



Broward County

Legislation Details (With Text)

File #: 20-440 **Version:** 1

Status: Agenda Ready

In control: REQUEST TO SET FOR PUBLIC HEARING

On agenda: 3/31/2020 **Final action:** 3/31/2020

Title: MOTION TO ADOPT Resolution No. 2020-111 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, April 21, 2020, at 10:00 a.m. in the County Commissioners' Meeting Room (Room 422), Governmental Center, 115 South Andrews Avenue, Fort Lauderdale, Florida, to consider the application of Host Terminals, LLC, for the granting of the renewal of a nonexclusive franchise for a ten-year term, from May 12, 2020, through May 11, 2030, to provide stevedore 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: Glenn Wiltshire (Acting Director)

Department: Port Everglades

Division: Business Administration

Information

Requested Action

MOTION TO ADOPT Resolution No. 2020-111 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, April 21, 2020, at 10:00 a.m. in the County Commissioners' Meeting Room (Room 422), Governmental Center, 115 South Andrews Avenue, Fort Lauderdale, Florida, to consider the application of Host Terminals, LLC, for the granting of the renewal of a nonexclusive franchise for a ten-year term, from May 12, 2020, through May 11, 2030, to provide stevedore services at Port Everglades.

Why Action is Necessary

Public hearing is required pursuant to Chapter 94-429, Laws of Florida, and Section 32.22.a of the Broward County Administrative Code. Franchises are granted pursuant to Chapter 32 of the Broward County Administrative Code.

What Action Accomplishes

It allows a Public Hearing date to be set and notices to be published twice in local newspapers.

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."

On June 26, 2012 (Item No. 5-PH), the Board granted the assignment of a nonexclusive stevedore franchise held by Tarmac America, LLC to Paradise Point Marine, Inc. On August 5, 2013, Paradise Point Marine, Inc., changed its name to Host Terminals, Inc. In December 2017, Host Terminals, Inc., converted from a corporation to a limited liability company (Host Terminals, LLC) ("Host"). The existing stevedore franchise expires on May 11, 2020.

Staff has reviewed the stevedore franchise renewal application against the enumerated renewal criteria set forth in Chapter 32 of the Broward County Administrative Code. Staff's due diligence included corresponding with Host's representative to clarify franchise requirements and reviewing Host's corporate status, resumes of executive staff and list of managerial personnel, business history/experience, litigation history, insurance, financial documents and creditworthiness, discharge of previous financial obligations to 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 intended activities and actions indicating that Host has maintained a favorable service performance record in Port Everglades during the term of the franchise, and that it has promoted and developed growth in business activities, projects, or facilities of Port Everglades. Host disclosed several violations in Section Q of the application, but none of the violations occurred as a result of operations at Port Everglades. The U.S. Coast Guard issued a warning to Host in Baltimore, MD, for a spill of approximately ten gallons of diesel oil into the Patapsco River on May 15, 2017. No penalties were assessed. Host took corrective action by implementing a fuel process Standard Operating Procedure and a Spill Response Program. No false or misleading information was submitted as part of the franchise renewal application. Host has, through the submission of the signed franchise renewal application, agreed to comply with all franchise conditions set forth in Section 32.24 of the Broward County Administrative Code.

Based on the review of information provided in the franchise renewal application, staff has determined that Host meets the criteria for renewal of the stevedore franchise. Stevedore franchises may be granted for any period of time up to ten years. Past practice has been for staff to recommend granting the renewal of a stevedore franchise for a term of ten years. Accordingly, staff is recommending that the franchise be renewed for a ten-year term. The complete application and supporting documents are on file in the Port Everglades Business Administration Division.

Source of Additional Information

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

Angela Osorno Belleme, Franchise Manager, Business Administration Division, Port Everglades

Department, (954) 468-0112

Fiscal Impact

Fiscal Impact/Cost Summary

Host Terminals, LLC, has paid the required annual fee of \$4,000 and will pay an additional \$36,000 in annual franchise fees over the term of the franchise, for a total of \$40,000.

Attachments

Exhibit 1 - Resolution

Exhibit 2 - Notice to Publish

Exhibit 3 - Application