

MIAMI BEACH

Office of the City Clerk
1700 Convention Center Drive
Miami Beach, FL 33139
305.673.7411

RECEIVED

FEB 27 2020

CITY OF MIAMI BEACH
OFFICE OF THE CITY CLERK

LOBBYIST REGISTRATION FORM

Lobbyist means all persons employed or retained, whether paid or not, by a principal who seeks to encourage the passage, defeat or modification of any ordinance, resolution, action or decision of any commissioner; any action, decision, recommendation of the City Manager or any City board or committee; or any action, decision or recommendation of any City personnel during the time period of the entire decision-making process on such action, decision or recommendation that foreseeably will be heard or reviewed by the City commission, or a City board or committee. The term specifically includes the principal as well as any employee engaged in lobbying activities. The term "Lobbyists" has specific exclusions. Please refer to City Code Chapter 2, Article VII, Division 3, entitled "Lobbyists," for additional information.

Instructions: Please complete all sections of this form and submit the completed form, with the applicable fee, to the Office of the City Clerk. If you need more space to complete an answer, use a separate sheet(s) of paper. If you have nothing to report in a particular section, you must write "none" or "n/a" in that section. Any change to any information originally filed, or any additional City Commissioner or personnel who are also sought to be lobbied shall require that the lobbyist file an amendment to the registration form. The lobbyist has a continuing duty to supply information and amend the forms filed throughout the period that the lobbying occurs. Separate registration forms shall be required for each principal represented on each specific issue.

I. LOBBYIST INFORMATION:

Bacheikov		Ian		
NAME OF LOBBYIST	(Last)	(First)	(Middle Name)	
Akerman LLP	98 SE 7th Street, Suite 1100	Miami	FL	33131
LOBBYIST BUSINESS NAME AND ADDRESS	(Number and Street)	(City)	(State)	(Zip Code)
305-982-5669	305-528-9395	ian.bacheikov@akerman.com		
LOBBYIST BUSINESS TELEPHONE NUMBER	CELLULAR TELEPHONE NUMBER	EMAIL ADDRESS		

II. PRINCIPAL INFORMATION:

Algeo		Edward "Ned"		
NAME OF PRINCIPAL	(Last)	(First)	(Middle Name)	
PT OPCO, LLC d/b/a Pink Taco	5660 Katella Avenue, Suite 200	Cypress	California	90630
PRINCIPAL BUSINESS NAME AND ADDRESS	(Number and Street)	(City)	(State)	(Zip Code)
562-346-1200		mike.alasaad@xperiercerg.com		
PRINCIPAL BUSINESS TELEPHONE NUMBER	CELLULAR TELEPHONE NUMBER	EMAIL ADDRESS		

If the principal is a Corporation, Partnership or Trust, the following information **MUST** be provided pursuant to City Code Section 2-482(c):

- NAME OF CHIEF OFFICER, PARTNER, OR BENEFICIARY (if none, write N/A): Randy Sharpe - Chief Officer
- NAME OF ALL PERSONS HOLDING, DIRECTLY OR INDIRECTLY, A 5% OR MORE OWNERSHIP INTEREST IN SUCH CORPORATION, PARTNERSHIP OR TRUST (if none, write N/A): See attached

III. ISSUE TO BE LOBBIED:

Describe with as much detail as is practical, including but not limited to a specific description where applicable of a pending request for proposal, invitation to bid, or public hearing number.

Application CUP at 1200 Ocean Drive to add outdoor/open-air entertainment to existing restaurant/bar/entertainment establishment.

IV. CITY AGENCIES/INDIVIDUALS TO BE LOBBIED:

Pursuant to City Code Section 2-482(a)(4), list the City Commissioner or City personnel sought to be lobbied, and whether the lobbyist has entered into any contractual relationship (paid or unpaid) with said City Commissioner or City personnel from 12 months preceding such commencement of service with the City to the present date, stating the general nature of the subject contractual relationship.

