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## **FPPC Does Not Pursue Complaint Against McCormick**

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The California Fair Political Practices Commission (FPPC) recently determined that a complaint filed by Orinda resident Gregory Wheatland against Mayor Tom McCormick did not provide evidence of a conflict of interest violation.

Twelve days prior to the recent City Council election, Wheatland, a former Mayor and Council member, filed a complaint with the FPPC alleging McCormick, due to the proximity of his home to downtown, had violated the Political Reform Act by serving as chairman of a city task force that developed recommendations for downtown development.

Two days prior to the complaint filing, McCormick, who owns a residence within 500 feet of the edge of the downtown area, had submitted a written request to the FPPC asking for advice regarding whether he could vote on matters that concern downtown zoning. A response from the Commission is expected by late November.

McCormick participated in over 100 meetings as chair of the City's Planning Process Review Task Force (the PPRTF), which was disbanded after submitting a report of its recommendations early this year. The downtown segment of the PPRTF's report has not yet been adopted by the City Council, and review of the recommendations stalled with the Planning Commission due to strong public feedback regarding the building height increases and mixed housing proposed in the report. The next step in the PPRTF review process is yet to be determined.

Although the election results for Orinda's closely contested Council race have not been fully counted, McCormick's current fifth place finish leaves it unlikely that he will be a voting member if downtown development and zoning matters come before the Council in 2011.

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