



Broward County

Legislation Details (With Text)

File #: 22-1155 **Version:** 1

Status: Agenda Ready

In control: PUBLIC HEARING

On agenda: 8/25/2022 **Final action:** 8/25/2022

Title: MOTION TO ADOPT Resolution of the Board of County Commissioners of Broward County, Florida, granting renewal of a nonexclusive franchise to Eller-I.T.O. Stevedoring Company, L.L.C., for a ten-year term to provide stevedore services at Port Everglades.

Sponsors:

Indexes: Established Commission Goals

Code sections:

Attachments: 1. Exhibit 1 - Resolution, 2. Exhibit 2 - Application, 3. Exhibit 3 - Resolution to Publish Notice of Public Hearing, 4. Exhibit 4 - Notice of Public Hearing

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 Development

Information

Requested Action

MOTION TO ADOPT Resolution of the Board of County Commissioners of Broward County, Florida, granting renewal of a nonexclusive franchise to Eller-I.T.O. Stevedoring Company, L.L.C., for a ten-year term to provide stevedore services at Port Everglades.

Why Action is Necessary

Pursuant to Section 32.22 of the Broward County Administrative Code ("Administrative Code"), Broward County (the "County") must hold a public hearing prior to granting, renewing, placing on probation, suspending, or revoking a franchise.

What Action Accomplishes

Grants the renewal of a nonexclusive franchise to Eller-I.T.O. Stevedoring Company, L.L.C., for a ten-year term to provide stevedore services at Port Everglades.

Is this Action Goal Related

Yes

Previous Action Taken

The Broward County Board of County Commissioners approved the Request to Set Public Hearing on June 14, 2022 (Item No.17).

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."

Eller-I.T.O. Stevedoring Company, L.L.C. ("Eller-I.T.O."), has provided stevedore services at Port Everglades under a series of approved franchise agreements since 2011. On August 28, 2012 (Item No. 3-PH), the Board granted renewal of a nonexclusive franchise to Eller-I.T.O. to provide stevedore services at Port Everglades for a ten-year term, from September 13, 2012, through September 12, 2022. Eller-I.T.O. has applied for renewal of the franchise.

Staff reviewed the stevedore 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 Eller-I.T.O.'s representative to clarify franchise requirements; (b) reviewing Eller-I.T.O.'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, statement of activities and actions indicating that Eller-I.T.O. has maintained a favorable service performance record in Port Everglades during the term of its prior franchise agreements; and (c) ensuring that Eller-I.T.O. has promoted and developed growth in the business activities, projects, or facilities of Port Everglades. Staff also reviewed Eller-I.T.O.'s safety and environmental history and found no infractions.

By submitting the signed franchise application, Eller-I.T.O. 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 franchise. Per Section 32.16 of the Administrative Code, the County may grant stevedore franchises for up to ten years. Consistent with past practice, staff recommends renewing the franchise for a ten-year term.

The complete application and supporting documents are on file in the Port Everglades Business Development Division's office.

The Resolution to Publish Notice of Public Hearing and Notice of Public Hearing from the Request to Set Public Hearing agenda item approved by the Board on June 14, 2022 (Item No.17), are attached as Exhibit 3 and Exhibit 4.

Source of Additional Information

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

Angela Osorno-Belleme, Franchises and Business Permit Manager, Business Development Division, Port Everglades Department, (954) 468-0112

Fiscal Impact

Fiscal Impact/Cost Summary

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