



# Broward County

## Legislation Details (With Text)

**File #:** 20-1891 **Version:** 1

**Status:** Agenda Ready

**In control:** REQUEST TO SET FOR PUBLIC HEARING

**On agenda:** 11/10/2020 **Final action:** 11/10/2020

**Title:** MOTION TO ADOPT Resolution No. 2020-664 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, December 1, 2020, at 10:00 a.m. in the County Commissioners' Meeting Room (Room 422), Governmental Center, 115 South Andrews Avenue, Fort Lauderdale, Florida, to consider the application of Rehoboth Terminal LLC for the granting of the renewal of a nonexclusive franchise for a ten-year term, from January 7, 2021, through January 6, 2031, to provide cargo handler services at Port Everglades.

**Sponsors:**

**Indexes:** Established Commission Goals

**Code sections:**

**Attachments:** 1. Exhibit 1 - Resolution, 2. Exhibit 2 - Notice to Publish, 3. Exhibit 3 - Application

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 ADOPT Resolution No. 2020-664 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, December 1, 2020, at 10:00 a.m. in the County Commissioners' Meeting Room (Room 422), Governmental Center, 115 South Andrews Avenue, Fort Lauderdale, Florida, to consider the application of Rehoboth Terminal LLC for the granting of the renewal of a nonexclusive franchise for a ten-year term, from January 7, 2021, through January 6, 2031, to provide cargo handler services at Port Everglades.

#### Why Action is Necessary

Public hearing is required pursuant to Chapter 94-429, Laws of Florida, and Section 32.22.a of the Broward County Administrative Code. Franchises are granted pursuant to Chapter 32 of the Broward County Administrative Code.

#### What Action Accomplishes

It allows a public hearing date to be set and notices to be published twice in local newspapers.

#### 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 January 7, 2020 (Item No. 29-PH), the Board granted a new nonexclusive restricted franchise to Rehoboth Terminal LLC ("Rehoboth") to provide cargo handler services at Port Everglades for a one-year term, from January 7, 2020, through January 6, 2021, restricted to lift on/lift off and roll on/roll oceangoing ships operated by Accordia Shipping LLC, or its affiliates, for loading and/or discharging of automobiles, SUVs, trucks, vans, tractors, buses, trailers, and chassis. Rehoboth has applied for renewal of that franchise and requested removal of the restriction. The company has also applied for renewal of its stevedore franchise, which is the subject of a separate agenda item.

Staff has reviewed the cargo handler franchise renewal application against the enumerated renewal criteria set forth in Chapter 32 of the Broward County Administrative Code. Staff's due diligence included corresponding with Rehoboth's representative to clarify franchise requirements and reviewing Rehoboth's corporate status, resumes of executive staff and list of managerial personnel, business history/experience, litigation history, insurance, financial documents and creditworthiness, discharge of previous financial obligations to 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 intended activities and actions indicating that Rehoboth has maintained a favorable service performance record at Port Everglades during the term of the franchise, and that it has promoted and developed growth in business activities, projects, or facilities of Port Everglades. Rehoboth's safety and environmental history was also reviewed, and no infractions were found. No false or misleading information was submitted as part of the franchise renewal application. Rehoboth has, through the submission of the signed franchise renewal application, agreed to comply with all franchise conditions set forth in Section 32.24 of the Broward County Administrative Code.

Based on the review of information provided in the franchise renewal application, staff has determined that Rehoboth meets the criteria for renewal of the cargo handler franchise. Cargo handler franchises may be granted for any period of time up to ten years. Past Board practice has been to approve a restricted cargo handler franchise for an initial term of one year, and each subsequent renewal for a term up to ten years without the restrictions included on the initial one year franchise. Accordingly, staff is recommending that the franchise be renewed for a ten-year term, without the previously imposed restriction. The complete application and supporting documents are on file in the Port Everglades Business Administration Division.

### **Source of Additional Information**

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

Angela Osorno Belleme, Franchise Manager, Business Administration Division, Port Everglades

Department, (954) 468-0112

**Fiscal Impact**

**Fiscal Impact/Cost Summary**

Rehoboth 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.