Full Name of Individual and Title of Person to be Lobbied	Contractual Relationship (If yes, explain)	YES	NO
Planning Board (Public Hearing)			X
Planning Staff (Meetings)			X

Pursuant to City Code Section 2-482(g), every registrant shall be required to state the extent of any business, financial, familial or professional relationship, or other relationship giving rise to an appearance of an impropriety, with any current City Commissioner or City personnel who is sought to be lobbied as identified on the lobbyist registration form filed.

List any Business, Financial, Familial or Professional Relationship, or other relationship giving rise to an appearance of impropriety (if none, write N/A):
N/A

V. DISCLOSE RATE AND AMOUNT OF LOBBYIST COMPENSATION – Be Specific. (Note that a contingency fee is prohibited pursuant to City Code Sec. 2-485.3):

\$495.00 per hour

The following six (6) questions MUST be answered:

- 1) Pursuant to City Code Section **2-488**, entitled "Prohibited Campaign Contributions By Lobbyists On Procurement Issues":
__ Yes ☒ No: Are you lobbying on a present or pending bid for goods, equipment or services, or on a present or pending award for goods, equipment or service?
- 2) Pursuant to City Code Section **2-490**, entitled "Prohibited Campaign Contributions By Lobbyists On Real Estate Development Issues":
__ Yes ☒ No: Are you lobbying on a pending application for a Development Agreement with the City or application for change of zoning map designation or change to the City's Future Land Use Map?
- 3) Pursuant to City Code Section **2-482(h)**, any person (except those exempt from the definition of "lobbyist" as set forth in Section 2-481) who only appears as a representative of a not-for-profit corporation or entity without special compensation or reimbursement for the appearance, whether direct or indirect to express support of or opposition to any item, shall register with the city clerk as required by this section, but shall not be required to pay any registration fees.
__ Yes ☒ No: Are you representing a not-for-profit corporation or entity without special compensation or reimbursement?
- 4) Pursuant to City Code Section **2-481**, the term "lobbyist" specifically excludes the following persons: Expert witnesses who provide only scientific, technical or other specialized information or testimony in public meetings; any person who only appears as a representative of a neighborhood association without compensation or reimbursement for the appearance, whether direct, indirect or contingent, to express support of or opposition to any item; and any person who only appears as a representative of not-for-profit community based organization for the purpose of requesting a grant without special compensation or reimbursement for the appearance.
__ Yes ☒ No: Are you providing only scientific, technical or other specialized information; appearing as a representative of a neighborhood association without special compensation or reimbursement or representing a not-for-profit based organization for the purpose of requesting a grant without special compensation or reimbursement?
- 5) Pursuant to City Code Section **2-491(1)**, no campaign consultant shall lobby the City Commission for a period of 12 months following the swearing in of any elected official(s) for whom the campaign consultant provided campaign consulting services within the past election cycle. See Section 2-491 for more information.
__ Yes ☒ No: Have you provided campaign consulting services to an incumbent member of the City Commission within the past election cycle? If yes, please list the incumbent member(s) of the City Commission:

__ Yes ☒ No: If yes, has it been less than 12 months since the elected official(s) whom you provided campaign consulting services was sworn in?
- 6) Pursuant to City Code Section **2-482(a)(4)a.**, a lobbyist who has within the past election cycle provided campaign consulting services to an incumbent member of the City Commission (which lobbying activity is not otherwise prohibited by Code section 2-491) shall disclose such particular service on his/her lobbyist registration form and shall orally disclose such particular service before lobbying the City Commission at a public meeting.
__ Yes ☒ No: Have you provided campaign consulting services to an incumbent member of the City Commission within the past election cycle? If yes, please list the incumbent member(s) of the City Commission:

__ Yes ☒ No: If yes, were you promised or did you receive economic consideration in exchange for campaign consulting services?

