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CITY OF RIVIERA BEACH  
PLANNING AND ZONING BOARD

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Thursday, February 9, 2017

Council Chambers  
600 West Blue Heron Boulevard  
Riviera Beach, Florida

6:38 p.m. - 9:44 p.m.

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IN ATTENDANCE:

Rena James, Chair  
Tradrick McCoy, Vice Chair  
Margaret Shepherd, Board Member  
Julius Whigham, Sr., Board Member  
Lina F. Busby, Assistant City Attorney  
Jeff Gagnon, Assistant Director of  
Community Development  
DeAndrae Spradley, Principal Planner  
Mario Velasquez, Senior Planner  
Allison Goldberg, Senior Planner

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1 BE IT REMEMBERED that the following Planning  
2 and Zoning Board meeting was had at Riviera Beach City  
3 Hall Council Chambers, 600 West Blue Heron Boulevard,  
4 Riviera Beach, Florida, on Thursday, February 9, 2017,  
5 beginning at 6:38 p.m., with attendees as hereinabove  
6 noted, to wit:

7 ---

8 CHAIR JAMES: The time is now 6:38. Going to  
9 go ahead and call the meeting to order. We'll begin by  
10 a moment of silence and then the Pledge of Allegiance.  
11 (Moment of silence observed. Pledge of  
12 Allegiance recited.)

13 CHAIR JAMES: We'll have roll call now.

14 MR. VELASQUEZ: Julius Whigham.

15 MR. WHIGHAM: Present.

16 MR. VELASQUEZ: Margaret Shepherd.

17 MS. SHEPHERD: Here.

18 MR. VELASQUEZ: Edward Kunuty.

19 (No response.)

20 MR. VELASQUEZ: Zedrick Barber, II.

21 (No response.)

22 MR. VELASQUEZ: Tradrick McCoy.

23 VICE CHAIR McCOY: Here.

24 MR. VELASQUEZ: Rena James.

25 CHAIR JAMES: Here.

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1 MR. VELASQUEZ: A quorum is present.

2 CHAIR JAMES: Will you go ahead and state for  
3 the record if the members who are absent gave proper  
4 notice.

5 MR. GAGNON: Yes. Jeff Gagnon, Assistant  
6 Director of Community Development.

7 I did hear from Mr. Kunuty and Mr. Barber  
8 prior to the meeting that they would not be able to  
9 attend tonight.

10 CHAIR JAMES: Thank you. On to item III.  
11 Are there any additions or deletions to the agenda?

12 MR. GAGNON: No, ma'am.

13 CHAIR JAMES: Okay, we'll have disclosure by  
14 Board members at this time, followed by the adoption of  
15 the agenda. Are there any disclosures?

16 VICE CHAIR McCOY: Madam Chair.

17 CHAIR JAMES: Go ahead.

18 VICE CHAIR McCOY: I have a disclosure. I  
19 have spoken to staff from the City Attorney's Office as  
20 well as the Planning and Zoning Board prior regarding  
21 this item. Also, I've received e-mails, a number of  
22 e-mails from members of the public and other text  
23 messages and what have you.

24 CHAIR JAMES: Any other disclosures?

25 MS. SHEPHERD: Margaret Shepherd. I had

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1 about 22 people visit to my home on this matter.

2 CHAIR JAMES: And I will disclose that I was  
3 contacted by the applicant to make a site visit to  
4 Tampa, which I was not able to attend. So if we don't  
5 have any other disclosures at this time, we'll go ahead  
6 and move for the adoption of the agenda. Is there a  
7 motion?

8 VICE CHAIR McCOY: So moved.

9 MR. WHIGHAM: Second.

10 MR. VELASQUEZ: Julius Whigham.

11 MR. WHIGHAM: Yes.

12 MR. VELASQUEZ: Margaret Shepherd.

13 MS. SHEPHERD: Yes.

14 MR. VELASQUEZ: Tradrick McCoy.

15 VICE CHAIR McCOY: Yes.

16 MR. VELASQUEZ: Rena James.

17 CHAIR JAMES: Yes.

18 MR. VELASQUEZ: Unanimous voting. Motion  
19 approved.

20 CHAIR JAMES: Thank you. On to unfinished  
21 business. I'm sorry.

22 VICE CHAIR McCOY: That was adoption. We're  
23 in approval.

24 CHAIR JAMES: Approval of the minutes, sorry.  
25 So we have approval of the minutes from the January

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1 22nd, 2017 meeting.  
 2 VICE CHAIR McCOY: Move to approve, Madam  
 3 Chair.  
 4 MS. SHEPHERD: Second.  
 5 CHAIR JAMES: Roll call.  
 6 MR. VELASQUEZ: Julius Whigham.  
 7 MR. WHIGHAM: Yes.  
 8 MR. VELASQUEZ: Margaret Shepherd.  
 9 MS. SHEPHERD: Yes.  
 10 MR. VELASQUEZ: Tradrick McCoy.  
 11 VICE CHAIR McCOY: Yes.  
 12 MR. VELASQUEZ: Rena James.  
 13 CHAIR JAMES: Yes.  
 14 MR. VELASQUEZ: Unanimous voting. Motion  
 15 approved.  
 16 CHAIR JAMES: Now for unfinished business.  
 17 MR. GAGNON: Yes, thank you, Chair. Once  
 18 again, Jeff Gagnon, Assistant Director of Community  
 19 Development.  
 20 You have before you tonight an item that was  
 21 previously reviewed by the Planning and Zoning Board on  
 22 December 15th of last year. It's a resolution of the  
 23 City Council of the City of Riviera Beach, Palm Beach  
 24 County, Florida, approving the site plan and special  
 25 exception application from Odyssey Manufacturing

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1 Company for the construction of a bleach storage and  
 2 distribution facility, including eight 40,000 gallon  
 3 storage tanks and a future material storage area on an  
 4 approximately seven acre vacant parcel of land known by  
 5 PCN 56-43-42-32-43-001-0000 located on the south side  
 6 of Dr. Martin Luther King, Jr. Boulevard, east of 1555  
 7 Dr. Martin Luther King, Jr. Boulevard, which is the  
 8 Stonybrook Apartments, and west of 1489 Dr. Martin  
 9 Luther King, Jr. Boulevard, which is Tropical Shipping,  
 10 and providing for an effective date.  
 11 So for the general public, just a brief  
 12 overview of the procedures for tonight. We'll have a  
 13 staff presentation, followed by a presentation by the  
 14 applicant. Then there will be an opportunity for  
 15 public comments on the item as well.  
 16 I don't know, Chair James, if you wanted to  
 17 make a general statement about the pink comment cards,  
 18 but typically we'd ask for the comment cards to be  
 19 provided prior to the start of the item. However, we  
 20 do need a pink comment card to receive public comment.  
 21 CHAIR JAMES: There is something I want to  
 22 note about the comment cards. Right now we're on the  
 23 agenda, and I think at this point everyone who has  
 24 submitted a comment card wants to speak on item A, but  
 25 that's not easily identified on some of these cards,

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1 because some are marked for public comments, which  
 2 comes at the end of the agenda. I mean public  
 3 comments, under that section is section VIII, not  
 4 section VI.  
 5 So just be aware of which box you're checking  
 6 when you're completing the public comment card so as I  
 7 go through these and I have not called you to speak on  
 8 this item, it's because you probably have the wrong box  
 9 marked. Okay, so we'll go ahead with the presentation.  
 10 MR. GAGNON: As a summary of the presentation  
 11 tonight, you'll be presented with a location map, an  
 12 aerial image. Current site photos, you'll see both the  
 13 previous site plan and the amended site plan proposal  
 14 with notation of the proposed changes. The landscape  
 15 plan proposed will be provided. Odyssey has provided  
 16 photos of a similar facility, the same photos from last  
 17 meeting as well, and then we can look at the staff  
 18 report.  
 19 So here's the subject area. This is a  
 20 location map of the area itself. Stonybrook is to the  
 21 west and Tropical Shipping to the east along Dr. Martin  
 22 Luther King, Jr. Boulevard. Here is an aerial of the  
 23 site itself. The site does encompass this main parcel  
 24 and two smaller parcels to the west as well. You can  
 25 also notice it does about the railroad tracks as well,

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1 which is a main factor and component of this project  
 2 proposal.  
 3 So here's a view taken from the center of the  
 4 roadway to the north. This is looking south. You can  
 5 see Tropical Shipping in this photo. This is a rail  
 6 transfer station to the north. Also to the north you  
 7 can see an existing canal and residences. This is a  
 8 view west. This is also west. You can see the  
 9 Stonybrook Apartments. And the resolution is difficult  
 10 to see on this, but this is south across the parcel  
 11 itself. You can see the parcel itself is currently  
 12 vacant. This is also a view south.  
 13 So the proposal that was provided during the  
 14 December 15th Planning and Zoning Board meeting, it had  
 15 a three phased approach. It was for the bleach storage  
 16 and transfer in phase one, there was a phase two  
 17 warehouse, and also a phase three storage area for  
 18 Cemex.  
 19 So this is the phase two warehouse area. And  
 20 what occurred between the December 15th meeting and  
 21 tonight's meeting is the applicant decided to remove  
 22 this phase from the development proposal. And  
 23 obviously, the applicant will have the opportunity to  
 24 explain that in greater detail, however, I think it was  
 25 based off of comments that were provided during the

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1 last public meeting on this item. So the phase two  
 2 warehouse, as shown, will be removed.  
 3 This is the current proposal. And I'll put  
 4 the mouse cursor over the same area. You can see the  
 5 warehouse has been removed. The storage and transfer  
 6 location remains the same as previously, as well as the  
 7 storage area for Cemex.  
 8 So the landscape plan remains unchanged,  
 9 except that staff did ask the applicant to add  
 10 additional shade trees along the landscape buffer  
 11 adjacent to the Stonybrook Apartments. So the  
 12 applicant did agree to add an additional 30 shade trees  
 13 along this location. So to give you a feeling of how  
 14 many 30 shade trees would equal, currently along this  
 15 stretch is approximately 30 shade trees currently. So  
 16 it would be doubling the number of shade trees, so  
 17 there would be a significant increase in that landscape  
 18 buffer.  
 19 And this is just the other section of the  
 20 landscape plan towards the south end of the property.  
 21 These are the same two photos that were  
 22 provided during our last meeting. These are photos of  
 23 the existing facility that Odyssey operates, so it  
 24 gives you a good general understanding and feeling of  
 25 what the storage tanks would look like on this site as

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1 well, in addition to some of the other components  
 2 anticipated to be, including this site plan.  
 3 At this point I'd like to transfer it to the  
 4 staff report. And just for the record, there is a  
 5 public reference binder in the back of the room that  
 6 has all the information that was provided online, which  
 7 included the staff report. It also includes an  
 8 additional environmental assessment that the applicant  
 9 has provided since our previous meeting. So there's  
 10 some important information included in that document as  
 11 well. Again, that was presented to the Board when the  
 12 packet was distributed, as well as having it available  
 13 to the general public in the rear of the room.  
 14 So as I discussed previously, there's three  
 15 parcels. The primary parcel is approximately seven  
 16 acres. In total, it's approximately nine acres for the  
 17 entire development. The existing use is vacant, and  
 18 the zoning designation is general industrial, and that  
 19 corresponds to the industrial future land use.  
 20 I touched upon the adjacent property uses  
 21 currently. The two major developments would be  
 22 Tropical Shipping and Stonybrook Apartments to both the  
 23 east and west of the property. So I want to touch upon  
 24 some of the highlights within the background.  
 25 I did want to note again during this meeting

