

1 RESOLUTION NO. 2017-

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3 A RESOLUTION OF THE BOARD OF COUNTY
4 COMMISSIONERS OF BROWARD COUNTY, FLORIDA,
5 GRANTING RENEWAL OF A NONEXCLUSIVE FRANCHISE
6 TO PORT CONTRACTORS – SOUTHEAST, LLC, FOR A
7 FIVE-YEAR TERM TO PROVIDE STEAMSHIP AGENT
8 SERVICES AT PORT EVERGLADES; AND PROVIDING
9 FOR NONDISCRIMINATION, COMPLIANCE WITH
10 APPLICABLE LAW, SEVERABILITY, AND AN EFFECTIVE
11 DATE.

12 WHEREAS, the Broward County Board of County Commissioners (the "Board")
13 adopted Resolution No. 94-1302 creating Chapter 32 of the Broward County
14 Administrative Code, effective November 22, 1994, to provide for the regulation of
15 businesses requiring franchises to conduct operations at Port Everglades; and

16 WHEREAS, Port Contractors – Southeast, LLC, has submitted an application for
17 a franchise, and the Board has relied on the representations of Port
18 Contractors – Southeast, LLC, and reviewed the application in light of the requirements
19 of Chapter 32 of the Broward County Administrative Code; and

20 WHEREAS, the public hearing required for this franchise was conducted on
21 August 22, 2017; and

22 WHEREAS, based on representations of Port Contractors – Southeast, LLC, and
23 information presented by County staff and the public, the Board does hereby find,
24 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 hereby
2 ratified by the Board of County Commissioners.

3 Section 2. AWARDOF FRANCHISE TO PORT CONTRACTORS – SOUTHEAST, LLC.
4 Port Contractors – Southeast, LLC, is hereby granted renewal of a nonexclusive
5 franchise to provide steamship agent services at Port Everglades.

6 Section 3. TERM.
7 The franchise shall be for a period of five (5) years, commencing on
8 August 30, 2017, and ending on August 29, 2022, unless sooner terminated in
9 accordance with the provisions of the franchise, including Section 32.29 of the Broward
10 County Administrative Code.

11 Section 4. NONDISCRIMINATION/APPLICABLE LAW.
12 By accepting this nonexclusive franchise, Port Contractors – Southeast, LLC,
13 agrees that the effectiveness of the franchise is subject to strict compliance with the
14 Broward County Human Rights Act (Chapter 16½, Broward County Code of Ordinances),
15 and all rules, regulations, and ordinances, including the Broward County Administrative
16 Code and Code of Ordinances, now or hereafter promulgated by Broward County
17 pertaining to the conduct of the business operated pursuant to this franchise, and is also
18 subject to the terms and provisions of all federal and state laws, as amended from time
19 to time, affecting the conduct of the business for which Port Contractors – Southeast,
20 LLC, is hereby franchised. The imposition and enforcement of such laws to which this
21 franchise shall be subject shall operate uniformly with respect to all persons, firms, or
22 corporations holding similar 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 invalid
3 portion shall be stricken, and such striking shall not affect the validity of the remainder of
4 this Resolution. If any Court determines that this Resolution, or any portion hereof, cannot
5 be legally applied to any individual(s), group(s), entity(ies), property(ies), or
6 circumstance(s), such determination shall not affect the applicability hereof to any other
7 individual, group, entity, property, or circumstance.

8 Section 6. EFFECTIVE DATE.

9 This Resolution shall become effective upon adoption.

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12 ADOPTED this _____ day of _____, 2017.

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

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18 By /s/ Russell J. Morrison 05/10/17
19 Russell J. Morrison (date)
20 Sr. Assistant County Attorney

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23 RJM:dh
24 05/10/17
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