TO BE COMPLETED BY CITY CLERK'S STAFF ONLY

Annual Registration fee: [] Yes [] No Amount Paid \$ _____ MCR # _____ Date Paid _____

Lobbyist Registration Form received and verified by: _____

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Revised 01/01/2018

VI. SIGNATURES UNDER OATH:

ON FEBRUARY 28 OF EACH YEAR, EACH LOBBYIST SHALL SUBMIT TO THE OFFICE OF THE CITY CLERK A SIGNED STATEMENT UNDER OATH, LISTING LOBBYING EXPENDITURES, AS WELL AS COMPENSATION RECEIVED, FOR THE PRECEDING CALENDAR YEAR WITH REGARD TO THE SPECIFIC ISSUE ON WHICH THE LOBBYIST HAS BEEN ENGAGED TO LOBBY. A STATEMENT SHALL BE FILED EVEN IF THERE HAS BEEN NO EXPENDITURE OR COMPENSATION DURING THE REPORTING PERIOD.¹

Signature of Lobbyist: _____

Date: _____

I do solemnly swear or affirm that all of the foregoing facts, statements, and disclosures in this form are true and correct, and that I have read or am familiar with the provisions contained in Chapter 2, Art. VII, Division 3, entitled "Lobbyists" of the Miami Beach City Code and all reporting requirements.

Signature of Lobbyist: _____

Date: _____

Signature of Principal: _____

Date: _____

VII. NOTARY SIGNATURE AND SEAL:

LOBBYIST:

State of Florida

County of: Miami-Dade

Sworn to (or affirmed) and subscribed before me this 26th day of February, 2020, by

Ian Bacheikov
NAME OF LOBBYIST

____ Produced ID _____
FORM OF IDENTIFICATION

☒ Personally Known

Signature of Notary Public

Maria Gonzalez
Name of Notary, Typed, Printed or Stamped

(NOTARY SEAL)



MARIA GONZALEZ
Commission # GG 348492
Expires October 22, 2023
Bonded Thru Budget Notary Services

PRINCIPAL

State of _____

County of: _____

Sworn to (or affirmed) and subscribed before me this ____ day of _____, 20__, by

NAME OF PRINCIPAL

____ Produced ID _____
FORM OF IDENTIFICATION

____ Personally Known

attached
Signature of Notary Public

Name of Notary, Typed, Printed or Stamped

(NOTARY SEAL)

¹ The term "lobbyist" specifically excludes the following persons:

Expert witnesses who provide only scientific, technical or other specialized information or testimony in public meetings; any person who only appears as a representative of a neighborhood association without compensation or reimbursement for the appearance, whether direct, indirect or contingent, to express support of or opposition to any item; and any person who only appears as a representative of not-for-profit community based organization for the purpose of requesting a grant without special compensation or reimbursement for the appearance.

CALIFORNIA JURAT WITH AFFIANT STATEMENT

GOVERNMENT CODE § 8202

- ☒ See Attached Document (Notary to cross out lines 1-6 below)
☐ See Statement Below (Lines 1-6 to be completed only by document signer[s], *not* Notary)

Signature of Document Signer No. 1

Signature of Document Signer No. 2 (if any)

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Orange

Subscribed and sworn to (or affirmed) before me

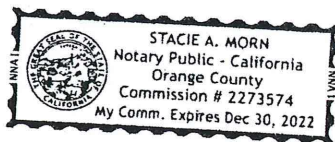
on this 21 day of February, 2020,
by Date Month Year

(1) Edward Celgeo

(and (2) _____),
Name(s) of Signer(s)

proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

Signature _____
Signature of Notary Public



Seal
Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: Lobbyist Reg. Form Document Date: n/a

Number of Pages: 5 Signer(s) Other Than Named Above: none

MIAMIBEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, www.miamibeachfl.gov

Office of the City Clerk
Rafael E. Granado, City Clerk
Tel: 305.673.7411, Fax: 305.673.7254

CityClerk@miamibeachfl.gov

NAME OF LOBBYIST: Ian Bacheikov, Esq.

1) LOBBYIST FEE EXPENDITURE AND COMPENSATION STATEMENT

Pursuant to City Code Section 2-485(d), the City Clerk shall notify any lobbyist (or principal) who fails to file timely a Lobbyist Fee Expenditure and Compensation Statement (Statement). In addition to any other penalties that may be imposed as provided in Section 2-485.1, a fine of \$50.00 a day shall be assessed for Statements filed after the due date. The City Clerk shall notify the Miami-Dade County Commission on Ethics and Public Trust of the failure of a lobbyist (or principal) to file the Statement or pay the assessed fines after notification.

