

January 27, 2026

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

SUBJECT: Agenda Item 10A

Dear Mayor and City Council Members:

In the past you determined that there was no need to conduct an Environmental Impact Report (EIR) in compliance with the California Environmental Quality Act (CEQA) regarding your votes¹ to cut down ALL of the trees on three blocks of Greenleaf Av in the heart of Uptown. You made a similar determination of no need for an EIR regarding your votes to suspend the City's Tree Manual Ordinance in October and November 2025. In an apparent complete turnaround, at tonight's City Council meeting you plan to discuss, and undoubtedly approve, spending \$619,538 of our taxpayers' money to conduct an EIR to allow you to eviscerate the City's Tree Manual Ordinance that has served to protect our publicly-owned trees AND our environment for decades, and to pay for outside legal counsel and a public relations firm to attempt to convince residents of your wisdom. It won't work.

With regard to the City's insurance liability, at City Council meetings you only discuss liability that you say is related to Trees, never mentioning insufficient sidewalk maintenance causing trip & fall claims, or that HALF of the City's liability claims are against the Whittier Police.

Two years ago this week, Whittier residents packed the City Council chamber in an eruption of public outrage after learning that in the middle of Dec. 2023 you voted to cut down ALL of the trees on Greenleaf Av in the heart of Uptown. At the next City Council meeting, the City's Risk Manager was summoned to make a presentation regarding the City's liability insurance. Responding to a question from Council member Octavio Martinez asking how many of the City's claims involved trees, she responded **ALL** of them. An audible gasp erupted from the huge audience. That provoked my Public Records Request (PRR) about liability claims against the City. **The City's response to my PRR revealed that HALF of the claims involved allegations against the police!** Indeed, two years ago the City's insurance broker, CIPA, highlighted as their first recommendation: Conduct an independent audit of the Police Department's Administrative policies.

Currently there are several LARGE pending claims against the City involving Police misconduct that could dwarf any trip & fall claims caused by the City's insufficient sidewalk maintenance.

¹ First at your meeting on Dec. 12, 2023 and again at the June 18, 2024 City Council meeting, relying upon citing a previous EIR from 2008 which was outdated and did not address the environmental impact of cutting down 108 trees all at once.

Yet the City continues to use scare tactics blaming Whittier's publicly-owned trees for the City's liability insurance issues.

A year ago this week, I wrote you a letter (attached) regarding CIPA liability insurance issues highlighting questions that Council members Cathy Warner and Fernando Dutra asked then-City Manager Brian Saeki, including whether or not removing the trees on Greenleaf Av would have an impact on the City's liability insurance. Mr. Saeki admitted it would not. In that letter, I also asked why the City has not initiated a request for competitive bids from other insurance pools that offer liability coverage for cities given the past three (now four) years of soaring insurance premiums. That suggestion was also summarily dismissed.

Whittier residents are becoming more and more aware of decisions being made by your City Council that are negatively impacting their lives. Saturday's first Candidate Forum for the upcoming April 14 City Election was packed with about 400 residents eager to hear from candidates vying for Mayor and for City Council Districts 2 & 4 that will be on the ballot. The current Mayor and Council members running for re-election disrespected the residents by choosing not to participate, as reported in today's Whittier Daily News. Among the key issues highlighted at the Forum was Whittier trees. Despite 8,113 signatures and growing on the petition to Save Our Trees, you continue to ignore the overwhelming majority of residents who understand and realize that we can preserve Whittier's heritage and iconic tree canopy while renovating and revitalizing our City.

Sincerely,



Conny McCormack
City of Whittier resident for 29 years
Former L.A. Co. Registrar-Recorder/County Clerk (Ret.)
Founder, www.saveoutreeswhittier.com

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

Attachment: My letter to City Council, Jan. 28, 2025

January 28, 2025

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

SUBJECT: Agenda Item 13 B re Liability

Dear Mayor and City Council Members:

Groundhog Day² is five days away, conjuring up images from the classic Groundhog Day movie. Actor Bill Murray wakes up day after day experiencing the same scenario over and over again....

That's what Item 13B on tonight's City Council agenda feels like (regarding CIPA insurance liability). It continues the scare tactics the City has focused on over the past three years, blaming Whittier's public-owned trees for the City's "liability insurance issues". The City invokes the horrific, and completely unprecedented, specter of potential loss of the City's insurance to attempt to justify a nebulous new category of "Justified Tree Removal." Protective categories already exist in the City's Tree Manual ordinance for speedy removal of any Diseased or Hazardous city trees.

Review of what's happened:

At the City Council meeting on the Greenleaf Promenade two years ago on Valentine's Day (Feb. 14, 2023), the City Manager concluded by opining "cities were never meant to have massive trees in Uptown areas." Council member Cathy Warner, referencing a previous private presentation to the Council about CIPA insurance coverage, then asked him "Isn't the possibility of losing our insurance the reason the trees must go?" City Manager Brian Saeki responded "yes."

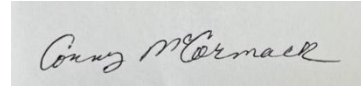
After public outrage erupted a year ago, the City Council convened a study session on Feb. 20, 2024 to discuss the tree controversy regarding the Greenleaf Promenade project. The City's Risk Manager was summoned to make a presentation regarding liability. Responding to a question from Council member Octavio Martinez, she said **ALL** of the City's outstanding liability claims involved trees. An audible gasp erupted from the huge audience of incensed residents! That provoked my public records request inquiring about specific liability claims against the City. The City's response revealed that half of the claims involved allegations against the police. **And NONE of the tree claims were in the three blocks of the proposed Greenleaf Av Promenade!** At that same Feb. 20th meeting, City Council member Fernando Dutra asked if removing all 108 trees on Greenleaf Av would have an impact on the City's liability insurance?

² A situation in which the same usually negative or monotonous experiences occur repeatedly or are felt to occur repeatedly with no change or correction (Webster dictionary).

Brian Saeki admitted it would not. How could it when those 108 trees in the three blocks of the Greenleaf Av. project represent less than ½ of 1% of the 26,000 City-owned trees?!

It is wise that the City is concerned about soaring insurance premiums. But why over the past three years has the Council not inquired, or the City Manager not initiated, a request for competitive bids from other insurance pools that offer liability coverage for cities? That would seem like a logical approach to fully exploring the City's insurance issues.

Sincerely,

A handwritten signature in cursive script, reading "Conny McCormack", is displayed on a light gray rectangular background.

Conny B. McCormack
City of Whittier resident for 28 years
Former L.A. Co. Registrar-Recorder/County Clerk (Ret.)

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