

March 24, 2026

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

SUBJECT: Agenda Item 8D - A House of Cards

Dear Mayor and City Council Members:

Item 8D on your agenda tonight is Ordinance 3176, the permanent suspension of Whittier's Parkway Tree Manual<sup>1</sup> thereby eliminating the only legal protection we have for our publicly-owned trees. The Ordinance delegates authority to the City Manager, not to a Certified Arborist, to remove any publicly-owned trees immediately. This culminates years of the majority of your City Council blaming a document, the Parkway Tree Manual written by qualified experts using International Society of Arboriculture (ISA) standards, for the City's excessive insurance costs. You are misleading residents that this benign document is driving up our City's liability insurance costs. Nothing could be further from the truth. Nothing in the Parkway Tree Manual prevents the City from removing dead, diseased, compromised or hazardous trees **immediately** with NO appeal process. The Parkway Tree Manual clearly states that tree appeals are only allowable regarding removal of healthy trees<sup>2</sup>.

Blaming our City's trees has been your liability theme for years, when in fact you neglected to prioritize needed sidewalk repairs that residents want. Indeed, the City's insurance carrier, the California Insurance Pool Authority (CIPA), has emphasized Whittier's need for sidewalk repairs in every report since 2022, along with highlighting needed Whittier Police reforms. (New, highly-publicized settlements of Police Liability of \$3.5 million and \$1 million were announced this month, with more claims pending regarding abuse of underage female Whittier Police Explorers by Whittier police officers).

But instead of proactively repairing broken sidewalks, Whittier was recently found legally negligent for not maintaining sidewalks, resulting in a multi-million dollar insurance payout. At your Oct. 28, 2025 City Council meeting, you cited that payment - for an accident that occurred back in 2018 - to declare a fake emergency in an attempt to justify temporary suspension of the Parkway Tree Manual. At your next City Council meeting on Nov. 18, 2025, on a 3-1 vote, with Council Member Mary Ann Pacheco voting No and Council Member Fernando Dutra absent, you finalized Ordinance 3172 temporarily suspending the Parkway Tree Manual until June 2026.

Public outrage erupted regarding your Parkway Tree Manual suspension during public comment at the Oct. 28, 2025 and again at the Nov 18, 2025 City Council meetings. And at that Nov. 18<sup>th</sup> meeting, for the first time, the City Council intentionally muted ALL public comment speakers, preventing residents outside of the City Council chambers from listening (no broadcast on Ch. 3 or livestream of public

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<sup>1</sup> Technically, Ordinance 3176 extends suspension of the Parkway Tree Manual until January 2028. However, at the March 10, 2026 City Council meeting, the City Manager indicated that date was a placeholder until the City adopts an as yet unwritten Urban Forest Management Plan under development at a cost of approximately \$1/2 million.

<sup>2</sup>City of Whittier Parkway Tree Manual, available on the City's website.

comments). There was no pre-announcement or City Council vote about silencing the public. Council Member Mary Ann Pacheco was clearly taken by surprise<sup>3</sup>. Later during that Nov. 18<sup>th</sup> meeting, several council members commented that Closed Session discussions - outside of public view - formed the basis for their votes to suspend the Parkway Tree Manual. Council Member Octavio Martinez asked City Attorney Keith Collins to remind him what Brown Act exemption allows the City Council to discuss it in Closed Session, asking "threat of litigation?" Attorney Collins responded: "No threat. It's anticipated litigation, just the overall risk posed by the trees in public spaces."

A few days later, a highly unusual Special meeting of CIPA's Executive Committee was hastily-called for Nov. 24, 2025, during Thanksgiving week, containing one Agenda item: "City of Whittier Parkway Tree Manual: Provide direction on a letter to City of Whittier regarding Suspension of Tree Policy." There was no staff report, no copy of Whittier's Parkway Tree Manual, or any documents attached to the agenda of that CIPA Committee meeting.

Yolanda Martinez, Whittier's Director of Human Resources & Risk Management, serves as the Secretary/Treasurer of CIPA. She was the organizer of that Nov. 24, 2025 specially-called CIPA Executive Committee meeting. At that 32-minute meeting, four Executive Committee members, including Yolanda Martinez, voted to approve sending a letter to the City of Whittier recommending permanent suspension of the Parkway Tree Manual or risk cancelation of CIPA liability insurance. But no letter was sent from CIPA's 14-member Board of Directors. As a Joint Powers Authority (JPA), only CIPA's governing body, the Board of Directors, has the authority to send a letter to a member city, let alone a threatening letter. The next day, on Nov. 25, 2025, an email was sent addressed only to Yolanda Martinez from CIPA General Manager Janet Kiser. In effect, Yolanda Martinez, along with three other Committee members, voted to send that email to herself as Whittier's Director of Human Resources and Risk Management. In that capacity she reports directly to Whittier's City Manager.

