

## REPORT OF INVESTIGATION

K #: K07-095

Date Opened: August 2, 2007

Name of Investigator: Manuel W. Diaz  
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**Allegation:** The Commission on Ethics received anonymous information that Surfside Commissioner Steven Levine's son Samuel Levine was recently won a grant for being an outstanding student. The information also stated that Surfside Commissioner Imberman (chair of the City's Education Committee) appointed his wife to the City's Education Committee.

Investigators initiated an investigation to determine if Commissioner Levine may have violated the Miami Dade County Code of Conflict of Interest and Conflict of Interest Ordinance Sec.2-11.1,

(g) Exploitation of official position prohibited. No person included in the terms defined in Subsections (b)(1) through(6) shall use or attempt to use his official position to secure special privileges or exemptions for himself or others except as may be specifically permitted by other ordinances and resolutions previously ordained or adopted or hereafter to be ordained or adopted by the Board of County Commissioners.

### **Investigation:**

**Interview** - Beatriz Arguelles City Clerk – Town of Surfside.

At the request of Investigators, Ms. Arguelles provided copies of emails between Surfside Commissioner Imberman and Dr. Jon Page, Advisor College Assistance Program at Miami Beach High School.

1. In an email from Dr. Page to Commissioner Imberman, Dr. Page advises the Commissioner that the City of Surfside has in the past honored one exemplary Junior at

the end of the school year. Mr. Page asks if the City of Surfside will continue the practice.

2. In his response Commissioner Imberman advises the City will continue with the practice of honoring the student, and provided Mr. Page with the selection criteria.

Commissioner Imberman asks for the name and the bio of the student selected.

In a subsequent email on April 25, 2007, Dr. Page advised Councilman Imberman of the name of the student selected Samuel Levine.

Concerning the award of the \$1000.00 scholarship, the City Clerk added that the City does award a scholarship of \$1000.00. The City does not write a check to the award winner. Once the award winner is selected, the City will write a check directly to the College or University that award winner chooses to attend. To her knowledge Samuel Levine has not selected any school for his post education.

In an email to COE Investigators, the Clerk advised that the Exemplary Student Award was created in 2005, by the Town's Education Committee. In 2005 the winners (Chait, Komiszrchik) were awarded plaques, no grant award. In 2006 the winner (Gordon) was awarded a plaque and a \$1000.00 grant. The grant check was sent to the college or university that the winner selected to attend. In 2007, a plaque was awarded (Levine). The \$1000.00 grant has yet to be awarded.

The City Clerk also provided the names of the Surfside residents that sit as part of the City's Education Committee. She advised that Commissioner Imberman's wife was member two years ago, but was not reappointed when her husband was elected. The list of the current members was made part of the file.

**Interview** - Dr. Jon Page, Advisor Miami Beach High School.

COE Investigators contacted Dr. Page on August 9, 2007. Dr. Page advised that as part of his responsibility he coordinates the Town of Surfside Exemplary Junior Recognition Award for Miami Beach High School. In March of 2007, he contacted Commissioner Imberman to

ask if the City of Surfside will participate in the award program. Commissioner Imberman agreed to participate in the program and provided the selection criteria.

Dr. Page sent out application information to Miami Beach High Juniors who live in Surfside. He received responses from five or six students interested in the award. He reviewed the responses with the school principal Jean Feldman. Both agreed that Samuel Levine should be nominated to receive the award. Their decision was conveyed to Commissioner Imberman.

Commissioner Imberman was present at the school when Samuel Levine was recognized. Mr. Page was not at the Town Commission meeting where Samuel Levine was recognized. He is not aware if the City presented Samuel Levine with a \$ 1000.00 grant. Mr. Page told investigators that he did not know that Samuel Levine's father was a Surfside City Commissioner.

**Interview - Commissioner Steven Levine.**

Commissioner Levine was interviewed on August 9, 2007. He advised Investigators that he did not know that his son was considered for the award, until he was notified that he won the award.

**CONCLUSION:**

1. Commissioner Imberman is the Chair of the City's Education. His wife does not sit as part of the Committee.
2. As in previous years the Commissioner Imberman, as chair of the City's Education Committee agreed to participate in the School Exemplary Student Award for Town of Surfside students at Miami High School.
3. Miami Beach annually selects a Junior to receive an Exemplary Student Award.
4. The School presents a certificate. There is no money attached to the recognition.
5. The City of Surfside provides the criteria for the award.
6. The Miami Beach school advisor solicited Juniors in the school to apply for the award.

7. The selection of the winner for the award was made by the school principal and the school advisor.
8. The name of the award winner was provided to the Town of Surfside by Miami Beach High School.
9. The City of Surfside recognizes the winner and provided a \$1000.00 scholarship. The check is written directly to the College or University that the student will attend.

**Conclusion:**