

Sanchez, Rodzandra (COE)

From: Diaz-Greco, Gilma M. (COE)
Sent: Friday, April 06, 2018 2:54 PM
To: Sanchez, Rodzandra (COE)
Subject: Anastasios Kamoutsas, Attorney, Dade County PBA (Conflict of Interest) INQ 18-82
Attachments: image006.jpg; image007.jpg; image008.jpg; image009.jpg; image010.jpg; image011.jpg

INQ 18-82 Kamoutsas

-----Original Message-----

From: Andrew Axelrad [mailto:Andrew@dcpba.org]

Sent: Friday, April 06, 2018 1:41 PM

To: Centorino, Joseph (COE) <Joseph.Centorino@miamidade.gov>

Cc: Anastasios Kamoutsas <Anastasios@dcpba.org>; Turay, Radia (COE) <Radia.Turay@miamidade.gov>; Perez, Martha D. (COE) <Martha.Perez2@miamidade.gov>; Diaz-Greco, Gilma M. (COE) <Gilma.Diaz-Greco@miamidade.gov>; Sanchez, Gerald (CAO) <Gerald.Sanchez@miamidade.gov>; Kirtley, Eddie (CAO) <Eddie.Kirtley@miamidade.gov>

Subject: Re: INQ 18-82 Anastasios Kamoutsas, Attorney, Dade County PBA (Conflict of Interest)

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Joe,

Thanks so much for the quick response.

Andrew

Andrew M. Axelrad
General Counsel
Dade County PBA
(305) 593-0044
(305) 436-0142 (fax)

----- Original message -----

From: "Centorino, Joseph (COE)" <Joseph.Centorino@miamidade.gov>

Date: 4/6/18 1:06 PM (GMT-05:00)

To: Andrew Axelrad <Andrew@dcpba.org>

Cc: Anastasios Kamoutsas <Anastasios@dcpba.org>, "Turay, Radia (COE)" <Radia.Turay@miamidade.gov>, "Perez, Martha D. (COE)" <Martha.Perez2@miamidade.gov>, "Diaz-Greco, Gilma M. (COE)" <Gilma.Diaz-Greco@miamidade.gov>, "Sanchez, Gerald (CAO)" <Gerald.Sanchez@miamidade.gov>, "Kirtley, Eddie (CAO)" <Eddie.Kirtley@miamidade.gov>

Subject: INQ 18-82 Anastasios Kamoutsas, Attorney, Dade County PBA (Conflict of Interest)

Andrew,

You have inquired on behalf of Anastasios Kamoutsas, one of the attorneys at the Dade County PBA, regarding whether he may become a candidate for Miami-Dade County Community Council Area Sub Area 82. It is my understanding that Mr. Kamoutsas is an employee of the Dade County PBA, a private non-profit organization, and is neither a police officer nor a Miami-Dade County employee or official.

As a non-County employee, Mr. Kamoutsas would not be restricted from qualifying as a candidate for election to any federal, state or municipal office under Section 1.05 of the Miami-Dade County Charter, because the prohibitions under that section apply only to County officials and employees. Further, since he is not an officer, the provisions of Section 99.012, Florida Statutes, regarding the requirement that officers resign to run for public certain offices would not be applicable, although that statute, under these circumstances, would likely not even apply to police officers.

As you point out, the type of work he does with the Dade County PBA is unrelated to the types of decisions he would be called upon to make as a Miami-Dade County Community Council member. It is not anticipated that a voting conflict under Section 2-11.1(v) of the County Ethics Code could often arise that would prevent him from participating in any particular decision. In the event that he should be elected to a Community Council position and one of the PBA's employees or clients should be a party to an issue coming before that board, he should seek an opinion from this agency regarding whether he could or should participate in that matter. However, the possibility of such a conflict developing at some point would not disqualify him from seeking or serving in the position.

If any of the above-cited facts or conditions is not accurate please let me know. Assuming them to be accurate, it is my opinion that his position with the Dade County PBA would not prevent him from becoming a candidate for a Miami-Dade County Community Council position.

Sincerely,

Joe Centorino

Joseph M. Centorino
Executive Director and General Counsel
Miami-Dade Commission on Ethics and Public Trust
19 W. Flagler Street, Suite 820
Miami, FL 33130
Tel: (305) 579-2594
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[Ethics13]

From: Andrew Axelrad [mailto:Andrew@dcpba.org]
Sent: Friday, April 06, 2018 10:39 AM
To: Centorino, Joseph (COE) <Joseph.Centorino@miamidade.gov>
Cc: Anastasios Kamoutsas <Anastasios@dcpba.org>
Subject: Conflict?

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Joe,

I hope all is well.

I need an opinion from you, if possible. One of my attorneys, Anastasios Kamoutsas, is interested in running for “Miami Dade County Community Council Area 8 Sub Area 82” in August. While I do not believe there would be any conflict (his work here at the PBA involves defense of police officers, collective bargaining, etc;), we wanted to make sure before he moves forward.

If you need any other information, please let me know.

Thanks.

Andrew

Andrew M. Axelrad
General Counsel
Dade County PBA
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