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1 that the Odyssey proposal is not to manufacture bleach  
 2 in this location. Any sort of manufacturing of bleach  
 3 would occur at an off-site location, and this is for  
 4 storage and transfer of that bleach commodity. So  
 5 there is no manufacturing proposed on site currently.  
 6 As previously referenced, they did decide,  
 7 Odyssey did decide to remove that phase two warehouse  
 8 from the proposal. Based off of Board comments and  
 9 public comments, they thought that that proposal would  
 10 be more in line with the intent of the code and also  
 11 what the general public and Board was looking for.  
 12 I did want to make reference once again that  
 13 similar to the last packet that was provided during the  
 14 December 15th meeting, City Code Section 31-62, which  
 15 is standards for granting special exceptions, that's  
 16 included in your packet just behind the staff report as  
 17 well.  
 18 So that kind of guides the Board as far as  
 19 the review process. And it also guides the staff  
 20 analysis as far as what specific elements we're looking  
 21 for to see whether or not that special exception is  
 22 being met, and it's supposed to guide the Planning and  
 23 Zoning Board's analysis of the project in general.  
 24 So what I'll do is I'll skip down to the  
 25 special exception analysis. The other sections of the

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1 typical review, the staff analysis and review, staff  
 2 feels as though the applicant has met those  
 3 requirements. The special exception analysis, again,  
 4 the facts of the project are provided to the Board for  
 5 review and analysis, and it's really on the Planning  
 6 and Zoning Board to review these facts, ask any  
 7 additional questions you may have and provide a final  
 8 recommendation of the project to City Council.  
 9 So under special exception analysis, there's  
 10 a few criteria. For the record, I'll list the  
 11 beginning of that criteria and also staff analysis of  
 12 the project proposal.  
 13 So the first is ingress and egress to the  
 14 property and also proposed structures thereon. So as  
 15 you saw from the previous aerial, it's located on MLK,  
 16 Jr. Boulevard, and all that ingress and egress to the  
 17 site is readily available, so staff feels it met that  
 18 criteria.  
 19 (B) is off-street parking and loading areas.  
 20 This is really a component of the type of structures  
 21 built and anticipated parking demand. Staff feels that  
 22 adequate parking has been provided and that the  
 23 application meets that criteria.  
 24 Letter (c) is refuse and service areas,  
 25 including consideration of relevant factors as listed

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1 above. So again, there are trash service capabilities  
 2 for the site, and there is a dumpster enclosure that's  
 3 been designed per City standards on the proposed site  
 4 plan, so staff feels that letter (c) has been met by  
 5 the applicant.  
 6 Letter (d), utilities, including such  
 7 consideration as hook-in locations and availability and  
 8 compatibility of utilities for the proposed area or  
 9 structure. Again, all the utilities are available to  
 10 the site, including sewer, water, electric, and so the  
 11 typical hookups can be provided for this proposal.  
 12 Letter (e) is really a description of how the  
 13 landscaping and buffering will work for the proposal  
 14 itself. As previously mentioned, the applicant has  
 15 agreed to plant 30 additional trees along the landscape  
 16 buffer adjacent to Stonybrook, and staff feels as if  
 17 this letter, letter (e) has been met by the applicant.  
 18 Letter (f), consider signs or outside  
 19 displays. At this time there is no sign proposed, no  
 20 signing proposed on site. In the future, if a sign is  
 21 requested, it would go through a separate permit  
 22 process. Additionally, a lighting plan has been  
 23 provided, and it meets City codes.  
 24 Letter (g) is required yards and open spaces.  
 25 This plan adequately meets all City codes. Most of the

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1 site itself, as proposed, is currently open, so it  
 2 meets that requirement.  
 3 Letter (h) is other applicable requirements,  
 4 such as those found in Section 31-481, which is our PUD  
 5 section of the code, which isn't really relevant to  
 6 this development in my opinion; Section 31-566, which  
 7 is our parking section of the code, which was  
 8 referenced earlier on where adequate parking has been  
 9 provided; and also Section 31-596, which is our  
 10 landscape section of the code, which has also been met.  
 11 So under Recommendation, City staff advises  
 12 that the Planning and Zoning Board review and consider  
 13 all information presented and provide a recommendation  
 14 to City Council. If the Planning and Zoning Board  
 15 chooses to recommend approval, City staff recommends  
 16 including the following conditions of approval. And  
 17 there are ten conditions of approval below. Some are  
 18 standard language.  
 19 So number one is a two year landscape  
 20 performance bond for 110 percent of the value of  
 21 landscaping and irrigation.  
 22 Number two, construction and landscaping  
 23 improvements must be initiated within 18 months of the  
 24 effective date of resolution.  
 25 Number three, all future advertising must

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1 state the development is located in the City of Riviera  
 2 Beach.  
 3 Number four, this resolution would supersede  
 4 any previous site plan approvals.  
 5 Number five, City Council would authorize  
 6 City staff to approve future amendments to the site  
 7 plan administratively, so long as they do not deviate  
 8 greater than five percent from the originally approved  
 9 site plan.  
 10 Number six, a unity of title is required  
 11 prior to the issuance of a Certificate of Occupancy or  
 12 a Certificate of Completion for the three parcels.  
 13 Number seven, activity on this property which  
 14 results in offensive noise, which is specifically  
 15 defined under City Code Section 11-141 and as follows,  
 16 that shall be discontinued during the time between  
 17 8 p.m. and 7 a.m.  
 18 Number eight, tanker trucks may actively  
 19 transport bleach from this location, however, tanker  
 20 trucks shall not be utilized for long-term storage of  
 21 bleach or other material on site.  
 22 Number nine, the eight 40,000 gallon storage  
 23 tanks proposed shall only be utilized for the storage  
 24 of bleach and no other material or substance.  
 25 Number ten, approval of any future expansion

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1 requests of the on-site bleach storage capacity of this  
 2 facility shall require an additional special exception  
 3 approval. Again, it is currently eight 40,000 gallon  
 4 storage tanks proposed, which would be a 320,000 gallon  
 5 storage capacity in total.  
 6 So at this time, if the Board does not have  
 7 questions of staff, I would turn it over to the  
 8 development team for Odyssey.  
 9 CHAIR JAMES: I have a question.  
 10 MR. GAGNON: Yes, ma'am.  
 11 CHAIR JAMES: In your Recommendation, it's  
 12 not clear if the City is recommending approval or  
 13 denial. It just states if the Planning and Zoning  
 14 Board chooses to recommend approval, City staff  
 15 recommends including the following conditions of  
 16 approval. So what is the City's position or the  
 17 staff's position?  
 18 MR. GAGNON: Well, again, as described under  
 19 Code Section 31-62, it specifically provides that  
 20 analysis responsibility to the Planning and Zoning  
 21 Board. So again, staff has provided as many facts as  
 22 we could. We provided an analysis of the special  
 23 exception criteria to allow the Planning and Zoning  
 24 Board to analyze that data. However, at this time we  
 25 feel as if ultimately, that decision falls on the

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1 Planning and Zoning Board.  
 2 CHAIR JAMES: So you're not recommending  
 3 approval as in previous --  
 4 MR. GAGNON: The previous --  
 5 CHAIR JAMES: We always usually get a  
 6 recommendation. So it's just up to us, okay. So  
 7 noted.  
 8 Does the Board have any other comments of  
 9 staff at this time?  
 10 MR. WHIGHAM: I have one question. I know  
 11 that at our last meeting we were concerned about having  
 12 a third party involved in this to tell the citizens and  
 13 the Board whether this condition of the storage tanks  
 14 would be safe and how about they're doing. And you  
 15 know, I just thought we were supposed to have a third  
 16 party involved.  
 17 But then too, I'm concerned that the State  
 18 Environmental Protection Agency hasn't been involved.  
 19 Have they been notified about this, or the Federal  
 20 Protection Agency been notified of this concern about  
 21 what's going on in the City of Riviera Beach?  
 22 MR. GAGNON: So in response to the request  
 23 for a third party analysis, Odyssey did procure that  
 24 analysis, and it has been provided in the staff report,  
 25 in the staff packet that's been provided. I think

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1 Odyssey will be able to provide a better description of  
 2 the findings and results of that report, however, a  
 3 report was completed.  
 4 And as far as contacting DEP or any sort of  
 5 regulatory agencies, I think that would happen further  
 6 down the line to ensure that any sort of development  
 7 was in line with any sort of Federal or State or County  
 8 laws if they're a different source other than City  
 9 laws. So that would come at a later date.  
 10 CHAIR JAMES: Are there any other Board  
 11 comments for staff?  
 12 VICE CHAIR McCOY: Madam Chair.  
 13 CHAIR JAMES: Go ahead.  
 14 VICE CHAIR McCOY: I was specifically looking  
 15 for a response to why we tabled the meeting last --  
 16 actually, in December when we requested a review of the  
 17 memo that was provided by the applicant.  
 18 MR. GAGNON: I think that after staff  
 19 reviewed the item, if you recall, there was a condition  
 20 of approval that referenced a time for use of the  
 21 railway itself. That condition has been removed from  
 22 staff's recommendation, being that there are Federal  
 23 regulations that kind of dictate the use of rail lines.  
 24 As far as an official response to the  
 25 submittal, I'd have to defer. I haven't seen an

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1 official response. I think it has been worked out, and  
 2 I think it's a nonissue at this point, however, I  
 3 haven't received documentation on that.  
 4 VICE CHAIR McCOY: Follow-up, Madam Chair.  
 5 CHAIR JAMES: Go ahead.  
 6 VICE CHAIR McCOY: I actually went through  
 7 the minutes, and I specifically tried to preface it,  
 8 because we were presented with a memorandum that  
 9 referenced Interstate Commerce Commission Termination  
 10 Act at the last moment, I think moments before we got  
 11 into the meeting, and it was stated by the applicant  
 12 that they were preempted from City's code.  
 13 And I asked the question of our Legal  
 14 Department, if they had an opinion, and it was said  
 15 that they were going to have to provide a review and  
 16 then come back and give us the information as to  
 17 whether there was any preemption. So that's, in my  
 18 opinion, why we tabled.  
 19 MR. GAGNON: I'm sorry. I believe that it  
 20 was discussed and worked out. And I don't want to  
 21 speak for the applicant, but I believe that they're  
 22 comfortable with moving forward with the review process  
 23 as is. But again, the applicant can respond  
 24 differently if I'm speaking out of turn.  
 25 VICE CHAIR McCOY: Right, but just so I can

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1 know for myself and maybe perhaps other members of the  
 2 Board, we were provided with documentation that said  
 3 that they were preempted from coming to get a special  
 4 exception. Just because I think it was something like  
 5 we asked, I was hoping that it would get a response or  
 6 some information back from our Legal Department or even  
 7 from City staff as to the applicability of the  
 8 Interstate Commerce Commission Termination Act. So  
 9 that's where I'm at.  
 10 MS. BUSBY: Chair?  
 11 CHAIR JAMES: Go ahead.  
 12 MS. BUSBY: Our office can respond.  
 13 MR. DeGRAFFENREIDT: Sure. I understand the  
 14 position taken by the applicant in the memorandum. I  
 15 respectfully disagree. I think we have the entitlement  
 16 to apply our zoning applications to the project and  
 17 it's not preempted. Whether that's true or not,  
 18 whether I'm right or Mr. Brown is right is really  
 19 irrelevant to your proceeding. Who's right will be  
 20 decided in a court of law, should that issue have to be  
 21 decided there. You have an issue that is unrelated to  
 22 that tonight, and I respectfully request you to decide  
 23 it.  
 24 CHAIR JAMES: I'm sorry, could you state your  
 25 name and --

