



Broward County

Legislation Details (With Text)

File #:	20-1608	Version:	1
		Status:	Agenda Ready
		In control:	PUBLIC HEARING
On agenda:	10/6/2020	Final action:	10/6/2020
Title:	MOTION TO CONSIDER adoption of a Resolution No. 2020-518 Amending the Administrative Code, the title of which is as follows: A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD, COUNTY, FLORIDA, PERTAINING TO PORT EVERGLADES TARIFF NO. 12; AMENDING CHAPTER 42, EXHIBIT 42.A, OF THE BROWARD COUNTY ADMINISTRATIVE CODE ("ADMINISTRATIVE CODE"), AMENDING TARIFF RATES AND REQUIREMENTS FOR VARIOUS ACTIVITIES AT PORT EVERGLADES; PROVIDING FOR GENERAL UPDATES TO TARIFF TEXT; AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE ADMINISTRATIVE CODE, AND AN EFFECTIVE DATE.		
Sponsors:			
Indexes:	Established Commission Goals		
Code sections:			
Attachments:	1. Exhibit 1 - Tariff No. 12 Resolution, 2. Exhibit 2 - Port Everglades FY21 Projected Revenue, 3. Exhibit 3 - Resolution to Publish Notice of Public Hearing, 4. Exhibit 4 - Notice to Publish		

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

Director's Name: Jonathan Daniels

Department: Port Everglades

Division: Operations

Information

Requested Action

MOTION TO CONSIDER adoption of a Resolution No. 2020-518 Amending the Administrative Code, the title of which is as follows:

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD, COUNTY, FLORIDA, PERTAINING TO PORT EVERGLADES TARIFF NO. 12; AMENDING CHAPTER 42, EXHIBIT 42.A, OF THE BROWARD COUNTY ADMINISTRATIVE CODE ("ADMINISTRATIVE CODE"), AMENDING TARIFF RATES AND REQUIREMENTS FOR VARIOUS ACTIVITIES AT PORT EVERGLADES; PROVIDING FOR GENERAL UPDATES TO TARIFF TEXT; AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE ADMINISTRATIVE CODE, AND AN EFFECTIVE DATE.

Why Action is Necessary

The Broward County Board of County Commissioners ("Board") must approve all changes to the Administrative Code and Port Everglades Tariff.

What Action Accomplishes

Authorizes changes to the Broward County Administrative Code and Port Everglades Tariff.

Is this Action Goal Related

Yes

Previous Action Taken

A Resolution directing the County Administrator to publish Notice of Public Hearing relating to these proposed changes was adopted by the Board on September 22, 2020 (Item No. 14).

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."

Port Everglades Tariff No. 12 ("Tariff") provides the rules, regulations, and fees that govern the use of the facilities and services at the Port that are not otherwise provided for in separate contractual agreements with Port Everglades port users. As required by the Federal Maritime Commission, the Tariff is published on the Internet.

Requested rate increases include approximately 3.0% for cargo, container, and petroleum dockage and wharfage; 3.5% for cruise dockage and wharfage; 3.0% for container crane rental; and 3.0% for other marine services. Staff also proposes an increase of 10% for Grid Yard Areas in Tariff Item No. 1140 for temporary assignment of land not covered by a lease or minimum guarantees. This increase reflects recent land appraisals and negotiated lease rates to ensure that grid rates better reflect the land value. No rate increases are proposed for cargo security fees and garage and surface lot hourly and daily parking rates.

In addition to the proposed rate increases, the Tariff includes minor changes to a number of Items to reflect current information or practice, or to delete outdated language. New language is proposed in Tariff Item No. 205 - Access to Port Everglades, that would authorize the Port Everglades Department to require a vessel to provide a copy of the Maritime Declaration of Health (MDOH) or Maritime Conveyance Illness or Death Investigation Form to the Port Everglades Harbormaster along with the vessel's Berth Application during the period of a declared emergency. The intent of this new language is to allow the Port to obtain information directly from the vessel concerning the health status of passengers or crew aboard, but only during the period of a declared emergency. Tariff Item No. 700 would also be revised to include a description of the three new rail mounted container gantry cranes manufactured by Shanghai Zhenhua Heavy Industries Co., Ltd. (ZPMC) scheduled for delivery to Port Everglades later this year.

All of the proposed revisions to the Tariff would be retroactively effective as of October 1, 2020. As shown in Exhibit 2, only a portion of revenue at the Port is tied directly to the Tariff rates. Of the projected \$108,285,270 in Fiscal Year 2021 revenues, approximately 44% is from port user charges based on Tariff rates. The remaining 56% of revenue is based on contractual agreements with cruise lines, marine terminal operators, and leases.

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 September 22, 2020 (Item No. 14), are attached as Exhibit 3 and Exhibit 4.

Source of Additional Information

Ricardo Charlton, Director of Operations, Port Everglades Department, (954) 468-0218

Fiscal Impact

Fiscal Impact/Cost Summary

The proposed Tariff increases have been budgeted and are projected to generate an additional estimated \$3.2 million in revenues in Fiscal Year 2021.