

DECLARATION OF MARK SAMUELIAN

1. My name is Mark Samuelian. I have been a Miami Beach resident since 2013. I have been a Miami Beach City Commissioner since November 2017.

2. My Life Partner Laura Dominguez and I dined at the restaurant "ilov305" on March 25, 2019. When we dined there, they did not disclose their automatic 20% service charge to us. It was not printed on the menu, and it was not communicated to us. We did see a 25% off discount being advertised, which we were told applied to all food.

3. When we got our bill, the restaurant added an automatic 20% service charge to our total amount that was listed as "non-grat svc chg." We questioned this service charge and were told that it was automatic. This effectively constituted false advertising, as we then had to pay back most of the 25% off discount in the form of the automatic service charge.

4. City of Miami Beach Code section 82-381(i) requires that restaurants disclose any automatic service charge on the menu and on the face of the customer's bill. We kept copies of the receipts and Laura pursued the matter as a resident with Code Compliance. Code followed up with the restaurant and issued a \$500 citation. A copy of the receipt is attached as Exhibit A.

5. There was no mention of this service charge on either the menu board we were seated next to or the menus we ordered from. The 25% discount was mentioned on the menu board.

6. In my capacity as a City Commissioner, I receive many complaints regarding the issue of hawking and commercial solicitation on Ocean Drive. Residents avoid the area because they don't want to deal with the aggressive tactics some of the establishments on Ocean Drive engage in to get more customers. Visitors to the Miami Beach area send complaints to the City regarding the deceptive business practices that occur at many of these restaurants as well.

7. The experiences of both Miami Beach residents and visitors to Miami Beach has impacted the way people view Miami Beach. Visitors who are promised happy hour deals or "two for one" specials along Ocean Drive and wind up with hefty bills have said that they are unlikely to

return. I see people sharing their negative experiences on social media sites like Yelp and Trip Advisor. I hear from business owners in the Ocean Drive neighborhood who tell me that the commercial solicitation practices on Ocean Drive negatively impact their own businesses by driving away potential customers.

8. The commercial solicitation of pedestrians on Ocean Drive and the deceptive business practices that impact visitors as well as residents are rampant and significant issues, and I fully support efforts that will deter these practices and ultimately benefit the Ocean Drive community.

I verify under penalty of perjury that the foregoing is true and correct.

Executed on June 25, 2019.


Mark Samuelian

ilov305
1060 Ocean Drive
Miami, FL 33139
305-535-9773

Credit ID: 6461

Merchant ID: 496276353885

SALE

Trans ID: 15663001
Account Number: *****3996
Card Holder: SAMUELIAN/MARK
Card Type: VISA
Entry Method: CHIP
Order ID: 15663
Invoice: 15663001
Reference: 15663001
Authorization: 08983D
Date/Time: 3/25/2019 8:06 PM
Server: Tatiana
Table: 14

SUBTOTAL: 121.91

TIP: _____

TOTAL: _____

SIGNATURE: _____

Application Label: CHASE VISA

AID: A0000000031010

TVR: 0080008000

IAD: 06010A03A02002

TSI: E800

MERCHANT COPY

1

ilov305
1060 Ocean Drive
Miami, FL 33139
305-535-9773

Server: Tatiana

Table #: 14

Order ID: 15653

QTY	ITEM	PRICE
1	GLS FERRARI CARANO SANGOVESE B	\$18.00
1	Everything Salad	\$18.00
1	***** COMPED ITEM *****	(\$4.50)
1	***** COMPED ITEM *****	\$35.00
1	Grilled Branzino	(\$8.75)
1	***** COMPED ITEM *****	\$32.00
1	***** COMPED ITEM *****	(\$8.00)
1	Sauteed Ora King Salmon	\$8.00
1	***** COMPED ITEM *****	(\$2.00)
1	Grilled Asparagus	\$9.00
1	***** COMPED ITEM *****	(\$2.25)
1	Roasted Mushrooms	\$94.50
1	***** COMPED ITEM *****	\$6.62

Sub-total:

Default Taxrate (7.0000%): \$6.62

Resort Tax (2.0000%): \$1.89

Non-Grat Svc Chg (20%): \$18.90

Total: \$121.91

Balance Due: \$121.91

Total Items: 6

Term: 0002

3/25/2019 8:02 PM

Thank you very much!

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