

RESOLUTION NO. _____

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, CONSENTING TO THE ASSIGNMENT OF A NON-EXCLUSIVE RESTRICTED STEAMSHIP AGENT FRANCHISE FROM GENERAL STEAMSHIP AGENCIES, INC. D/B/A QUAY CRUISE AGENCIES, USA TO SAFEGUARD AMERICA, INC. D/B/A SHIP AGENTS OF PORT EVERGLADES TO PROVIDE STEAMSHIP AGENT SERVICES AT PORT EVERGLADES; GRANTING A TIME PERIOD CERTAIN FOR THE ASSIGNED FRANCHISE; PROVIDING FOR NON-DISCRIMINATION/APPLICABLE LAW; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Broward County Board of County Commissioners (the "Board") adopted Resolution 94-1302 creating Chapter 32 of the Broward County Administrative Code, effective November 22, 1994, to provide for the regulation of businesses requiring franchises to conduct operations at Port Everglades; and

WHEREAS, General Steamship Agencies, Inc. d/b/a Quay Cruise Agencies, USA has submitted an application for assignment of its non-exclusive restricted steamship agent franchise to Safeguard America, Inc. d/b/a Ship Agents of Port Everglades and the Board has relied on the representations made by General Steamship Agencies, Inc. d/b/a Quay Cruise Agencies, USA (Assignor) and Safeguard America, Inc. d/b/a Ship Agents of Port Everglades (Assignee) and reviewed the application in light of the requirements of Chapter 32 of the Broward County Administrative Code as amended; and

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1 WHEREAS, the public hearing required for this franchise was conducted on
2 March 24, 2009; and

3 WHEREAS, based on representations of General Steamship Agencies, Inc. d/b/a
4 Quay Cruise Agencies, USA (Assignor) and Safeguard America, Inc. d/b/a Ship Agents
5 of Port Everglades (Assignee) and information presented by County staff and the public,
6 the Board does hereby find, determine and declare the assignment of the franchise and
7 restriction placed thereon to be in the public interest; NOW, THEREFORE,
8

9 BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF
10 BROWARD COUNTY, FLORIDA:

11 **Section 1. RECITALS.** The foregoing "WHEREAS" clauses are true and
12 correct and hereby ratified by the Board of County Commissioners.
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14 **Section 2. ASSIGNMENT OF RESTRICTED FRANCHISE FROM GENERAL**
15 **STEAMSHIP AGENCIES, INC. D/B/A QUAY CRUISE AGENCIES, USA TO**
SAFEGUARD AMERICA, INC. D/B/A SHIP AGENTS OF PORT EVERGLADES

16 The Broward County Board of County Commissioners hereby consents to the
17 assignment of a non-exclusive restricted steamship agent franchise from General
18 Steamship Agencies, Inc. d/b/a Quay Cruise Agencies, USA to Safeguard America, Inc.
19 d/b/a Ship Agents of Port Everglades. The terms and conditions of the Assigned
20 Restricted Franchise are set forth in the Franchise Agreement attached hereto as
21 Exhibit A.
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1 **Section 3. TERM OF ASSIGNED FRANCHISE.**

2 The term of the assigned non-exclusive restricted steamship agent franchise
3 shall commence on March 24, 2009 and expire on November 9, 2010, unless sooner
4 terminated in accordance with the provisions of the Franchise Agreement including,
5 Broward County Administrative Code, Chapter 32, Section 32.29 as amended.
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7 **Section 4. NON-DISCRIMINATION/APPLICABLE LAW.**

8 By accepting this non-exclusive restricted steamship agent franchise, Safeguard
9 America, Inc. d/b/a Ship Agents of Port Everglades agrees that its effectiveness is
10 subject to strict compliance with Broward County Human Rights Act (Broward County
11 Code, Chapter 16-1/2), all rules, regulations and ordinances, including the Broward
12 County Administrative Code and Code of Ordinances, now or hereafter promulgated by
13 Broward County with respect to the conduct of the business operated pursuant to this
14 franchise and is also subject to the terms and provisions of all federal and state laws, as
15 amended from time to time, affecting the conduct of the business for which Safeguard
16 America, Inc. d/b/a Ship Agents of Port Everglades is hereby franchised. The
17 imposition and enforcement of such laws to which this franchise shall be subject, shall
18 operate uniformly with respect to all persons, firms, or corporations holding similar
19 franchises within Port Everglades.
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1 **Section 5. SEVERABILITY.**

2 If any portion of this Resolution is determined by any Court to be invalid, the
3 invalid portion shall be stricken, and such striking shall not affect the validity of the
4 remainder of this Resolution. If any Court determines that this Resolution, or any portion
5 hereof, cannot be legally applied to any individual(s), group(s), entity(ies), property(ies),
6 or circumstance(s), such determination shall not affect the applicability hereof to any
7 other individual, group, entity, property, or circumstance.
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9 **Section 6. EFFECTIVE DATE.**

10 This Resolution shall become effective upon its adoption.
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12 ADOPTED this _____ day of _____, 2009.
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21 RJM:cr
22 March 12, 2009
23 SafeguardAmerica dba ShipAgents_assign_r02.doc
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