

RESOLUTION NO. 2014-

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, GRANTING RENEWAL OF A NONEXCLUSIVE FRANCHISE TO CLEANPRO ENVIRO SOLUTION, LLC FOR A FIVE-YEAR TERM TO PROVIDE VESSEL SANITARY WASTE WATER REMOVAL SERVICES AT PORT EVERGLADES; AND PROVIDING FOR NONDISCRIMINATION AND COMPLIANCE WITH APPLICABLE LAW, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, the Broward County Board of County Commissioners (the "Board") adopted Resolution No. 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, CleanPro Enviro Solution, LLC has submitted an application for a franchise, and the Board has relied on the representations of CleanPro Enviro Solution, LLC and reviewed the application in light of the requirements of Chapter 32 of the Broward County Administrative Code; and

WHEREAS, the public hearing required for this franchise was conducted on August 12, 2014; and

WHEREAS, based on representations of CleanPro Enviro Solution, LLC, and information presented by County staff and the public, the Board does hereby find, determine, and declare the franchise to be in the public interest; NOW, THEREFORE,

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

1 Section 1. The foregoing "WHEREAS" clauses are true and correct and
2 hereby ratified by the Board of County Commissioners.

3 Section 2. AWARD OF FRANCHISE TO CLEANPRO ENVIRO SOLUTION,
4 LLC.

5 CleanPro Enviro Solution, LLC, is hereby granted renewal of a nonexclusive
6 franchise to provide vessel sanitary waste water removal services at Port Everglades.

7 Section 3. TERM.

8 The franchise shall be for a period of five (5) years, commencing
9 September 10, 2014, and ending on September 9, 2019, unless sooner terminated in
10 accordance with the provisions of the franchise, including Section 32.29 of the Broward
11 County Administrative Code.

12 Section 4. NONDISCRIMINATION/APPLICABLE LAW.

13 By accepting this nonexclusive franchise, CleanPro Enviro Solution, LLC agrees
14 that the effectiveness of the franchise is subject to strict compliance with the Broward
15 County Human Rights Act (Chapter 16½, Broward County Code of Ordinances), and all
16 rules, regulations and ordinances, including the Broward County Administrative Code
17 and Code of Ordinances, now or hereafter promulgated by Broward County pertaining
18 to the conduct of the business operated pursuant to this franchise, and is also subject to
19 the terms and provisions of all federal and state laws, as amended from time to time,
20 affecting the conduct of the business for which CleanPro Enviro Solution, LLC is hereby
21 franchised. The imposition and enforcement of such laws to which this franchise shall
22 be subject, shall operate uniformly with respect to all persons, firms, or corporations
23 holding similar franchises within Port Everglades.

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
5 portion hereof, cannot be legally applied to any individual(s), group(s), entity(ies),
6 property(ies), or circumstance(s), such determination shall not affect the applicability
7 hereof to any other individual, group, entity, property, or circumstance.

8 Section 6. EFFECTIVE DATE.

9 This Resolution shall become effective upon its adoption.

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12 ADOPTED this _____ day of _____, 2014.

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16 Approved as to form and legal sufficiency:
17 Joni Armstrong Coffey, County Attorney

18 By: /s/ Russell J. Morrison 06/02/14
19 Russell J. Morrison (Date)
20 Senior Assistant County Attorney

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23 RJM:dh
06/02/14
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