

Frigo, Victoria (COE)

From: Frigo, Victoria (COE)
Sent: Friday, June 04, 2010 10:59 AM
To: 'apierre@northmiamifl.gov'
Cc: Rosario, Kennedy (COE)
Subject: No Voting Conflicts re Solar Mountain (INQ 10-100)

Mayor Pierre,

You asked on June 2, 2010, whether you had any voting conflicts under the County Code related to Solar Mountain Management Corporation's leasehold interest in a property previously known as Biscayne Landing and owned by the City of North Miami.

IN SUM, you, as the Mayor of the City of North Miami, have no voting conflicts under Sec. 2-11.1 (d) of the County Ethics Code based on the following facts:

- You do not have a controlling financial interest in Solar Mountain Management Corporation.
- You do not have current business relationships with the President and Vice President of Solar Mountain, Marc Douthit and Willis Howard, respectively.
- You will not benefit or be enhanced, directly or indirectly, by any action taken by the City of North Miami regarding Solar Mountain.

THE FACTS as we understand are that Marc Douthit was your law partner until February 2008. Mr. Douthit was also the principal of a mortgage company that held a mortgage on your law office building, but Mr. Douthit is no longer associated with that mortgage company. Willis Howard was your campaign manager in the June 2009 mayoral election, but you have had no business relationship with him since the conclusion of the campaign.

Very likely, Solar Mountain will appear before you and the North Miami City Council seeking to amend the leasing agreement involving the Biscayne Landing property. Based on the facts you presented, the Ethics Code does not prohibit you from voting on matters related to Solar Mountain. As you are aware, however, you may not exploit your official position to gain a special privilege or exemption for yourself or others. See County Code at Sec. 2-11.1 (g). Additionally, you may not disclose confidential information acquired by reason of your official position. See County Code at Sec. 2-11.1 (h).

Sincerely,

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