



# Broward County

## Legislation Text

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File #: 22-1474, Version: 1

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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 Marksman Security Corporation 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 of a nonexclusive franchise to Marksman Security Corporation 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 September 20, 2022 (Item No. 26).

#### **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 November 4, 2021 (Item No. 42), the Board granted a nonexclusive franchise to Marksman Security Corporation ("Marksman") for a one-year term to provide marine terminal security services at Port Everglades from November 4, 2021, through November 3, 2022. Marksman has applied for renewal of the franchise.

Staff reviewed the marine terminal security 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 Marksman's representative to clarify franchise requirements; (b) reviewing Marksman'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 Marksman has maintained a favorable service performance record in Port Everglades during the term of its prior franchise agreement; and (c) ensuring that Marksman has promoted and developed growth in the business activities, projects, or facilities of Port Everglades. Staff also reviewed Marksman's safety and environmental history and found no infractions.

Marksman has agreed to comply with all franchise conditions outlined in Section 32.24 of the Administrative Code by submitting the signed franchise application.

Based on the review of 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 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 up to five years. Accordingly, staff recommends renewing the franchise for a five-year term.

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 20, 2022 (Item No. 26), are attached as Exhibit 3 and Exhibit 4.

#### **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**

Marksman has paid the required annual fee of \$2,360 and shall pay an additional \$9,440 in annual franchise fees over the franchise term, for a total of \$11,800.