Any lobbyist, who fails to file the required Statement by April 30th of each year, shall be automatically suspended from lobbying until all fines are paid, unless the fine has been appealed to the Miami-Dade County Commission on Ethics and Public Trust.


I hereby acknowledge that on February 28 of each year, I shall submit to the City Clerk a signed Statement under oath listing all lobbyist expenditures, as well as compensation received, for the preceding calendar year with regard to the specific issue on which I have been engaged to lobby.

2) LOBBYIST WITHDRAWAL

Once an issue I have registered to lobby has concluded or I am no longer lobbying on that issue, I shall immediately file a Notice of Withdrawal with the Office of the City Clerk.

3) ANNUAL LOBBYIST REGISTRATION FEE

I understand annual registration of all lobbyists shall be required for each 12-month period commencing October 1 of each year, and the fee for such annual registration shall be \$500.00 pursuant to Section 2-482 of the Miami Beach City Code.



Signature of Lobbyist

2/26/2020

Date

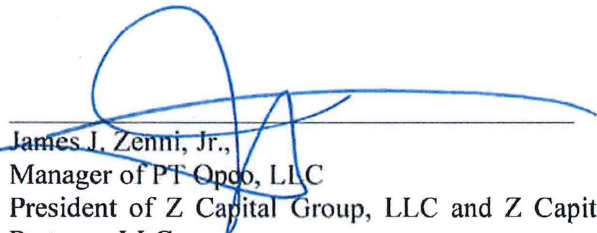
OWNERSHIP DISCLOSURE AFFIDAVIT

STATE OF FLORIDA)
) ss:
COUNTY OF PALM BEACH)

Before me, the undersigned authority, this day personally appeared James J. Zenni, Jr., Manager of PT Opco, LLC, and President and Chief Executive Officer of Z Capital Group, LLC and Z Capital Partners, LLC, member of Z Capital Partners UGP, L.L.C., Z Capital Partners GP II, L.P., the General Partner of Z Capital Partners II-A, LP, Z Capital Partners II-B, LP, and Z Capital Partners II, LP ("Affiant"), who being by me first duly sworn, upon oath, deposes and says:

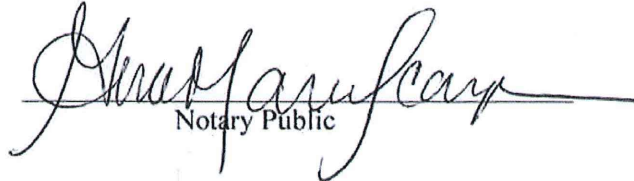
1. That I am the Manager of PT Opco, LLC ("Pink Taco"), the applicant submitting the accompanying application for a public hearing before the City's Planning Board ("PB") as required by the City of Miami Beach's ("City") Land Development Regulations for the Conditional Use Permit to be issued under PB File No. PZ20-0345 affecting the real property located in the City described in the aforesaid application made a part hereof.
2. That Pink Taco is a wholly owned subsidiary of PT Holdings, LLC ("PT Holdings"), the ownership interests of which are held in limited partnerships managed by Affiant wherein no one natural person holds more than a total of Five (5%) Percent of the ownership interests in the applicant entity.
3. That the facts stated in this Affidavit, and represented in the application and documents submitted in conjunction with this Affidavit, are true and correct, to the best of the Affiant's knowledge, information and belief.

Further Affiant sayeth not.


James J. Zenni, Jr.,
Manager of PT Opco, LLC
President of Z Capital Group, LLC and Z Capital Partners, LLC
Authorized Signatory of Z Capital Partners UGP, L.L.C. and Z Capital Partners GP II, L.P., on behalf of Z Capital Partners II-A, LP, Z Capital Partners II-B, LP and Z Capital Partners II, LP

The foregoing instrument was sworn and subscribed before me this 25th day of February, 2020, by James J. Zenni, Jr., Manager of PT Opco, LLC, and Authorized Representative of Z Capital Group, who produced Florida Driver's License Z500-450-55-022-0 as identification.




Notary Public