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1 MR. DeGRAFFENREIDT: My name is Andrew  
 2 DeGraffenreidt. I'm the City Attorney.  
 3 CHAIR JAMES: Thank you.  
 4 Any other questions?  
 5 VICE CHAIR McCOY: Follow-up.  
 6 CHAIR JAMES: Go ahead.  
 7 VICE CHAIR McCOY: Madam Chair, and I respect  
 8 the legal expertise of our City Attorney, but a part of  
 9 our role as being on the Planning and Zoning Board,  
 10 we're allowed to request information that we deem or  
 11 think is relevant and necessary in our decision making.  
 12 And you know, I would certainly take your  
 13 opinion, but, you know, we're volunteers, so at the  
 14 minimum, if the City Attorney's Office has made a  
 15 determination that it's not applicable, you know, I  
 16 think prior to us being in the meeting is when we  
 17 should have found out. So I mean that's a vested role  
 18 that's provided to the Planning and Zoning Board as  
 19 members.  
 20 So that's what I have for that, Madam Chair,  
 21 and I would have hoped that we would have had something  
 22 other than, you know, just a statement on the record.  
 23 I was looking for an actual memorandum, and that was  
 24 the whole reason why we tabled this item.  
 25 CHAIR JAMES: Any other comments from the

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1 Board or staff? Okay, we can move on to the  
 2 applicant's presentation.  
 3 (Discussion held off the record.)  
 4 MR. ALLMAN: Computers are very maddening at  
 5 times.  
 6 Madam Chairwoman, members of the Planning and  
 7 Zoning Advisory Board and general public, I want to  
 8 thank you all for the opportunity to be here and to  
 9 make this presentation for our proposed bleach  
 10 distribution facility.  
 11 CHAIR JAMES: Please state your name.  
 12 MR. ALLMAN: My name is Pat Allman. I reside  
 13 at 707 South Packwood in Tampa, Florida. And first  
 14 thing I'd like to do is just to introduce members of  
 15 our team that are here tonight.  
 16 I am the general manager of the company and  
 17 the project manager. Our CEO, Steve Sidelko, is right  
 18 here.  
 19 MR. SIDELKO: Good evening.  
 20 MR. ALLMAN: I have a salesman that lives in  
 21 Fort Lauderdale, Pablo Placenek (phonetic). I'm not  
 22 sure if he made it. I don't see him. Randall  
 23 Granberry, he's going to be our local construction  
 24 manager. And Michael Brown is our local counsel.  
 25 So really, this is just a continuation of our

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1 last presentation, so I'm not going to go over all that  
 2 stuff. We're going to rely on what was presented on  
 3 the record in the December 15th meeting. The only  
 4 changes have already been covered as far as Odyssey's  
 5 site drawing. We eliminated the warehouse, and there  
 6 was a slight increase in the retention pond area. The  
 7 last thing we did is an environmental risk assessment.  
 8 It was performed by a third party, based on Board  
 9 feedback at the December meeting.  
 10 So just as a quick overview, staff has  
 11 stipulated we meet all the requirements for the special  
 12 exemption, if you agree with them. And secondly,  
 13 staff -- or Odyssey accepts all of the stipulations in  
 14 the staff recommendations for approval that have been  
 15 presented previously by Mr. Gagnon.  
 16 Our core business is disinfection. The  
 17 primary chemical used for disinfection in Florida is  
 18 sodium hypochlorite, otherwise known as bleach. It's  
 19 added to the drinking water to create safe drinking  
 20 water, and it's added to wastewater to make it safe to  
 21 be disposed of in the ground or in the ocean.  
 22 This is a bleach tank that happens to be at  
 23 the City of Riviera Beach Water Plant. We installed  
 24 this tank about four months ago to help the City with  
 25 water quality problems they were having, so we're

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1 actually using bleach at the City of Riviera Beach  
 2 Water Plant to help with water quality problems.  
 3 It also illustrates another part of our  
 4 business, and that is we're a licensed general plumbing  
 5 contractor who installs chemical systems. If you look  
 6 at this pie chart here, you'll see that 94 percent of  
 7 the water and wastewater plants in Florida use bleach  
 8 for disinfection. These are some of the major cities  
 9 using bleach. Every one of these cities or counties  
 10 have multiple bleach tanks, many of them in residential  
 11 neighborhoods.  
 12 Bleach is considered very safe. For example,  
 13 Palm Beach County has over 2 million gallons of bleach  
 14 tanks, storage for bleach just at the water and  
 15 wastewater plants alone. This is where bleach is used  
 16 in Florida. You can see water and wastewater plants,  
 17 power plants, small industrial customers, pool stores  
 18 such as Pinch A Penny and Leslie's Pool, water parks.  
 19 The City of Riviera Beach uses bleach at its water park  
 20 here in town. And of course, for bottles, things like  
 21 Clorox in grocery stores.  
 22 So Odyssey is headquartered in Tampa. We  
 23 have multiple locations in Florida, and we make bleach,  
 24 we distribute bleach; we are a contractor who puts in  
 25 chemical systems. And we also sell equipment to the

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1 water and wastewater industry primarily. So this is  
 2 where we are, and as you can see toward the bottom,  
 3 we're hoping to have a facility in the future in  
 4 Riviera Beach.

5 So why Riviera Beach? First of all, there's  
 6 a supply shortage of bleach in Florida. There's an  
 7 excess supply of bleach outside of Florida. And this  
 8 shortage is going to become more pronounced as the last  
 9 few chlorine gas users get phased out in Florida.  
 10 Within the next two years in southeast Florida,  
 11 25 million gallons of bleach is going to be needed.  
 12 Right now there's no one in Florida that can make it.

13 What we're looking to do, rather than spend  
 14 \$65 million on a salt to bleach plant, we're looking to  
 15 spend a fraction of that and put in distribution  
 16 facilities and use the excess bleach capacity that's in  
 17 Niagara Falls and bring it down here to Florida.

18 So the second bullet is so our business is  
 19 integrally related to and dependent on rail service.  
 20 It's not practical to truck bleach that far. You can  
 21 get a heck of a lot more bleach in a railcar, and you  
 22 can get it here a lot cheaper, with a lot less fuel  
 23 use.

24 So second point is we're significantly  
 25 dependent on the intermodal rail system, the

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1 transportation system. Riviera Beach is uniquely  
 2 located to I-95 and the Florida Turnpike. That allows  
 3 us to get our bleach up and down the southeast Florida  
 4 coast, which is where all the customers are.

5 Third, the site in Riviera Beach offers a  
 6 wonderful place where we can process the bleach by  
 7 taking it from the railcar to the storage tanks.

8 And lastly, our product performs a public  
 9 purpose. Without bleach, you would be not able to  
 10 drink the drinking water. You'd have to boil it. You  
 11 couldn't take a shower with it. You'd have to boil it.  
 12 Without bleach, you'd be discharging the effluent from  
 13 wastewater plants and creating public health  
 14 nightmares. People would be sick with cholera and all  
 15 kinds of other diseases.

16 So Riviera Beach is an important place  
 17 because of, frankly, the rail yard on the proposed  
 18 site. There's four major rail yards on the Florida  
 19 east coast where Florida East Coast Railroad and CSX  
 20 Railroad come together. One is in Miami. One is in  
 21 Riviera Beach right here at this property. There's  
 22 five tracks. It's a major rail yard. The third is in  
 23 Fort Pierce, and the fourth is in Jacksonville. That's  
 24 why this site is the right site, because of the rail.  
 25 So how did we get here? Well, we got a lot

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1 of community input for our design. The front five  
 2 acres, as you saw on the picture in the site plan that  
 3 Mr. Gagnon presented, aren't even being developed. All  
 4 our operations are on the back of the property adjacent  
 5 to where the concrete companies are.

6 The front is going to have a decorative  
 7 fence. We're going to have landscaping well above the  
 8 code for the north and west sides of the property.  
 9 There's a separation wall with Stonybrook Apartments,  
 10 with landscaping on both sides of the wall, and there's  
 11 a retention pond behind the wall that further separates  
 12 Stonybrook Apartments from our site activities.

13 This shows an identical fence that's at the  
 14 Tesla dealership that we're going to be putting in by a  
 15 local fence contractor.

16 I love computers. You knew that.  
 17 You can see what the gate will look like.  
 18 It's an attractive automatic gate, and the gate is well  
 19 inside the property limits. We're going to have  
 20 landscaping all along the fence similar to this, except  
 21 with more trees.

22 This shows the Odyssey control room right  
 23 here in Tampa, where not only do we have people on site  
 24 during the day, but at night we can watch the site both  
 25 with security cameras and with -- you can see the -- we

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1 can look at every process on the VLCs there.

2 So to build this thing, we're going to use  
 3 local suppliers. We've entered into contracts or  
 4 purchase orders for about two-thirds of the items that  
 5 we're going to be needing already to build the site.  
 6 We're also going to use local contractors to build it.  
 7 So Odyssey is going to act as the general contractor,  
 8 which allows us to hire all the subs. These are all  
 9 the subs we're going to be hiring to build the  
 10 facility, and we have contracts with about half of them  
 11 already.

12 This is what we foresee as our total  
 13 investment in the property. The first phase is the  
 14 bleach unloading facility, and the total investment is  
 15 going to approach \$9 million. There we go.

16 Some of the benefits to Riviera Beach are an  
 17 investment in the community, job creation, increase in  
 18 tax base, purchase of outside services and community  
 19 partnering. Initially we're going to bring 20 jobs.

20 Okay, well, I think I'll just summarize with  
 21 this, since I'm not really able to get through the --  
 22 here we go. We'll summarize here. So staff has  
 23 stipulated we meet all requirements of the special  
 24 exemption. We accept all the other stipulations in the  
 25 recommendation for approval presented at this meeting.

