



# Broward County

## Legislation Text

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File #: 21-2145, Version: 1

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### **Broward County Commission Regular Meeting**

**Director's Name:** Jonathan Daniels

**Department:** Port Everglades

**Division:** Business Administration

### **Information**

#### **Requested Action**

**MOTION TO ADOPT** Resolution of the Board of County Commissioners of Broward County, Florida, granting a nonexclusive restricted franchise to Yacht Stevedore Solutions, LLC, for a one-year term to provide cargo handler services at Port Everglades, restricted to cargo brokered by Peters & May USA, Inc; 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 a nonexclusive franchise to Yacht Stevedore Solutions, LLC, for a one-year term to provide cargo handler services at Port Everglades, restricted to cargo brokered by Peters & May USA, Inc.

#### **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. 54).

#### **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"), a Florida limited liability company, registered with the State of Florida, Department of State, on June 21, 2021. YSS has applied for a new nonexclusive cargo handler franchise restricted to cargo brokered by Peters & May USA, Inc. ("P&M"). The company has also applied for a new stevedore franchise, which is the subject of a separate agenda item.

Staff reviewed the cargo handler franchise application against the enumerated criteria outlined in Chapter 32 of the Administrative Code. Staff's due diligence included, among other things: (a) corresponding with YSS' representative to clarify franchise requirements; and (b) reviewing YSS' corporate status, resumes of executive staff, list of managerial personnel, business history/experience, litigation history, insurance certificate(s), financial documents, creditworthiness, required licenses and certificates, company programs and policies, and list of equipment to be used at Port Everglades. Staff also reviewed YSS' safety and environmental history and did not find any infractions.

By submitting the signed franchise application, YSS 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 application, staff recommends granting the cargo handler franchise. Per Section 32.16 of the Administrative Code, the County may grant cargo handler franchises for any period of up to ten years. Past practice has been for staff to recommend granting first-time applicants for a nonexclusive cargo handler franchise a one-year restricted franchise. Staff is recommending a waiver of the "New business" requirement, as set forth in Section 32.16.b.10. of the Administrative Code, since YSS will only be handling the proprietary cargo of its parent company, P&M. P&M has brokered yacht cargo coming into Port Everglades since April 2017. Over the three-year period of Fiscal Years 2019 through 2021, P&M has brokered 255 yachts/boats loaded or unloaded during 37 ship calls, generating \$168,347 in Port revenue. Accordingly, staff recommends granting the franchise for a one-year term, restricted to cargo brokered by P&M.

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. 54), 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**

YSS has paid the required application fee of \$11,000 and annual fee of \$4,000, for a total of \$15,000 for the proposed one-year term.