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Miami-Dade County Commission on Ethics and Public Trust

Memo

To: File

From: Karl Ross, ethics investigator

Date: Dec. 15, 2009

Re: K09-109, Vice Mayor George A. Kane

Conclusion: Upon consultation with the Advocate, the above-caption investigation is being closed. The investigation into whether former North Bay Village Vice Mayor George A. Kane acted improperly in connection with a business tax application submitted by Pathfinder Holdings LLC did not yield any evidence of ethical misconduct. The investigation found that Kane did inquire with City Clerk Yvonne Hamilton as to the status of the application and did request a written explanation for its denial. However, the investigation did not find that Kane attempted to use his official position to influence the decision or to influence the subsequent litigation between Pathfinder and the city concerning the city's obscenity ordinance (Sec. 133.01), since revised. City Attorney Joe Geller told COE that he had a conversation with Kane in which he advised the vice mayor that he had "an absolute conflict," with respect to the application and litigation, and that "he should act accordingly." He said that, to the best of his knowledge, Kane took his advice and did not seek to intervene on behalf of the applicant. Kane represented the owner of the property in question and stood to gain financially if a proposed sale between the owner and Pathfinder (the applicant) were executed. The sale was never consummated.