

September 10, 2024

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

Subject: Greenleaf Promenade & FPPC Investigation

Dear Mayor & City Council Members:

On August 20th you held your final special meeting “study session” devoted solely to the topic of the Greenleaf Promenade. At that meeting, you spent a lot of time discussing the new water main that the City Manager says involves \$6-8M of the estimated \$20M project cost. Fernando Dutra spoke about his construction expertise saying “I do this for a living... and have replaced hundreds of water mains.” He said it would be illogical and irresponsible to not replace the 104-year old water main on Greenleaf Av. No residents have disagreed with that! Fernando told me in a phone conversation in July that the new water main would NOT require removing the trees. But more importantly, Fernando brought it up publicly at the August 20th meeting when he asked the City’s Public Works Director if the water main project would require removal of all of the trees. He admitted it would not.

At that August 20th meeting, Cathy Warner tried to get on the record the fallacy that SWA’s **final three design options**, two of which preserved the vast majority of existing trees, were really just preliminary/conceptual designs. SWA’s representative responded to Cathy Warner’s leading question saying their presentation materials contained a “LARGE DISCLAIMER” dependent on geotechnical reports and surveys. I immediately submitted a Public Records Request and, lo & behold, NO disclaimer exists anywhere in those final SWA design documents. A very small “note” was included in **preliminary design options** presented to your Council way back in March 2021. But that disclaimer was actually REMOVED when the three final options were presented for your June 2022 decision. With your 3-1 vote back then, and again with your 3-1 vote on June 18, 2024, your Council selected the one and only option that chops down ALL of the existing trees!

Whittier residents know who the master mind is guiding your Council’s tree destruction Plan. Mayor Joe Vinatieri has publicly stated for years that he wants to rid the city of ficus trees – numerous witnesses will testify to that. The mayor says he recuses himself from voting on the Greenleaf Promenade because he owns a restaurant in the project area that legally prevents him from voting on it due to conflict of interest laws. I found evidence and submitted a formal complaint three months ago to the State’s Fair Political Practices Commission (FPPC) that Mayor Vinatieri has violated California’s conflict of interest laws. Today I received notification from the FPPC that they will conduct a formal investigation of Mayor Vinatieri regarding conflict of interest in this regard.

6,000 people have signed a petition to Save Our Trees in Uptown Whittier – the number grows daily. It's astounding and unprecedented for elected officials to defy the overwhelming opinion of 85-90% of the public, the voters you were elected to represent. Why?

The “big picture” becomes clearer every day. You are working with developers to build 344 new housing units on eight City-owned lots in Uptown involving \$200+ million to construct. Clear cutting is easier and cheaper for developers. As mentioned in my letter to you of August 27th, Whittier’s misnamed “The Groves” project is a horrific example of the City giving permission to developers to unnecessarily chop down 500 trees instead of designing around existing trees like others cities successfully do in recognition of the value, beauty and shade provided by mature trees. You are well-aware that you can save the vast majority of the trees with minor modifications to the Greenleaf Promenade Plan you adopted or by selecting one of the other two final design options SWA presented that clearly specified retention of the majority of the trees. Your refusal to do so and total disregard of the public is very revealing.

Whittier residents understand what’s going on. We the People are United and will NOT allow OUR trees to be sacrificed!

Sincerely,

A handwritten signature in cursive script that reads "Conny B. McCormack".

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

CC: Brian Saeki, City Manager
Keith Collins, City Attorney
Rigo Garcia, City Clerk