



Broward County

Legislation Text

File #: 23-855, Version: 1

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, unrestricted Port Everglades stevedore services franchise to United Stevedoring of America, Inc., for a new ten-year term; providing for franchise terms and conditions.

Why Action is Necessary

Pursuant to Section 32.22 of the Broward County Administrative Code ("Administrative Code") and the applicable provisions of Chapter 94-429, Laws of Florida, Broward County (the "County") must hold a public hearing prior to granting, renewing, placing on probation, suspending, or revoking a franchise.

What Action Accomplishes

Allows for the Broward County Board of County Commissioners' ("Board") consideration of the Resolution granting renewal of a nonexclusive, unrestricted Port Everglades stevedore services franchise to United Stevedoring of America, Inc., for a new ten-year term.

Is this Action Goal Related

Yes

Previous Action Taken

Request to Set Public Hearing was approved by the Board on May 23, 2023 (Item No. 21).

Summary Explanation/Background

THE PORT EVERGLADES DEPARTMENT RECOMMENDS APPROVAL.

This action supports the Broward County Board of County Commissioners' ("Board") Value of "Building partnerships and working collaboratively with others to meet shared objectives," and the Goal of "Ensuring economic opportunities and a sustainable economy, with an emphasis on Broward's lower and middle class."

United Stevedoring of America, Inc. ("United"), and its predecessors have been providing stevedore services at Port Everglades under a series of approved franchise agreements since 2003. On August 13, 2013 (Item No. 1-PH), the Board assigned United a nonexclusive stevedore franchise for a ten-year term, commencing August 22, 2013, and ending August 21, 2023. United has applied for renewal of the franchise.

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

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

Based on the review of information provided in the franchise renewal application, staff recommends renewing the stevedore services franchise. Per Section 32.16 of the Administrative Code, the County may grant stevedore services franchises for up to ten years. Consistent with past practice, staff recommends renewing the franchise for a ten-year term.

The resolution to publish notice of public hearing and the signed franchise application documents are attached to the Request to Set Public Hearing Agenda Item (Item No. 21) that the Board approved on May 23, 2023.

Source of Additional Information

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

Paula Serpa, Franchise and Business Permit Manager, Business Development Division, Port Everglades Department, (954) 468-0185

Fiscal Impact

Fiscal Impact/Cost Summary

United has paid the required annual fee of \$4,200 and will pay an additional \$37,800 in annual franchise fees over the franchise term, for a total of \$42,000.