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1 And kind of the last thing I'd like to say is  
 2 we requested, and if the staff wants to take advantage  
 3 and request a presentation, but the consultant that did  
 4 the third party report, Mr. Whigham, is here if you'd  
 5 like to hear from him.  
 6 Anyway, that's all we have, but thank you  
 7 very much, Madam Chairwoman. Appreciate your all's  
 8 time.  
 9 CHAIR JAMES: Thank you. I would like to  
 10 have the person from the agency that did the third  
 11 party review, if you could quickly come up and  
 12 summarize that report for the audience. Thank you.  
 13 VICE CHAIR McCOY: Madam Chair, prior to him  
 14 coming, can I ask a question of the applicant?  
 15 CHAIR JAMES: Sure.  
 16 VICE CHAIR McCOY: Mr. Allman.  
 17 MR. ALLMAN: Yes.  
 18 VICE CHAIR McCOY: The warehouse was removed  
 19 from the site plan. Why was that?  
 20 MR. ALLMAN: We thought the best thing was,  
 21 since we hadn't planned on building it right away  
 22 anyway, we thought the right answer was simply it would  
 23 streamline this whole approval process by removing it,  
 24 and we thought it would just be a lot simpler and  
 25 easier. And so, you know, rather than debate whether

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1 it's needed or not, it was simpler to remove it.  
 2 We were going to use it, as you know, to  
 3 bottle bleach. If we never bottle bleach there, then  
 4 the 20 jobs the bottling bleach creates just doesn't  
 5 get -- don't get done. We still need to bring the  
 6 bleach in for the water and wastewater plants, and  
 7 that's our core business. So hoping that answers your  
 8 question.  
 9 VICE CHAIR McCOY: It did. But as referenced  
 10 in the prior meeting, the purpose of the special  
 11 exception was because you had a warehouse, and those  
 12 were, in staff's presentation, that those were  
 13 prohibited unless it came through by special exception.  
 14 MR. ALLMAN: Right.  
 15 VICE CHAIR McCOY: So we're back here at the  
 16 special exception, and you've taken the warehouse out.  
 17 So what gives?  
 18 MR. BROWN: If I may, Mr. Vice Chair, I can  
 19 answer that.  
 20 CHAIR JAMES: State your name. Sorry.  
 21 MR. BROWN: Michael Brown. I'm at 2620 Lake  
 22 Shore Drive, Riviera Beach. I'm the attorney for  
 23 Odyssey.  
 24 Mr. McCoy, what has happened is that  
 25 irrespective of the application of the Federal statute,

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1 the City's Legal Department, and they can speak for  
 2 themselves, have concluded that, I believe -- and  
 3 they'll address this -- that we meet the requirements  
 4 of the special exception without even the application  
 5 of the Federal statute. That's number one.  
 6 And so therefore, the warehouse required a  
 7 special exception, and the City has taken the position  
 8 also that the storage tanks also require a special  
 9 exception, which we disagree with that. But  
 10 nonetheless, under the statute, I'm sure your City  
 11 Attorney can tell you, once we meet the requirements  
 12 for the City code for a special exception, which we  
 13 have, then it's our position that we are entitled under  
 14 City code and the law to the granting of the special  
 15 exception.  
 16 VICE CHAIR McCOY: Follow-up, Madam Chair.  
 17 CHAIR JAMES: Go ahead.  
 18 VICE CHAIR McCOY: Well, that begs the  
 19 question that if you meet the requirements without the  
 20 Federal statute, why was the memorandum presented that  
 21 stated that you guys are exempt because of the  
 22 Interstate Commerce Commission Termination Act? Why  
 23 did you even offer that up to the Planning and Zoning  
 24 Board?  
 25 MR. BROWN: Well, you're right. I didn't

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1 offer it to the Board. I offered it to your staff and  
 2 your attorney.  
 3 And as a lawyer, just from a legal  
 4 standpoint, I'm sure your attorney will advise you that  
 5 you have to address certain legal rights and remedies  
 6 in administrative proceedings such as this so that the  
 7 argument can never be made that you waived those  
 8 rights. So it had to be brought up and addressed.  
 9 And again, it's our position the statute  
 10 applies. It's your staff and your attorney's position  
 11 that it doesn't apply. But I believe it's your  
 12 attorney's position that -- and you can obviously  
 13 confer with them -- that we do meet the requirements of  
 14 the local ordinance anyway. So we really don't need  
 15 the Federal statute, in their opinion.  
 16 VICE CHAIR McCOY: Thank you.  
 17 MR. BROWN: So to answer your question, we  
 18 had to bring it up, because if you don't bring it up,  
 19 under the law, you waive the right to have it apply.  
 20 VICE CHAIR McCOY: Thank you, Mr. Brown.  
 21 Follow-up as just a general comment, Madam  
 22 Chair.  
 23 CHAIR JAMES: Go ahead.  
 24 VICE CHAIR McCOY: That speaks to precisely  
 25 why I asked for a response to the memorandum, because



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1 when we left on December, I think it was 15th, you  
 2 know, that's where we were. And to get to a meeting  
 3 today, and it's off the table and we had no idea about  
 4 it, so that's why I asked was there a response. So I  
 5 appreciate the clarification.  
 6 MR. BROWN: And Madam Chair, may I address  
 7 one other point?  
 8 Mr. Whigham, you mentioned about that special  
 9 third party environmental assessment. One was  
 10 prepared, and that's the gentleman that the Chairwoman  
 11 is bringing up to address, so that it's clear to you  
 12 that one was done by an expert in the field who  
 13 basically did a report to answer the very questions  
 14 that you address, that is whether there was any health  
 15 or safety issues that this project would present to the  
 16 local area or the City of Riviera Beach. And I believe  
 17 the Chairwoman will have him come up and address those  
 18 issues.  
 19 CHAIR JAMES: That's correct.  
 20 MR. BROWN: Thank you.  
 21 CHAIR JAMES: Thank you.  
 22 MS. SHEPHERD: Madam Chair.  
 23 CHAIR JAMES: Yes, Ms. Shepherd.  
 24 MS. SHEPHERD: May I ask Mr. Allman a  
 25 question, please?

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1 CHAIR JAMES: Go ahead.  
 2 MS. SHEPHERD: You said you're taking the  
 3 warehouse out of this proposal.  
 4 MR. ALLMAN: Yes, ma'am.  
 5 MS. SHEPHERD: If the Planning and Zoning and  
 6 Council allow you to come to the city with that  
 7 project, will you ever build that warehouse in this  
 8 city?  
 9 MR. ALLMAN: That's strictly up to the future  
 10 business climate and the City of Riviera Beach. One of  
 11 the reasons that we really -- we did this not just to  
 12 streamline the process. If we ever want to build that  
 13 warehouse, we have to come back through the same  
 14 process, okay? And if we didn't hire local people, if  
 15 we didn't use local contractors, if we aren't a good  
 16 member of the community, we're going to be turned down.  
 17 But if we do all the things, if we walk the  
 18 talk, I don't think any warehouse approval, if we ever  
 19 even want to build one, is going to be a problem,  
 20 because we would have been that community partner that  
 21 not necessarily all the businesses that have come to  
 22 Riviera Beach have been.  
 23 So, you know, I believe we walk the talk, and  
 24 I don't have any trouble standing up here in five  
 25 years, if in five years I want to build a warehouse,

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1 and I'm going to say: I did everything I promised,  
 2 didn't I? And you'll say: Yes, you did, Mr. Allman,  
 3 so we'll give you the warehouse.  
 4 MS. SHEPHERD: Mr. Allman, I think you're  
 5 kind of puffing a little bit. I asked you specifically  
 6 will this company -- if you have it in your head to  
 7 ever come back with a warehouse. It's either a yes or  
 8 a no.  
 9 MR. ALLMAN: No.  
 10 MS. SHEPHERD: Thank you, Madam Chair.  
 11 CHAIR JAMES: Thank you.  
 12 Okay, you can go ahead with your  
 13 presentation.  
 14 MR. HILFIKER: Madam Chair, Planning Board,  
 15 citizens of Riviera Beach, my name is Steve Hilfiker.  
 16 I'm the president of Environmental Risk Management,  
 17 based in Fort Myers. I reside at 7171 Philips Creek  
 18 Court, Fort Myers, Florida. And I have been court  
 19 qualified as an expert witness in environmental risk  
 20 management. My credentials are presented on page 32 of  
 21 the 35 page technical report that has been prepared and  
 22 I understand distributed for your review prior to the  
 23 meeting.  
 24 We are one of two environmental forensic  
 25 contractors that have been hired by the Department of

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1 Environmental Protection statewide since 2006. We had  
 2 the environmental forensics contract from -- it was a  
 3 ten year term contract from 2006 to 2016.  
 4 I have testified before many cities to assess  
 5 facilities such as this, not just bleach, dry cleaning  
 6 plants, petroleum service stations, all sorts of  
 7 properties with potential environmental risks to  
 8 determine the potential impacts to soil and ground  
 9 water and to human health and the environment.  
 10 I'd like to present a summary of the report.  
 11 I've prepared a PowerPoint presentation I'm about to  
 12 show you, which is a summary of the 35 page technical  
 13 document that is in the public record.  
 14 I want everybody to know that I have no  
 15 financial interest in the outcome. I have never worked  
 16 for Odyssey in the past, and this January 20th report  
 17 is the first document presented to Odyssey  
 18 Manufacturing.  
 19 As shown in previous slides, we've already  
 20 seen a view of the subject property, and I believe the  
 21 subject property has been adequately identified, so  
 22 I'll skip over this slide.  
 23 The purpose of the environmental assessment  
 24 that I conducted, with assistance from my staff, was to  
 25 assess the potential environmental risks to residents

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1 and property in the site vicinity that could result  
 2 from Odyssey's proposed bleach distribution facility at  
 3 the subject property.  
 4 The scope of our assessment was to review the  
 5 sodium hypochlorite distribution operations, review the  
 6 project and regulatory documents, and assess Odyssey's  
 7 Tampa bleach distribution facility.  
 8 It's my understanding that a number of  
 9 citizens and a few Board members, I believe, went to  
 10 view the Tampa distribution facility. I also viewed  
 11 the same facility and also visited the subject  
 12 property, presenting the results of those site  
 13 investigations here.  
 14 So this is a view of the existing Tampa  
 15 facility, and I've reviewed the engineering plans and  
 16 the drawings. These are nearly identical operations.  
 17 The proposed operation is the identical operation. I  
 18 say nearly because there's just different --  
 19 differences between the two. For all intents and  
 20 purposes, these are identical operations.  
 21 And I would like to make it really, really  
 22 clear that the emphasis on this proposal, this site is  
 23 for distribution purposes only. There will never be  
 24 any manufacturing of sodium hypochlorite on the subject  
 25 property. That's a very important point. Chlorine gas

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1 will never be manufactured on, delivered to, stored on,  
 2 handled by or distributed from the subject property  
 3 based on the proposed operations. This proposed  
 4 facility is exclusively for bleach distribution.  
 5 In the field of environmental assessment, the  
 6 things that we look for are storage, handling and  
 7 disposal. There's three key words when you approach an  
 8 environmental assessment when a chemical is involved.  
 9 How is that chemical stored, how is that chemical  
 10 handled, and how is that chemical disposed of.  
 11 This facility will not dispose of any bleach  
 12 on the subject property. I will go through and explain  
 13 to you how the facility will store the bleach, and I'll  
 14 also go through and present how the facility will  
 15 handle it so that you can get a full picture from  
 16 beginning to end how bleach will be delivered to the  
 17 site and how the bleach is stored at the site and then  
 18 distributed from the site to local facilities, such as  
 19 wastewater treatment plants, drinking water facilities,  
 20 pool stores and other legitimate uses and beneficial  
 21 uses for the community.  
 22 It is my opinion, after reviewing all of this  
 23 information, that there are no significant  
 24 environmental risks. Any potential environmental risk  
 25 is de minimis, meaning insignificant. And in my view,

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1 this represents an economic benefit to the community.  
 2 It will create jobs and other economic benefits.  
 3 Many of you have been to the subject  
 4 property. This is a view of the tracks on the subject  
 5 property where the bleach will be delivered to the site  
 6 by rail.  
 7 This is the Tampa facility. This facility I  
 8 inspected on January 17th. This picture is less than  
 9 one month old. You can note -- we don't have a  
 10 pointer, do we? All right.  
 11 I was unaware when I visited the plant that  
 12 the bleach was being unloaded from -- that it was being  
 13 unloaded at the time. When I approached, I heard no  
 14 noise, heard no sound, smelled no odors.  
 15 These tanks are very, very, very well  
 16 constructed. If you'll note, the release, the fill and  
 17 release ports on the top of the tank. This hose is  
 18 rated for 200 pounds per square inch. I'll show you a  
 19 diagram in a few slides that the pounds per square inch  
 20 of the product going through the hose is 30, and it's  
 21 rated for 200.  
 22 In the previous slide, this area here is  
 23 where the fill port is that is in the photo to the  
 24 left. I'd like for you to note the clamps on the hose  
 25 and that it's very threaded. It's a threaded, heavy

