



# Broward County

## Legislation Details (With Text)

**File #:** 22-1608      **Version:** 1

**Status:** Agenda Ready

**In control:** REQUEST TO SET FOR PUBLIC HEARING

**On agenda:** 11/15/2022      **Final action:** 11/15/2022

**Title:** MOTION TO ADOPT Resolution directing the County Administrator to publish Notice of Public Hearing to be held on December 6, 2022, at 10:00 a.m., in Room 422 of the Governmental Center, 115 South Andrews Avenue, Fort Lauderdale, Florida, to consider the application of Yacht Stevedore Solutions, LLC, for the granting of a renewal of a nonexclusive franchise for a ten-year term to provide cargo handler services at Port Everglades.

**Sponsors:**

**Indexes:** Established Commission Goals

**Code sections:**

**Attachments:** 1. Exhibit 1 - Resolution, 2. Exhibit 2 - Notice to Publish, 3. Exhibit 3 - Application

Date	Ver.	Action By	Action	Result
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### Broward County Commission Regular Meeting

**Director's Name:** Jonathan Daniels

**Department:** Port Everglades

**Division:** Business Development

### Information

#### Requested Action

MOTION TO ADOPT Resolution directing the County Administrator to publish Notice of Public Hearing to be held on December 6, 2022, at 10:00 a.m., in Room 422 of the Governmental Center, 115 South Andrews Avenue, Fort Lauderdale, Florida, to consider the application of Yacht Stevedore Solutions, LLC, for the granting of a renewal of a nonexclusive franchise for a ten-year term to provide cargo handler services at Port Everglades.

#### Why Action is Necessary

Pursuant to Section 32.22 of the Broward County Administrative Code ("Administrative Code"), Broward County (the "County") must hold a public hearing prior to granting, renewing, placing on probation, suspending, or revoking a franchise.

#### What Action Accomplishes

Directs the County Administrator to publish Notice of Public Hearing during which the Broward County Board of County Commissioners may consider the granting of a renewal of a nonexclusive franchise to Yacht Stevedore Solutions, LLC, for a ten-year term to provide cargo handler services at Port Everglades.

#### Is this Action Goal Related

Yes

### **Previous Action Taken**

None

### **Summary Explanation/Background**

THE PORT EVERGLADES DEPARTMENT RECOMMENDS APPROVAL.

This action supports the Broward County Board of County Commissioners' ("Board") Value of "Ensuring economic opportunities for Broward's diverse population and businesses" and the Goal to "Increase the economic strength and impact of revenue-generating County enterprises balancing economic, environmental, and community needs."

Yacht Stevedore Solutions, LLC ("YSS"), has provided cargo handler services at Port Everglades since January 2022. On January 25, 2022 (Item No. 51), the Board granted YSS a nonexclusive cargo handler franchise restricted to cargo brokered by Peters & May USA, Inc. ("P&M"), for a one-year term, from January 25, 2022, through January 24, 2023. YSS has applied for renewal of the franchise and requested removal of the restriction. YSS has also applied for renewal of its stevedore franchise, which is the subject of a separate agenda item.

Staff reviewed the cargo handler franchise renewal application against the enumerated renewal criteria outlined in Chapter 32 of the Administrative Code. Staff's due diligence included, among other things: (a) corresponding with YSS's representative to clarify franchise requirements; (b) reviewing YSS's corporate status, resumes of executive staff, list of managerial personnel, business history/experience, litigation history, insurance certificate(s), financial documents and creditworthiness, discharge of previous financial obligations to the County, compliance with all franchise terms and conditions and established rules and regulations of the County, required licenses and certificates, company programs and policies, list of equipment to be used at Port Everglades, statement of activities and actions indicating that YSS has maintained a favorable service performance record in Port Everglades during the term of its prior franchise agreement; and (c) ensuring that YSS has promoted and developed growth in the business activities, projects, or facilities of Port Everglades. Staff also reviewed YSS's safety and environmental history and found no infractions.

YSS has provided cargo handler and stevedore services for five vessel calls between their franchise approval in January 2022 through the end of September 2022, resulting in the movement of 1,135 short tons of cargo and Port marine revenue totaling \$77,647.

By submitting the signed franchise renewal application, YSS has agreed to comply with all franchise conditions outlined in Section 32.24 of the Administrative Code.

Based on the review of information provided in the franchise renewal application, staff recommends renewing the cargo handler franchise. Per Section 32.16 of the Administrative Code, the County may grant cargo handler franchises for up to ten years. Past Board practice has been to approve a restricted cargo handler franchise for an initial term of one year, and each subsequent renewal for a term of ten years without the restrictions included in the initial one-year franchise. Therefore, consistent with past practice, staff recommends renewing the franchise for a ten-year term without the previous restriction.

The complete application and supporting documents are on file in the Port Everglades Business Development Division's office.

**Source of Additional Information**

Jorge Hernández, Director, Business Development Division, Port Everglades Department, (954) 468-3501

Paula Serpa, Administrative Coordinator, Business Development Division, Port Everglades Department, (954) 468-0185

**Fiscal Impact**

**Fiscal Impact/Cost Summary**

YSS has paid the required annual fee of \$4,200 and shall pay an additional \$37,800 in annual franchise fees over the franchise term, for a total of \$42,000.