

WHEN IT IS SMART TO ACT STUPID? Infamy Series (3)*

About 10 years ago the courts decided that it was wrong to execute people who were mentally disabled. Almost overnight the IQ's of death row inmates appeared to drop by 50%, with most of that group suddenly acting as if they had one or more serious mental illnesses.

A District Attorney, whose name escapes me, summed the situation up nicely when he said: "I could act stupid too if my life depended on it." If people will act stupid to save their lives, might it follow that they will act stupid to save their jobs?

You probably read the front page article in the Boulder City Review concerning SolBio. You might also have read the agreement between the City and SolBio. What is at this time the single most important issue, whether or not SolBio has provided the City with a \$3,000,000.00 letter of credit to cover our damages in the event of an early termination of the lease, is never mentioned. If we have that letter the City has leverage. Without the letter the SolBio agreement is not worth the paper it is printed on. Do we have the letter or not?

The Review writes: "But for now, the City waits, hoping SolBio obtains financing and soon." Duncan McCoy is quoted. "I'm hopeful." During the April 13th council meeting, when SolBio's failure to make its first lease payment was questioned, Vicki Mayes was "hoping." Brok Armantrout went so far as to offer an apology for SolBio. Referring to the \$1,000,000,000.00+ in financing that SolBio has yet to come up with, Armantrout said: "It's the kind of a loan you don't just get at the drop of the hat." There is nothing in the agreement between the City and SolBio that excuses SolBio from paying their lease if they cannot come up with financing.

A question that needs to be resolved is who pulled the wool over the City's eyes, SolBio or members of the City's senior staff? This speaks both to the issue of what we stand to lose from SolBio, and, what we might not gain from the Taihen Techren deal. Any concessions that the City makes to SolBio now will establish a precedent, and could later be argued to have modified the terms of the agreement. The lease agreement with SolBio is for fifty (50) years. We may well end up leaving a considerable mess behind for the next generation of Boulder City residents. Being stupid is what got us into this situation. Acting stupid is not going to get us out of it.

(Mr. Armantrout and I are currently very much in disagreement over whether Solbio was required to obtain a Boulder City business license when the lease agreement was signed, or, if they would have needed to commence operations before a license was needed. This is okay. Reasonable minds can differ. I will post the decision when I receive it.)

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