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1 duty industrial grade hose. The connection is so  
 2 secure, both on top, and you can follow the hose down  
 3 to the side at the base to show where the bleach loads  
 4 into the piping which feeds the storage tanks.  
 5 It's extremely secure. The facility uses  
 6 telemetry. The telemetry or monitors, computer  
 7 programming completely monitors the operation. If you  
 8 notice by the mouse cursor, you see emergency stop  
 9 switches. The emergency stop switches are there in the  
 10 event of an unexpected hose -- which is extremely  
 11 unlikely -- rupture, because the hose is rated for 200  
 12 pounds per square inch, and 30 pounds per square inch  
 13 is flowing through the hose. Those are safety  
 14 precautions.  
 15 And in the report, I document that the flow  
 16 rate is approximately 150 gallons per minute. There  
 17 are workers nearby. If any sort of spill should  
 18 occur -- a very unlikely scenario -- the emergency  
 19 switch is right there, and they would be able to stop  
 20 all flow. Worst case type of spill in the event of a  
 21 hose rupture is approximately 100 gallons, 200 gallons,  
 22 something along those lines. That's a de minimis,  
 23 small, insignificant spill.  
 24 So the tanks are -- I'll give you a view of  
 25 the lighting in front of the tanks. The entire

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1 property is very well lit. There's tank venting on the  
 2 tops. Security lights.  
 3 Please note the containment area surrounding  
 4 the tanks. There's a four feet high wall completely  
 5 surrounding the tanks. If the tanks were to rupture,  
 6 the bleach would be contained within the inside of the  
 7 tank.  
 8 And also, finally, note the secure tank  
 9 foundation, concrete reinforced steel pad that the  
 10 tanks are resting on. It's a very well designed, very  
 11 well constructed facility.  
 12 Inside the containment, these photographs  
 13 show the sump, which is the containment slopes down and  
 14 leads to the sump. In the event of a spill inside the  
 15 containment area, the pump would pump any storm water  
 16 out into a wastewater tank. If there was a discharge  
 17 of bleach, it would pump the water back through the  
 18 blue filter there on the photo to the left, and it  
 19 would be pumped back into the tanks. And please note  
 20 the multiple telemetry stations and stop switches on  
 21 this side of the compound as well.  
 22 When I was on the site, I observed a loader  
 23 tanker approach, connect the hoses and program the  
 24 unloading. It's hard to see, but there's a green hose  
 25 in the picture connected to the truck, and there's also

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1 a blue hose. The green hose is precautionary only and  
 2 is a good example of the types of precautions in the  
 3 design. In the event of an overflow of the truck, that  
 4 green hose is there to capture that drainage in the  
 5 event of an overflow.  
 6 Here you'll see the driver in the photo to  
 7 the right loading the computer, setting it for a 5,000  
 8 gallon load. And the tanker capacity is 5,400 gallons.  
 9 So I just want to reiterate a little more  
 10 about the security and the containment. Another thing  
 11 that we look at in environmental consulting and risk  
 12 management is if a discharge should occur, how is it  
 13 contained. Inside the tanks I showed you a four feet  
 14 high wall surrounding the tanks. And outside in the  
 15 loading area, you note there's a second sump pump  
 16 outside the wall. That is for any spills that could  
 17 occur during these loading operations.  
 18 The concrete is sloped from the truck down to  
 19 the sump, and again, any storm water from rain would be  
 20 pumped into the white tank behind it. Any bleach that  
 21 should spill there would be pumped and disposed of,  
 22 pumped and filtered through and disposed back, put back  
 23 into the tanks.  
 24 With regard to any potential concerns over  
 25 noise or odor, I walked through the entire operation

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1 and did not detect odors until I was within about ten  
 2 feet of the pumping/loading operation. I did detect  
 3 very, very faint odors that dissipated immediately.  
 4 They did not last for more than a few seconds. As far  
 5 as the sound, the sound of the truck engine drowned out  
 6 any noise at all associated with the pumping and the  
 7 loading facility. So from a noise and odor standpoint,  
 8 it's my opinion that there will be no issues at all  
 9 with regard to noise or odors associated with the  
 10 operation.  
 11 The facility has on-site monitoring with  
 12 these computers. That's what is available under the  
 13 screen at the telemetry photos I showed you before.  
 14 They show the tanks; they'll show each tank, its  
 15 loading capacity.  
 16 In this slide right here, this tank right  
 17 here where the mouse cursor is, that's the tank that is  
 18 currently being loaded. It's an 11 percent bleach  
 19 solution that's tracked in here, and it's actively  
 20 loading currently at 75 percent capacity at the time I  
 21 took the photo. This you can't read, but that's  
 22 30 pounds per square inch. That shows the rating, the  
 23 pressure on the hose.  
 24 These photos are just to show -- just a few  
 25 more. I didn't want to put too many slides in the

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1 presentation, but the off-site and on-site, the two  
 2 photos on the left are more photos on-site.  
 3 The wastewater tank that I discussed here  
 4 is -- that's on the subject property. That's at the  
 5 Tampa site, but that will be on the subject property.  
 6 And then there's an eyewash station here in the event  
 7 of any splash to eyes to a worker. And then these are  
 8 the Tampa operations where everything is being  
 9 monitored at the Tampa facility.  
 10 On the subject property, which I visited on  
 11 January 18, the orange stake represents the northwest  
 12 corner of the proposed containment area looking  
 13 northwest toward the Stonybrook Apartments. And I just  
 14 wanted to note the distance from that stake to the  
 15 corner of the building is 358 feet, which is more than  
 16 a football field. It's a significant distance away.  
 17 The photo on the right is the existing Stonybrook  
 18 Apartments, with a concrete batch plant on the adjacent  
 19 property.  
 20 These photos appear nice and clearly on the  
 21 screen. I don't know if I can brighten them up at all  
 22 in the projector, so it's difficult for you to see  
 23 what's the intent of these slides. On the right back  
 24 here, this is the Tampa facility. Those are the tanks,  
 25 taken from 805 feet away from the tanks, which is the

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1 distance measured from that stake to Martin Luther  
 2 King. So when I was on the property, I had a measuring  
 3 wheel, and I measured 805 feet. That's the distance,  
 4 and that's the tanks would be very, very inconspicuous  
 5 from the road.  
 6 The tree cluster here is approximately where  
 7 that stake is located. That tree would be inside the  
 8 proposed containment area. This is a photo from 350  
 9 feet away. And this is a photo of the Tampa site from  
 10 approximately 150 feet away.  
 11 The conclusions are outlined in the study.  
 12 There's an executive summary page which makes for a  
 13 quick review of the findings. But the facility  
 14 operations are limited to the distribution only of  
 15 liquid bleach. Sodium hypochlorite will be the only  
 16 chemical stored and handled on the subject property.  
 17 There will be no manufacturing on the site.  
 18 My understanding is that the City has had  
 19 some concerns in the past over chlorine gas. There  
 20 will be no chlorine gas generated, stored or delivered  
 21 to the site. And there's a big distinction between  
 22 liquid bleach and chlorine gas. They're just not  
 23 comparable. One is a deadly gas.  
 24 And liquid bleach is nonflammable. Really,  
 25 the only reason that it's considered to be a hazardous

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1 substance is because it's an eye irritant, it corrodes  
 2 the skin or it can burn the skin, and because of the  
 3 corrosive type features that it has. That's why it's  
 4 characterized as a hazardous substance.  
 5 Odyssey's proposed use is not considered to  
 6 represent a significant environmental risk to the  
 7 surrounding areas based on the proposed site  
 8 operations, proposed on-site chemicals and proposed  
 9 site design. Any potential risks, such as property or  
 10 exposure impact from spills, are considered to be  
 11 unlikely and de minimis, insignificant.  
 12 So I would be happy to take any questions  
 13 associated with the study or the proposed operation.  
 14 Thank you.  
 15 CHAIR JAMES: Thank you, Mr. Hilfiker. That  
 16 was very informative.  
 17 Are there any questions from the Board?  
 18 MR. WHIGHAM: Yes, I have one or two  
 19 questions. Now, these tanks, you explained how they're  
 20 going to be made, what they're made out of, but what is  
 21 the age generally of these tanks, five, 15 years, 20  
 22 years or what?  
 23 MR. HILFIKER: These tanks are constructed of  
 24 fiberglass. They are -- I would have to check the  
 25 engineering drawings to see their life span. That was

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1 not part of the study. But there's no concern with  
 2 regard to corrosion. They're made out of fiberglass.  
 3 So it's my opinion that the tanks themselves are not  
 4 considered a risk.  
 5 MR. WHIGHAM: Now I have another, one more  
 6 question. I read in the report that in the event of a  
 7 hurricane, what you will be doing as far as putting  
 8 water in the tanks, you know, with the --  
 9 MR. HILFIKER: Yes, sir.  
 10 MR. WHIGHAM: -- bleach that's left. But  
 11 now, to what extent -- there's no precautions for  
 12 tornadoes, and we are known to have tornadoes in this  
 13 area. We just had one a couple of weeks ago. No one  
 14 expected it. Now, acts of God we can't prevent. You  
 15 know it and I know it. But are these tanks capable of  
 16 winds, high winds or tornadoes? Could they withstand  
 17 some of that pressure?  
 18 MR. HILFIKER: Yes, sir. I reviewed the  
 19 codes for the proposed tanks, and I believe it was 170  
 20 miles per hour. Now, a tornado can exceed that.  
 21 I'd like to call your attention to page two  
 22 of the report, the very last paragraph: Procedures,  
 23 controls, equipment, training and policies are in place  
 24 for risk management and the prevention of accidents.  
 25 Here's the important sentence that applies to

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1 your question: Unlikely catastrophic scenarios, such  
 2 as fire, severe weather -- meaning tornadoes --  
 3 airplane crashes and train wrecks have been considered.  
 4 In the event of a worst case scenario, exposure to  
 5 neighbors via vapors, direct contact, surface water or  
 6 drinking water is considered unlikely. The product is  
 7 a nonflammable liquid and may impact soil and  
 8 groundwater in a worst case scenario, but is not  
 9 considered to be a vapor or exposure risk. No  
 10 combustible materials were observed in the vicinity of  
 11 the tanks or the loading areas at the Tampa facility,  
 12 and none are planned for the proposed operation.  
 13 Let's say lightning strikes one of the cars  
 14 before it starts to unload. That is an extremely  
 15 unlikely scenario, first of all, but in the event that  
 16 it does and you have a 5,000 gallon discharge, this is  
 17 bleach. It's not chlorine gas. It's liquid bleach.  
 18 It's what is used to treat impacted drinking water.  
 19 It's the same product that was used to assist the City  
 20 of Riviera Beach to assist in restoring the drinking  
 21 water quality regarding the chloroform issue.  
 22 It is not going to be a fire hazard. It's  
 23 nonflammable. So if lightning were to strike, nothing  
 24 would happen. If lightning were to strike the tanks or  
 25 if an airplane was to crash into the tanks, the

