

DECLARATION OF JONATHAN PLUTZIK

1. My name is Jonathan Plutzik. I have owned the Betsy Hotel located at 1440 Ocean Drive for 14 years.
2. As a consequence of owning the Betsy, I regularly walk along Ocean Drive. While there are certainly some good businesses on Ocean Drive, there are also a number of businesses that believe they need to have their representatives behave aggressively and intrusively in order to capture customers to meet the goals set by management.
3. I do not know if these employees are incentivized monetarily to behave this way, but if they are, I'm sure it contributes to their behavior. The management styles and financial imperatives of these establishments contribute to an atmosphere on Ocean Drive inconsistent with our community hospitality goals.
4. At the Betsy, we have someone stand outside politely. This person is narrowly trained to say "Hello," "Let me know if you have any questions," and offer similar greetings to pedestrians who first approach us. They are not making offers to pedestrians or incentivizing them to come in. Our host or hostess is instructed not to solicit pedestrians unless the pedestrian initiates the interaction.
5. The overall atmosphere on Ocean Drive, particularly in regard to the commercial solicitation, has improved a bit since the elimination of the "gauntlet." The "gauntlet" was the tunnel effect that was created by having the umbrellas on either side of the sidewalk on the west side of Ocean Drive. It made the hawking feel even more intense. It compromised public safety as police did not have sufficient visibility into the shaded gauntlet. Now that the sidewalk cafes are not allowed to set up on both sides of the sidewalk, solicitation is not *as* intense as it once was, but it is still an issue requiring attention.
6. I want to encourage Betsy guests to comfortably leave the property go enjoy themselves on rest of Ocean Drive. I want them to experience all our community has to offer. I

remain concerned about what and whom they will bump into and the possibility that they will be aggressively solicited as they walk on Ocean Drive. There has been much improvement, but we need more.

7. It is imperative that on Ocean Drive we are viewed as an honest place of business. Restaurants need to be completely transparent with what tips are included and which are not. Some of our establishments circle the tip if it is automatically added, or stamp in red when it is. We can't tolerate an environment where guests are overcharged.

8. Personally, I used to never check my receipts when I dined out. Now, I take care to double-check the receipt before I pay. The idea that now we have visitors to our community who have inadvertently walked away from restaurants on Ocean Drive having paid 40% of their bill in service charges and gratuities or there has been any baiting and switching on menu items is completely unacceptable.

9. The deceptive business practices on Ocean Drive or anywhere in our community are wrong, embarrassing, and short-sighted. It serves to damage the extraordinary potential for the community. So much about our Ocean Drive reputation contributes favorably to Miami Beach as one of the world's great tourist destinations. We want to behave in a manner that will bring guests back over and over again.

10. I am also the Vice Chairman of the Ocean Drive Association. We discuss these issues all the time. The leadership of the Ocean Drive Association is obsessively committed to getting it right on Ocean Drive. We are committed to enforcing the code of good behavior.

11. There is a suggestion on the part of some residents that the leadership of the Ocean Drive Association doesn't care about these issues, but we are all aligned in our commitment to elevate the business practices on Ocean Drive. It is a preoccupation of the responsible businesses every single day. Again we have much to be proud of as the leading tourist destination in greater

Miami. We understand too that we must redouble our efforts to elevate all aspects of business hospitality and excellence on Ocean Drive.

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

Executed on Jul 6, 2019.



Jonathan Rutnik