



# Broward County

## Legislation Details (With Text)

**File #:** 21-2149      **Version:** 1

**Status:** Agenda Ready

**In control:** PUBLIC HEARING

**On agenda:** 1/25/2022      **Final action:** 1/25/2022

**Title:** MOTION TO ADOPT Resolution of the Board of County Commissioners of Broward County, Florida, granting renewal of a nonexclusive franchise to Terminal Security Solutions, Inc., for a five-year term to provide marine terminal security services at Port Everglades; providing for franchise terms and conditions; and providing for severability and an effective date.

**Sponsors:**

**Indexes:** Established Commission Goals

**Code sections:**

**Attachments:** 1. Exhibit 1 - Resolution, 2. Exhibit 2 - Application, 3. Exhibit 3 - Resolution to Publish Notice of Public Hearing, 4. Exhibit 4 - Notice of Public Hearing

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 of the Board of County Commissioners of Broward County, Florida, granting renewal of a nonexclusive franchise to Terminal Security Solutions, Inc., for a five-year term to provide marine terminal security services at Port Everglades; providing for franchise terms and conditions; and providing for severability and an effective date.

#### 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

Grants the renewal a nonexclusive franchise to Terminal Security Solutions, Inc., for a five-year term to provide marine terminal security services at Port Everglades.

#### Is this Action Goal Related

Yes

#### Previous Action Taken

Request to set Public Hearing was approved by the Broward County Board of County Commissioners on December 7, 2021 (Item No. 53).

### **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."

On February 9, 2021 (Item No. 28), the Board granted a new nonexclusive franchise to Terminal Security Solutions Inc. ("TSS"), for a one-year term to provide marine terminal security services at Port Everglades. TSS has applied for renewal of the franchise.

Staff reviewed the marine terminal security service 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 TSS' representative to clarify franchise requirements; (b) reviewing TSS' 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 TSS has maintained a favorable service performance record in Port Everglades during the term of its prior franchise agreement; and (c) ensuring that TSS has promoted and developed growth in the business activities, projects, or facilities of Port Everglades. Staff also reviewed TSS' safety and environmental history and did not find any infractions.

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

Based on its review of the information provided in the franchise renewal application, staff recommends renewing the marine terminal security service franchise. Per Section 32.20.1 of the Administrative Code, the County may grant marine terminal security service franchises for any period of up to five years. Past Board practice has been to approve a marine terminal security service franchise for an initial term of one year, and each subsequent renewal for a term up to five years. Accordingly, staff recommends renewing the franchise for a five-year term.

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

The Resolution to Publish Notice of Public Hearing and Notice of Public Hearing from the Request to Set Public Hearing agenda item approved by the Board on December 7, 2021 (Item No. 53), are attached as Exhibit 3 and Exhibit 4.

### **Source of Additional Information**

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

Angela Osorno-Belleme, Franchises and Business Permit Manager, Business Administration

Division, Port Everglades Department, (954) 468-0112

**Fiscal Impact**

**Fiscal Impact/Cost Summary**

TSS has paid the required annual fee of \$2,250 and will pay an additional \$9,000 in annual franchise fees over the term of the franchise, for a total of \$11,250.