And then there is the smoking gun...dialogue revealing that CIPA's General Manager Janet Kiser is clearly unaware that Whittier's Parkway Tree Manual authorizes the City to immediately remove any diseased or hazardous tree with NO appeal process allowed. At a previous Whittier City Council meeting<sup>4</sup>, during a discussion of liability insurance, Janet Kiser was called upon to respond to questions from Mayor Joe Vinatieri and City Council members. Mayor Vinatieri: "A public speaker said gutting the Tree Manual will not reduce our insurance cost or liability. Is that correct, Janet?" She responded: "What impacts your premiums directly are your losses. If you don't remove unhealthy trees, then you stand a higher likelihood of having a claim, and that claim could then increase your premium." With that response, Janet Kiser revealed that she erroneously believes that the appeal process in the Parkway Tree Manual delays removal of unhealthy, hazardous trees when in fact any unhealthy trees can and should be removed immediately! Because the Parkway Tree Manual appeal process only relates to healthy trees, there is NO danger to the public as any delay only considers removal of healthy trees.

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<sup>3</sup> The next day, City Council member Mary Ann Pacheco issued a reel on social media saying she was not consulted nor informed that public speakers would be muted. And during introduction of the Consent Calendar for that Nov. 18<sup>th</sup> meeting, Mary Ann Pacheco showed her blue copy of the Agenda and said that the 2<sup>nd</sup> reading of Ordinance 3172 (item 8D) was NOT listed on her copy of the agenda. Mayor Joe Vinatieri responded: "Hmm."

<sup>4</sup> On January 23, 2024.

At that same City Council meeting<sup>5</sup>, Council member Fernando Dutra specifically asked to include in the Council's Motion research about what other cities, including Pasadena & Santa Monica, are doing about their trees and to bring that research back to the City Council. The City Manager responded: "Absolutely, we will definitely do that." But no information was ever brought back regarding what other cities are doing. Members of the public, including myself, did that research and submitted it in detailed letters to the City Council and in oral public comment. That information included that Pasadena planted 28 ficus trees in 2023 to fill in gaps in their iconic Green St. ficus tree canopy. (Attachment A). And Santa Monica requires their ficus tree canopy to be preserved during major construction projects (Attachments B).

On January 27, 2026, Whittier City Manager Conal McNamara read CIPA's Executive Committee email aloud at the City Council meeting. At your last City Council meeting on March 10, 2026, when the first reading of proposed Ordinance 3176 was on the agenda, Council member Fernando Dutra said "The reason we are doing this is because our insurance company says that they will not insure the City – we have a letter to support it. Have we put that letter up on the website?" The City Manager responded: "No." Fernando Dutra then said if anyone wants to see that letter they could ask to see it. The City Manager said "yes, it's a public document."

Today the Whittier Conservancy sent a letter to CIPA's Board of Directors requesting rescission of the CIPA Executive Committee's letter emailed to the City of Whittier on Nov. 25, 2025 (Attachment C).

In conclusion, permanently suspending our City's Parkway Tree Manual on your agenda tonight is a smokescreen<sup>6</sup> built on intentional deception, a house of cards<sup>7</sup>. This deception has been used to scare the public. And it has resulted in your City Council voting to spend more than \$1/2million of our taxpayers 'dollars on consultants to develop a new urban forest management plan when we have a model document in our City's Parkway Tree Manual, written to ISA standards in 1998 and updated in 2016. It has served to protect our City's Urban Forest for decades and in no way endangers the public.

Sincerely,



Conny McCormack  
City of Whittier resident for 30 years  
Former L.A. Co. Registrar-Recorder/County Clerk (Ret.)  
Founder, [www.saveourtreeswhittier.com](http://www.saveourtreeswhittier.com)

cc: Conal McNamara, City Manager  
Rigo Garcia, City Clerk

Attachments A, B & C

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<sup>5</sup> Ibid.

<sup>6</sup> Definition: any action, statement or distraction intended to hide the truth, conceal real intentions, or confuse others.

<sup>7</sup> Definition: an idiom for an unstable plan, organization, or system that is fragile and likely to fail or collapse easily.