



# Broward County

## Legislation Details (With Text)

**File #:** 21-1141      **Version:** 1

**Status:** Agenda Ready

**In control:** PORT EVERGLADES DEPARTMENT

**On agenda:** 6/15/2021      **Final action:**

**Title:** MOTION TO AUTHORIZE County Administrator to execute a Marine Terminal and Berth User Agreement between Broward County and Magical Cruise Company, Limited, d/b/a Disney Cruise Line, subject to final review for legal sufficiency by the Office of the County Attorney.

**Sponsors:**

**Indexes:** Established Commission Goals

**Code sections:**

**Attachments:** 1. Exhibit 1 - Letter From Disney Cruise Line dated April 26, 2021

Date	Ver.	Action By	Action	Result
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### Broward County Commission Regular Meeting

**Director's Name:** Jonathan Daniels

**Department:** Port Everglades

**Division:** Business Administration

### Information

#### Requested Action

MOTION TO AUTHORIZE County Administrator to execute a Marine Terminal and Berth User Agreement between Broward County and Magical Cruise Company, Limited, d/b/a Disney Cruise Line, subject to final review for legal sufficiency by the Office of the County Attorney.

#### Why Action is Necessary

Marine Terminal and Berth User Agreements require approval by the Broward County Board of County Commissioners.

#### What Action Accomplishes

Authorizes the County Administrator to execute a Marine Terminal and Berth User Agreement between Broward County and Magical Cruise Company, Limited, d/b/a Disney Cruise Line, subject to final review for legal sufficiency by the Office of the County Attorney.

#### Is this Action Goal Related

Yes

#### Previous Action Taken

None

#### 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 April 26, 2021, Port Everglades staff received a request from Magical Cruise Company, Limited, d/b/a Disney Cruise Line ("Disney") to negotiate for the use of Cruise Terminal 4 and its adjacent Berth 4 to move its South Florida operations to Port Everglades, starting with one year-round ship capable of carrying approximately 3,500 passengers (see Exhibit 1).

On May 18, 2021 (Item No. 40), the Board waived the competitive selection requirements for a marine terminal and berth user agreement in accordance with Section 32.10 of the Broward County Administrative Code and authorized the Port Everglades Chief Executive and Port Director to negotiate a marine terminal and berth user agreement (the "Agreement") between Broward County and Disney, to be brought back to the Board for approval.

Disney and Port Everglades staff held a fact-finding meeting on May 20, 2021, and held sunshined negotiations on June 8, 2021. The parties are finalizing the business terms of the Agreement based on these negotiations. The final version of the Agreement will be ready for execution before the end of the Board's summer recess. Authorizing the County Administrator to execute the Agreement during the summer recess will allow Port staff to start the procurement process necessary to complete required terminal and berth improvements prior to commencement of Disney's cruise activity, and allows Disney sufficient lead time to make vessel deployment decisions associated with homeporting from Port Everglades starting in the 2023-2024 cruise season.

#### **Source of Additional Information**

Jonathan T. Daniels, Chief Executive and Port Director, Port Everglades Department, (954) 468-3516  
Jorge A. Hernández, Director, Business Administration Division, Port Everglades Department, (954) 468-3501

#### **Fiscal Impact**

##### **Fiscal Impact/Cost Summary**

There is no fiscal impact associated with this action. However, the execution of the Agreement will result in additional annual revenue to the Port based on new passenger movements, and one-time capital expenses associated with the berth and terminal improvements required prior to Disney commencing service from Port Everglades.