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1 containment system is designed to contain the product  
 2 from the tanks in that containment vessel. It's  
 3 engineered to contain the product.  
 4 So I carefully considered that, and it's my  
 5 opinion that that should not represent a concern to the  
 6 City of Riviera Beach.  
 7 You had had a question earlier --  
 8 MR. WHIGHAM: Thank you very much. I  
 9 appreciate that.  
 10 MR. HILFIKER: You're welcome. And sir, you  
 11 had a question earlier about the Department of  
 12 Environmental Protection. Florida Administrative Code  
 13 62-761 -- I'm sorry -- 762 is the Administrative Code,  
 14 Florida law that regulates storage tanks. These tanks  
 15 are exempt from that regulation. They do not -- they  
 16 are not concerned about liquid bleach. That should  
 17 tell you something.  
 18 MR. WHIGHAM: Thanks very much.  
 19 CHAIR JAMES: Any other questions from the  
 20 Board at this time?  
 21 MS. SHEPHERD: Yes, Madam Chair.  
 22 Mr. Hilfiker, good evening.  
 23 MR. HILFIKER: Good evening.  
 24 MS. SHEPHERD: May I ask one question as we  
 25 go back? I think I heard you say we're not paid to

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1 come here.  
 2 MR. HILFIKER: No, no, I did not say that. I  
 3 was authorized to conduct this investigation under  
 4 contract by Odyssey, but I have no financial interest  
 5 in the outcome. I have been paid for my professional  
 6 services to render a third party opinion. I have no  
 7 connection to Odyssey in terms of -- basically, I was  
 8 paid to do this report, and the ultimate outcome, the  
 9 vote, there's no compensation associated with the  
 10 outcome.  
 11 So it's a third party review that was  
 12 completed. Obviously, I would not provide my services  
 13 to prepare a 35 page technical report for free. The  
 14 applicant was asked to provide a report, they  
 15 researched and identified our firm to conduct a -- we  
 16 submitted a proposal to conduct a third party  
 17 investigation. This is -- the 35 page technical report  
 18 is the result; submitted an invoice for that and was  
 19 paid. That's the extent of the relationship.  
 20 MS. SHEPHERD: Madam Chair, may I ask another  
 21 question?  
 22 CHAIR JAMES: Go ahead.  
 23 MS. SHEPHERD: You just said that the tanks  
 24 will not, I guess, move on the track during a storm  
 25 or -- that's not true. Sir, that's not true. There

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1 was just -- let me finish, let me finish my thought.  
 2 There was just a storm, I think in Georgia, somewhere  
 3 in that area, and the big tank trucks up in the air,  
 4 and they blew around like little cars. And you're  
 5 trying to make us believe, we as Christians -- I'm  
 6 Christian. I don't know about nobody else, but I  
 7 believe there's a Master up there that will otherwise  
 8 say different from you.  
 9 You say that it will not contaminate our  
 10 water. Right now our water is contaminated. With  
 11 those trucks going in the air and coming down, we don't  
 12 know where the trucks will -- I'm just putting it out  
 13 there. I want to be safe for the residents, the  
 14 citizens of this city. We have already been through so  
 15 much. I'm going to leave that, because I want to hear  
 16 from the public.  
 17 Thank you, Madam Chair.  
 18 CHAIR JAMES: Do you just want to go ahead  
 19 and state something to that, Mr. Hilfiker?  
 20 MR. HILFIKER: Yes. Yes, I do not believe  
 21 that I stated that the cars would move around. I  
 22 indicated that if it was struck by lightning and there  
 23 was a discharge from the cars and 5,000 gallons were to  
 24 be released, that would be a -- there would be a  
 25 discharge to the soil and groundwater. There would be

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1 soil and groundwater impacts. But the product itself  
 2 is the same product used to treat impacted water and  
 3 disinfect water, wastewater treatment facilities.  
 4 Florida Administrative Code 62-780 is called  
 5 Contamination Cleanup Criteria, and a discharge of over  
 6 100 gallons of the product would need to be reported.  
 7 My comments in the report address this. It  
 8 is not a significant risk to neighbors. There's no --  
 9 it's not a gas. This is a liquid. This is not a  
 10 chlorine gas that's going to create the need for an  
 11 emergency evacuation like what occurred years ago here.  
 12 Not sure if I answered all your questions,  
 13 but I don't believe that I mentioned that the tanks  
 14 would move off the rail. In a tornado, they could be  
 15 blown off the tracks.  
 16 CHAIR JAMES: Thank you.  
 17 MR. HILFIKER: My point is that it's -- a  
 18 discharge would be not a risk to the neighbors,  
 19 surrounding areas or the -- the only property that  
 20 would be impacted is that property where the discharge  
 21 occurred. And when a discharge occurs, the response is  
 22 to basically pour water on it to neutralize it with  
 23 sodium bisulfate. So the main point is that it's not a  
 24 gas.  
 25 CHAIR JAMES: Thank you.

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1 Are there any other comments from the Board  
 2 at this time? Thank you for that.  
 3 We're going to move directly into public  
 4 comments. And before I start with the public comments,  
 5 I'm just going to read the blurb on the back of the  
 6 comment card, because I want us to have a productive  
 7 meeting. I understand that some of you here, this is a  
 8 highly emotional issue, but we still want to remain  
 9 calm and courteous to everyone who is here.  
 10 So any person making impertinent or  
 11 slanderous remarks or acting in such a way as to  
 12 disrupt the orderly flow of the meeting shall be barred  
 13 from participation at that meeting. The Chairperson  
 14 may advise that person to cease his or her discussion  
 15 or may order him or her removed from the Council  
 16 chambers.  
 17 So I'm asking you to please abide by the time  
 18 clock and be courteous to everyone here, Board members  
 19 included. That goes for us as well. And with that  
 20 being said, first person up -- did you have a comment,  
 21 staff?  
 22 MR. GAGNON: Yes, Madam Chair. I did receive  
 23 one written correspondence with comments on the  
 24 project, so I was hoping to be able to read that prior  
 25 to initiating public comments.

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1 CHAIR JAMES: Go right ahead.  
 2 MR. GAGNON: I did receive a phone call  
 3 yesterday from Mr. Earl Davis, who's the author of this  
 4 letter as well. He was unable to make tonight's  
 5 meeting. However, I was provided this document, and he  
 6 asked that it be read into the record. It's regarding  
 7 the Odyssey bleach facility.  
 8 Dear Ladies and Gentlemen, I have received a  
 9 number of phone calls from residents about the Odyssey  
 10 facility. When I arrived to take a look at the  
 11 facility, I noticed that there were homes in the area.  
 12 Also from my observations, the facility was clean.  
 13 Standing between the railcars as chlorine was  
 14 unloaded, I did not detect any noise, leaks or odor  
 15 coming from the facility. Further, I met with multiple  
 16 employees, and they spoke very highly of the facility.  
 17 In complement, the pay scale accommodates the work that  
 18 was being performed.  
 19 Therefore, based on my tour of the facility,  
 20 all of the negative statements that were brought to my  
 21 attention regarding the facility were false. I support  
 22 the project, and there is nothing that agrees with the  
 23 many complaints that I have received.  
 24 It's signed: Sincerely, Earl Davis,  
 25 Resident.

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1 CHAIR JAMES: Thank you.  
 2 Okay, the first person we'll have up is  
 3 Leddyon Weathersbee. Please remember to state your  
 4 name and address, please.  
 5 MS. WEATHERSBEE: Good evening. My name is  
 6 Leddyon Weathersbee. It's spelled L-e-d-d-y-o-n. The  
 7 last name is W-e-a-t-h-e-r-s-b-e-e. And my residence  
 8 is 5117 Pat Place in West Palm Beach, 33407.  
 9 Okay, it's all new to me. I just wanted to  
 10 make a comment to the Board. My name is Leddyon  
 11 Weathersbee, which I already spoke. I had an  
 12 opportunity to visit the site of Odyssey Manufacture's  
 13 facility in Tampa, Florida on January 27th, 2017.  
 14 I was able to observe the existing operation  
 15 site, the same type of operation that Odyssey proposed  
 16 to develop and operate at the rail yard in Riviera  
 17 Beach, located between Stonybrook Apartments and the  
 18 Tropical Shipping warehouse located on Dr. Martin  
 19 Luther King Boulevard.  
 20 I asked several questions of Patrick Allman,  
 21 which is the general manager, and Attorney Michael  
 22 Brown, for example, safety of the residents of Riviera  
 23 Beach and the surrounding areas, because I receive the  
 24 water from the City of Riviera Beach.  
 25 And which -- and another question I asked:

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1 Why did you choose the City of Riviera Beach for your  
 2 business location? And I also asked about employment  
 3 opportunities for local residents will create, what  
 4 they stated, you know, will create well paying jobs.  
 5 And also wanted to know if you would use local vendors  
 6 in the beginning development phase and the daily  
 7 operation of your business. And I was extremely  
 8 pleased with the answer.  
 9 I believe in check facts and witness the  
 10 operation of the business and speaking with employees  
 11 applicable, if it is. Now that I personally observed  
 12 the proposed operation and asked several questions of  
 13 Patrick Allman and Attorney Michael Brown and Odyssey  
 14 employees at the Tampa site, I want the Board and the  
 15 residents of the City of Riviera Beach to know that I  
 16 fully support their project. At this time, you know,  
 17 thank you for listening to me. That's it.  
 18 CHAIR JAMES: Thank you, Ms. Weathersbee, and  
 19 thank you for staying within time.  
 20 MS. WEATHERSBEE: I'm sorry, this is new to  
 21 me, but I did -- if I can say it again, I do receive  
 22 water from the City of Riviera Beach. Thank you.  
 23 CHAIR JAMES: Thank you.  
 24 Okay, next we're going to have Eddie Strick.  
 25 MR. STRICK: Hello. My name is Eddie Strick,

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1 and I live at 3516 Whitehall Drive, West Palm Beach.  
 2 And the reason that I'm here tonight is a  
 3 friend in Riviera Beach told me about this, and I know,  
 4 as an environmental activist, that this City has faced  
 5 more than its share of environmental problems, power  
 6 plants, incinerators, many Superfund sites for its  
 7 size.  
 8 My concern, and I don't know that much about  
 9 bleach, but two people here told me that there's the  
 10 potential for bleach to turn into, at least a  
 11 percentage of it, seven percent, under conditions when  
 12 it gets very hot, could create chlorine gas. So that  
 13 would be a concern, and I would definitely investigate  
 14 that, can it potentially become chlorine, which is a  
 15 deadly toxin.  
 16 Number two, with the amount of traffic, with  
 17 rail traffic and trucks, we're talking about a huge  
 18 amount of bleach. The potential for an accident, it's  
 19 not when -- it's not if there could be an accident,  
 20 it's when there will be an accident. This City already  
 21 has a water supply that's been tainted over the years,  
 22 and this could only add to it.  
 23 And the fact that people live so close to it,  
 24 that's a huge concern, because natural disasters or  
 25 whatnot, anything could happen, and if anything happens

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1 to these tanks, this City could be in huge trouble.  
 2 Thank you.  
 3 CHAIR JAMES: Thank you, Mr. Strick.  
 4 William McCray.  
 5 MR. McCRAY: William McCray.  
 6 You know, I said it before, I'll say it  
 7 again: We're getting tired of being sold out. Black  
 8 people are tired of being sold out by other blacks.  
 9 It's just a disgrace.  
 10 Phase one is just to get their toe in the  
 11 door. This is a clear case of environmental racism.  
 12 You want to put incinerators, you want to put garbage  
 13 dumps, you want to put recycling plants; now you want  
 14 to put chlorine plants in the City of Riviera Beach.  
 15 It's ridiculous. It's a danger.  
 16 And this guy was talking about a perfect  
 17 world where nothing is going to happen, where like  
 18 accidents don't happen. We also have to worry about  
 19 terrorism. And he says if a plane crashed into it,  
 20 nothing would happen. Well, he didn't tell you about  
 21 chemical reactions that liquid chlorine can have if  
 22 somebody dropped the wrong thing in there, not a very  
 23 large amount, and it will create gas, and it will kill  
 24 a lot of people. It's happened before, and it can  
 25 happen again.

