



Broward County

Legislation Details (With Text)

File #: 20-1980 **Version:** 1

Status: Agenda Ready

In control: PUBLIC HEARING

On agenda: 12/1/2020 **Final action:** 12/1/2020

Title: MOTION TO ADOPT Resolution No. 2020-710 of the Board of County Commissioners of Broward County, Florida, granting renewal of a nonexclusive franchise to Rehoboth Terminal LLC for a ten-year term to provide cargo handler services at Port Everglades, from January 7, 2021, through January 6, 2031; providing for franchise terms and conditions; and providing for severability and an effective date.

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 Administration

Information

Requested Action

MOTION TO ADOPT Resolution No. 2020-710 of the Board of County Commissioners of Broward County, Florida, granting renewal of a nonexclusive franchise to Rehoboth Terminal LLC for a ten-year term to provide cargo handler services at Port Everglades, from January 7, 2021, through January 6, 2031; providing for franchise terms and conditions; and providing for severability and an effective date.

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 franchisee to continue to provide cargo handler services at Port Everglades.

Is this Action Goal Related

Yes

Previous Action Taken

Request to set Public Hearing was approved by the Broward County Board of County Commissioners on November 10, 2020 (Item No. 35).

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), 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 in 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.

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 November 10, 2020 (Item No. 35), are attached as Exhibit 3 and Exhibit 4.

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.