The Greenleaf Ave trees are still alive and have an army of thousands of defenders. Suggest that you, and the City Manager, look at the Tree Index and note the designated replacement trees for the three blocks of Greenleaf Ave in the Promenade Plan - laurel fig/ficus trees⁸. Because Whittier's Tree Manual including this Tree Index was codified in 2016, and is specific about tree replacement species, it would supersede any conflicting tree succession options described in the USP adopted in 2008.

Some people are upset that the SWA design consultants have been paid almost \$1 million. The size of this project is estimated at \$20 million, so SWA expenses to date are less than 5% of the allocated project costs, comparable to 5 cents of \$1. This project is salvageable. It will require some re-design, but that can be done, and construction documents for bids have not been finalized. More importantly, chain saws have not yet come out.

The overriding question is: WHY is the City Council so obstinate and dismissive of the outraged voices of thousands of City residents? A viable compromise has been proposed that provides your Council with the opportunity to create a legacy of Uptown revitalization that everyone can be proud of. Working together as a community let's get this right.

All the best,

(original signed)

Conny B. McCormack
28-year resident of Whittier
L.A. County Registrar-Recorder/County Clerk (Ret.)

cc: Brian Saeki, City Manager
Rigo Garcia, City Clerk

⁷ The 72-page EIR Negative Declaration document approved on 12/12/23 (referenced in paragraph above) cites Ordinance No. 3045 encompassing Whittier's Tree Manual and Tree Index.

⁸ Surely the City Council would not want to replace Whittier's iconic, mature, shady canopy of ficus trees with new, small ficus trees...