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1 This is disgracing the name of Martin Luther  
 2 King, putting a chlorine plant on his street. Let's  
 3 put something decent here. Let's get some better jobs.  
 4 Let's get some other jobs. We don't have to have their  
 5 jobs. Keep it in Tampa.  
 6 And railroad tracks is a form of  
 7 environmental racism. They always put the railroad  
 8 tracks in black people's neighborhoods and black  
 9 people's yards so we can get the diesel from the  
 10 engines and locomotives. This guy said it don't make  
 11 noise? Trains don't make noise? Whistles, horns. Are  
 12 we kidding? Are they quiet? It's a joke for him to  
 13 come in here and disrespect us and a lot of us like  
 14 that.  
 15 Those pictures, you couldn't even see them.  
 16 An iPhone takes much better pictures than that. It's a  
 17 disgrace to come in here and lie to us. It didn't show  
 18 the scale of the height of the eyesores that will be in  
 19 our back yards. I bet he wouldn't put it in his back  
 20 yard. If his children lived in Stonybrook, he wouldn't  
 21 allow it, he wouldn't want it. He wouldn't come in  
 22 here for that. It's ridiculous. It's disgraceful for  
 23 us to do that.  
 24 Jobs are going to be lost if you allow them  
 25 to be here, and I think it's -- I suspect it's going to

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1 be some of the elected officials. If they're dumb  
 2 enough to pass it, they will go. I'm going to help  
 3 them. Elected officials are going to help. We're  
 4 going to have a grass roots movement in here. Heads  
 5 will roll. Trust me when I tell you that. We're not  
 6 going to tolerate this anymore.  
 7 Bleach, it is chlorine, and it's much more  
 8 concentrated than a bleach that you buy out of the  
 9 store. Don't let them fool you. And this gentleman  
 10 came in here and said that we can't take a shower or  
 11 you can't drink water without it. Europe is much more  
 12 advanced than us. They use reverse osmosis. They  
 13 don't even allow bleach in Europe anymore.  
 14 We need to invest in a capital project in  
 15 this city so that we can have clean drinking water, so  
 16 that we don't have Flint, Michigans where our most  
 17 vulnerable and -- people are discriminated against by  
 18 this kind of conduct in black neighborhoods where they  
 19 don't care about us.  
 20 We're tried of it; we're sick of it. We're  
 21 hoping you do the right thing. If you don't, the  
 22 elected officials, if they don't, they're going to pay  
 23 for it. We're not going to tolerate it anymore.  
 24 But this is ridiculous. If a terrorist goes  
 25 in there and adds a chemical to the bleach and it boils

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1 over, it becomes a gas, we're going to be in trouble.  
 2 People are going to die. You're going to be  
 3 responsible. Those deaths will be on your hands.  
 4 Let them keep it in Tampa. We don't want it  
 5 here. The citizens don't want it. Don't bend, don't  
 6 fold, don't let the City Attorney bully you into  
 7 bending and fussing at you. It's ridiculous,  
 8 DeGraffenreidt coming in here and yelling at you it'll  
 9 be settled in court. Let them settle it in court. Let  
 10 us fight them in court. We don't want it here.  
 11 CHAIR JAMES: Thank you, Mr. McCray.  
 12 Elizabeth Pertee Robinson.  
 13 MS. ROBINSON: Good evening. Elizabeth  
 14 Robinson. How did I know I'd come after that?  
 15 Let me say passionately I too am concerned  
 16 about my city. I'm concerned about the power that we  
 17 lack to use; we have and we lack usage of it.  
 18 I went to Tampa out of curiosity to find out  
 19 exactly what folks were talking about. The information  
 20 that was shared in the slides was accurate. Those of  
 21 you who know me know that I don't make a habit of lying  
 22 to you. I don't even consider lying to be something  
 23 that you do, because it's not necessary when the facts  
 24 are there.  
 25 We had lunch in the area where the bleach was

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1 being loaded to a container. It is true, I did not  
 2 hear it, nor did I smell it. And I would have said  
 3 something had I smelled it. I did not know it was even  
 4 happening. I had the opportunity to speak with some of  
 5 the employees. They were very pleased with the  
 6 company, and the salaries were great that I felt.  
 7 I think this is a great opportunity for our  
 8 residents. I think it's time for us to take control of  
 9 the power that we do have. The applicant has said very  
 10 clearly if I'm not that partner that I say that I am,  
 11 then kick me out. You have that power. That's the  
 12 discretion that you have, or at least our Council  
 13 people have. You can make a decision that will help  
 14 our city get rid of this blight that we have.  
 15 We have young people who are desperate for  
 16 work. Some people may not be concerned about  
 17 employment. Well, there are others who are. Because  
 18 of bad choices that people have made, possibly they are  
 19 unable to get jobs. This company offers an opportunity  
 20 to people who have those special circumstances in their  
 21 lives. They have families that they want to feed.  
 22 They have opportunities and careers that they want to  
 23 pursue. This company offers that opportunity.  
 24 I support the idea of taking control of your  
 25 power. If it's not what it says it is, then kick him

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1 out; then say good-bye, thank you for playing, but we  
 2 don't want to play anymore. The experience that I had  
 3 in Tampa would not lead to that. The experience that I  
 4 had in Tampa would say let's hurry and get that factory  
 5 here; let's hurry and get more jobs here, because  
 6 people are waiting for it. You have the power to make  
 7 that happen.  
 8 It's our time. That hokey-dokey kind of  
 9 voodoo wisdom that people spout about it's going to  
 10 kill you, it's going to do this, you asked for a third  
 11 party to come in and tell you the particulars. They  
 12 did that. They came in and told you what the facts  
 13 were. You can either accept the facts or you can  
 14 continue to say: But no, that's not the truth, it's  
 15 going to blow up. Be real. We all use bleach in our  
 16 homes; we all use bleach in our homes.  
 17 I said to a friend of mine I had a bad  
 18 experience with bleach where it splashed into my eye.  
 19 So the question was, well, if it spills, they're going,  
 20 the vapors are going to kill them. Really? Really?  
 21 The wind would take the vapors away if there were any  
 22 vapors from the bleach.  
 23 It's our time, and I would say to you use the  
 24 documents that you have. Take the opportunity to read  
 25 it and make a decision on your own. Don't let people

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1 bully you into doing what you do. And I think you're  
 2 doing a great job, and thank you for serving us,  
 3 because you are great volunteers.  
 4 CHAIR JAMES: Thank you, Ms. Robinson.  
 5 Earnestine Gorden.  
 6 MS. GORDEN: My name is Earnestine Gorden. I  
 7 live in Riviera Beach.  
 8 I'm contesting the bleach for the plant. The  
 9 reason why I am contesting it is because it's right in  
 10 the middle, in the center of all the schools. That  
 11 railroad, the railroad that they have to go right  
 12 behind one of the schools there, if they have an  
 13 accident, those kids won't even stand a chance. And I  
 14 don't care what nobody say, man is not perfect. Man  
 15 don't make nothing perfect. Things can happen, and you  
 16 don't sit up there and think things won't happen. It  
 17 will.  
 18 I went out and I got almost 300 signatures  
 19 from the different communities, different parts of  
 20 Riviera Beach. Every last one of them said they do not  
 21 want it, and I'm not joking to you. Over 300  
 22 signatures that I have here, and all these people is on  
 23 the same page. They say they don't want it. They live  
 24 here in Riviera Beach. They can't afford to buy a  
 25 house nowhere else, and why don't they respect us? We



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1 pay our taxes. Why can't we be heard and live happy  
 2 and be healthy in our area where we live? Thank you.  
 3 CHAIR JAMES: Thank you, Ms. Gorden.  
 4 Dorothy Danford.  
 5 MS. DANFORD: Good evening. I'm Dorothy  
 6 Danford, 1212 West 7th Street, Riviera Beach.  
 7 I lived in this city for over 70 years. I  
 8 went to school here, I grew up here. There was one  
 9 paved street in Riviera Beach when we moved here.  
 10 Okay, I married here, I raised my children here, I am a  
 11 property owner.  
 12 As the young lady said, we do use bleach in  
 13 our home. But she was talking about things that could  
 14 happen. You mix bleach with ammonia, and we all know  
 15 what it will do.  
 16 My problem is today it's the same as the  
 17 first time I heard and spoke about this. It's the  
 18 brown and black children that live near this. They are  
 19 susceptible to getting sick with asthma. Kicking these  
 20 people out five years down the road would not bring the  
 21 children's health back. Thank you.  
 22 CHAIR JAMES: Thank you, Ms. Danford.  
 23 Carmen Wildgoose.  
 24 MS. WILDGOOSE: Good evening.  
 25 CHAIR JAMES: Good evening.

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1 MS. WILDGOOSE: Carmen Wildgoose, 821 Avenue  
 2 N.  
 3 To the Planning Board, Council members, Mayor  
 4 and others, I came out tonight as a resident of this  
 5 area to voice my concerns about this project. It seems  
 6 like our residential neighborhoods are being overtaken  
 7 by industrial entities, and I feel like we are being  
 8 squeezed out of our communities. I really like where  
 9 my home is situated.  
 10 The project proposal admits that bleach is a  
 11 hazardous chemical, and I'm talking about not household  
 12 bleach, but utility use bleach. So there is a  
 13 difference. And usually bleach is diluted with  
 14 something.  
 15 But my concern is about poor air quality,  
 16 water quality. If there is a leak and it gets into our  
 17 soil, that will affect the quality of our soil in our  
 18 neighborhoods, not to mention that we are in a position  
 19 where there's a school. My house is about two blocks  
 20 away from the proposed site. There's a school, there's  
 21 a recreational center there. And so I'm really  
 22 concerned about all of these three components.  
 23 The EPA recommended or said that there was no  
 24 threat to the fauna or the plants in that area, but it  
 25 does not address the quality of the air or the water

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1 supply if there's some type of an accident.  
 2 It seems like just recently I heard about an  
 3 area where there was an unexpected sinkhole, and that  
 4 sinkhole filled up with all kinds of radioactive  
 5 materials, and that went into the water supply. And  
 6 the people that are in that area are more severely  
 7 affected now than they ever were.  
 8 We live in a world where there's lots of  
 9 water pollution, but now it seems that in order to  
 10 correct the pollution, they want to bring in more  
 11 chemicals. And we happen to be trapped between the two  
 12 railroad tracks, and so now we have to give up our  
 13 quality of life or our living space to accommodate this  
 14 other industry where we have to bring in one chemical  
 15 to try to remedy the bad that other chemicals have  
 16 caused.  
 17 So I'm asking that you not give them the  
 18 special exception or that we do not have this plant put  
 19 in our area and our neighborhoods. Thank you.  
 20 CHAIR JAMES: Thank you, Ms. Wildgoose.  
 21 Doshia Newbold.  
 22 MS. NEWBOLD: Good night. My name is Doshia  
 23 Newbold. I live at 825 West 6th Street.  
 24 I listened to everything that was said. I  
 25 even got a copy of the report, and it answered a lot of

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1 questions that I had tonight. I live two streets and  
 2 about six blocks up from this proposed site.  
 3 I find it offensive that people from West  
 4 Palm Beach went to Tampa and enjoyed the trip of  
 5 looking at this plant. I think the people that live in  
 6 the area should have been the people to really go on  
 7 that trip so they could see it for themselves. That's  
 8 the first thing.  
 9 The second thing, it was brought to my  
 10 attention that it's not flammable. I'm glad about  
 11 that. The time of operation, I really appreciate the  
 12 time.  
 13 I want to know if what has been said verbally  
 14 is going to be put in a contract, especially the  
 15 summary operations that the gentleman put up on the  
 16 screen, if it is going to be something verbal or is  
 17 this going to be in writing.  
 18 I'm an advocate for bringing jobs to Riviera  
 19 Beach, because we need them. And unfortunately, some  
 20 people have records, let's be honest, and they need the  
 21 job. Well, we have been told so many times, oh, we're  
 22 going to put this in your area and get the -- you know,  
 23 open jobs. But they're not for the residents of  
 24 Riviera Beach. People come from Royal Palm Beach and  
 25 working to Sysco and all the other places.

