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MIAMI-DADE
COMMISSION ON ETHICS & PUBLIC TRUST

In re:

C 15-07

Imbesi v. Groisman

PUBLIC REPORT AND FINAL ORDER

Tony Imbesi (Imbesi), a private citizen, filed the above-referenced complaint against Gabriel Groisman [Groisman], a Councilman in the Village of Bal Harbour [the Village]. Imbesi is the vice president of Flamingo Way Enterprises LLC (Flamingo Way), a marina located in the Village. He alleges that Groisman “used, and continues to use, his public office as a Councilmember for his and his immediate family’s own pecuniary benefit and to illegally interfere with Flamingo Way planting a hedge [on marina property].” Imbesi also alleged that Groisman had a conflict of interest because the home that Groisman lives in may be affected in value if the marina plants the hedge.

Numerous Florida State Ethics Commission decisions support the proposition that an elected official is not presented with a voting conflict merely because property they own will or may be affected by a vote of the council. Those cases held that there is no voting conflict where the “special private gain or loss” to the elected official would be “remote” or “speculative.”

On May 13, 2015, in open session, the Ethics Commission found No Probable Cause to proceed with this complaint and dismissed it.

Therefore it is:

ORDERED AND ADJUDGED that COMPLAINT C 15-07 is hereby concluded.

DONE AND ORDERED by the Miami-Dade County Commission on Ethics & Public Trust in public session on May 13, 2015.

MIAMI-DADE COUNTY COMMISSION ON ETHICS &
PUBLIC TRUST

By:

Judge Lawrence Schwartz
Vice-Chair

Signed on this date: 5/19/15