



# Broward County

## Legislation Text

File #: 22-789, Version: 1

### **Broward County Commission Regular Meeting**

**Director's Name:** Jonathan Daniels

**Department:** Port Everglades

**Division:** Business Development

### Information

#### Requested Action

MOTION TO ADOPT Resolution directing the County Administrator to publish Notice of Public Hearing to be held on August 25, 2022, at 10:00 a.m., in Room 422 of the Governmental Center, 115 South Andrews Avenue, Fort Lauderdale, Florida, to consider the application of Eller-I.T.O. Stevedoring Company, L.L.C., for the granting of a renewal of a nonexclusive franchise 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

Directs the County Administrator to publish Notice of Public Hearing during which the Broward County Board of County Commissioners may consider the granting of a 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

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."

Eller-I.T.O. Stevedoring Company, L.L.C. ("Eller-ITO"), has been providing 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-ITO to provide stevedore

services at Port Everglades for a ten-year term, from September 13, 2012, through September 12, 2022. Eller-ITO 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-ITO's representative to clarify franchise requirements; (b) reviewing Eller-ITO'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-ITO has maintained a favorable service performance record in Port Everglades during the term of its prior franchise agreements; and (c) ensuring that Eller-ITO has promoted and developed growth in the business activities, projects, or facilities of Port Everglades. Staff also reviewed Eller-ITO's safety and environmental history and did not find any infractions.

By submitting the signed franchise application, Eller-ITO 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 any period of 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.

**Source of Additional Information**

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

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

**Fiscal Impact**

**Fiscal Impact/Cost Summary**

Eller-ITO has paid the required annual fee of \$4,000 and will pay an additional \$36,000 in annual franchise fees over the term of the franchise, for a total of \$40,000.