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1           So I want to make sure that if what we're  
 2 promised is put into writing, then we can go back to  
 3 that and say, like the gentleman said, if he's going to  
 4 be a man of his word with this company, put it in  
 5 writing, not just stand here and tell us, oh, this is  
 6 what we're going to do.  
 7           I'm teeter-tottering on this. I really  
 8 didn't like -- I'm going to tell you what I didn't  
 9 like. I don't like the visual of the tanks. I think  
 10 they're too high. It makes it look very, very  
 11 commercial.  
 12           And unfortunately, the other thing I didn't  
 13 particularly care for is the fact that we have  
 14 Stonybrook with low income people. That's 1555 8th  
 15 Street. But then you have houses in the 1400 block  
 16 from 1st to 8th Street. So it's in between residents.  
 17 Unfortunately, Riviera Beach is known for this,  
 18 allowing residential and this commercial industry to  
 19 mix. I did read the report. I have the report here.  
 20           My other concern is the railroad traffic,  
 21 because, you know, we can leave out of here tonight,  
 22 and we'll stand out here 45 minutes trying to get  
 23 across Blue Heron Boulevard. Where are the trains, and  
 24 with the tracks, because those tracks run into -- all  
 25 the way over to UPS. So is 8th Street, Martin Luther

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1 King, going to be blocked when they access the tracks,  
 2 and how long are they going to be on the tracks? I  
 3 don't want a traffic situation like we experience right  
 4 here on Blue Heron Boulevard.  
 5           However, I did and I must say that I would  
 6 appreciate if a Federal or State agency can confirm  
 7 what the gentleman put out. His report was very  
 8 explicit. I appreciate all of his concerns and the  
 9 things that he put out, especially the fact that it's  
 10 not chlorine gas. And I appreciate that.  
 11           But I want things in writing. I want to make  
 12 sure we know about the traffic situation with these  
 13 train tracks, and I think if we get that done, the  
 14 residents will feel a little more comfortable. And I  
 15 think the tanks need to be brought down. They're very  
 16 high.  
 17           So with that being said, maybe we need to  
 18 just work on this a little bit, and maybe we can accept  
 19 this project if we do a little more work on this. Just  
 20 a couple of more things need to be tweaked, and I think  
 21 it may go over.  
 22           CHAIR JAMES: Thank you, Ms. Newbold.  
 23           Bishop Thomas Masters.  
 24           BISHOP MASTERS: Thank you, Madam Chair.  
 25           Bishop Thomas Masters. I'm speaking in the

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1           role of pastor and bishop of a local church that's just  
 2 minutes away, if not just a few blocks.  
 3           I appreciate, Madam Chair, your line of  
 4 questioning earlier. I don't understand that in the  
 5 past there's always been some recommendation from the  
 6 staff. There seems to have been some hesitation  
 7 tonight or reservation as to why we didn't get that  
 8 this time, so that concerns me.  
 9           As a minister and pastor of the city, I can  
 10 tell you that the pastors that I have spoken to that  
 11 are very close to the Dr. Martin Luther King area,  
 12 we're all opposed to it.  
 13           I am very proud of the fact that our elected  
 14 officials from the County and the State have gone on  
 15 record, whether it's Bobby Powell, whether it's Al  
 16 Jacquet or whether it is Mack Bernard, all three have  
 17 gone on record opposing this project.  
 18           There's also concern -- or it's true, it's on  
 19 Facebook. Go to their page and see it.  
 20           It also concerns me that when I speak to, as  
 21 the pastor, as the management, when I speak to the  
 22 management of Stonybrook, they didn't even know about  
 23 it, number one. Number two, they've not signed on  
 24 about it at all. Tropical, which is right next door on  
 25 the other side, they're concerned about it. You have

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1           Federal Gardens, Harmony Heights right across the  
 2 street. There has not been any kind of meeting with  
 3 the people who live there.  
 4           It is baffling to me, Madam Chair, that in  
 5 the same area they wanted to bring a warehouse and put  
 6 the Police Department and we shut that down, they  
 7 wanted to bring a junkyard in the same area, we shut  
 8 that down -- and I call it that -- and now here we have  
 9 this. And I call it, as many say, poison bleach.  
 10           That's how I see it.  
 11           I don't care what they say, how they kind of  
 12 paint this picture. You go hire your own expert and  
 13 you pay him and you bring your own expert in. We know  
 14 you can bring one expert in to say one thing, another  
 15 one will say just the opposite. So I'm not impressed  
 16 at all.  
 17           I will join other clergy, I will join our  
 18 residents, and we will stand tall and stand firm and  
 19 say no bleach on my block, period. I'm willing to  
 20 stand with the clergy of Riviera Beach, particularly in  
 21 this area. I'm ashamed that we're even talking about  
 22 this type of facility on Dr. Martin Luther King, Jr.  
 23 Boulevard, next to schools, next to Stonybrook, next to  
 24 homeowners. It is shameful. And I'm glad to be on the  
 25 side with the people of the area. Let the people

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1 speak.  
 2 Thank you, Madam Chair.  
 3 CHAIR JAMES: Thank you, Bishop Masters.  
 4 Wesley Shuler.  
 5 MR. SHULER: Thank you. Wesley Shuler, 1859  
 6 North Congress Avenue.  
 7 I do approve this project to go forward,  
 8 because for one, I did go to the site. For two, I was  
 9 by the tank. And for three, I did not smell anything.  
 10 And since that going over to Tampa, I did  
 11 hire two people out of Stonybrooks with a record. Too  
 12 many people is not hiring people out of Stonybrooks.  
 13 Everybody's talking, but they're not doing no action.  
 14 And for one, it's just ain't nobody trying to help  
 15 nobody out of Stonybrooks for not trying to get no  
 16 jobs. I own a landscaping company. I hired them  
 17 because they are tired of people saying what they going  
 18 to do and they don't do nothing.  
 19 Mr. Pat had the bus to put together for the  
 20 people. Not only out of Palm Beach, but the people out  
 21 of Stonybrooks went to the site itself and saw it for  
 22 theyself too. So for people to say that they just out  
 23 of West Palm Beach, it's not just only West Palm Beach.  
 24 People out of Stonybrooks.  
 25 Mr. Pat is willing to hire people with a

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1 criminal record. Is nothing that -- I don't see  
 2 nothing wrong with this. People are tired of saying  
 3 what they going to do, but they not putting their  
 4 actions together. This project, I don't see it being a  
 5 hindrance; I don't see it being a burden. It just need  
 6 to go through. Thank you.  
 7 CHAIR JAMES: Thank you, Mr. Shuler.  
 8 Edward Foster. Is there an Edward Foster  
 9 present?  
 10 Okay, moving on, Donald Duncombe.  
 11 MR. DUNCOMBE: Respect to the Board. Donald  
 12 Duncombe, 1232 West 37th Street.  
 13 You know, I understand how people, given  
 14 information that engender fear and discouragement can  
 15 feel, and I think that's what's happening here. I  
 16 visited the site. But you got to understand, Tropical,  
 17 they operate there. The trains are there next to  
 18 Stonybrook.  
 19 Every city is leaving or getting rid of this  
 20 gas chlorine and going to bleach. It's stored already  
 21 in this city to treat water, to treat the waste. And  
 22 every city is going to it.  
 23 Now, look, it's a business plan that this  
 24 company is going to make money if they put this up.  
 25 But the thing is this: This gentleman has promised to

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1 bring jobs, not (inaudible). He has promised to hire  
 2 people from this city. Do you know what he -- he was  
 3 put under pressure that he's going to rent trucks in  
 4 this area. But you know what he did? He went to the  
 5 company that he's going to rent the trucks from and  
 6 inquired: Do you have any local people in your  
 7 company? He said: Because I'm going to be a good  
 8 citizen in Riviera Beach.  
 9 We talked to the people who are working for  
 10 this company, and I think out of the ten years, only  
 11 two quit out of all the people he hired.  
 12 Look, I know you're under pressure too. That  
 13 is the City Council. People are afraid. And they're,  
 14 you know -- well, fear can cause people to make  
 15 decisions that are not good. But I'm hoping this, that  
 16 the information that chlorine bleach is being used in  
 17 people who have wells, in cities, counties all over  
 18 this state, and therefore, this is not a -- bleach is  
 19 not a threat to this community. Nobody's going to take  
 20 a closed system and put ammonia in it.  
 21 Thank you, I -- listen, I'm very -- a go for  
 22 this project because I think it's going to help the  
 23 citizens of this city. Thank you.  
 24 CHAIR JAMES: Thank you, Mr. Duncombe.  
 25 Leonard Warrie.

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1 MS. WARRIE: Good afternoon. Give honor to  
 2 my Lord and Savior Jesus Christ.  
 3 I had also went to Tampa, and while we were  
 4 there, they filled up one of the trucks. We could not  
 5 smell it. There was no odor at all. One of the  
 6 tankers came in, filled up the silon (phonetic). We  
 7 did not smell it. We were right there. It was a nice  
 8 experience. It came through a neighborhood. It is not  
 9 out in the woods; it's in a neighborhood.  
 10 We left there and then went to the plant.  
 11 Now, the plant is in an area that is nothing but  
 12 industry, and I could understand that. I don't have a  
 13 problem with that. So when I went to the City and I  
 14 asked them to pull all their paperwork on this plant,  
 15 it showed me that they had decided not to do the  
 16 warehouse, and that was good, because that part I was  
 17 not for. I am for the other part.  
 18 That bleach is not going to hurt us. We have  
 19 one right across in the parking lot, big old tank.  
 20 When you get in your car tonight, go straight over  
 21 there and you'll see a big old tank. That's what's  
 22 cleaning our water from when we had that problem with  
 23 the water. It is still cleaning it. We have a tank on  
 24 the other side of that building that if the cars -- if  
 25 the workers do not stop over it, they get that tank,

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1 it's going to explode. And it's sitting on the ground.  
 2 So we do have hazardous stuff in Riviera, but the  
 3 bleach is not one.  
 4 I ask that you go ahead and approve it, and  
 5 don't worry about being taken off a Board. You  
 6 (inaudible) anyway. And if your Council the group that  
 7 want to get you off, there's a group that will keep you  
 8 on. So go ahead and do what has to be done. This is a  
 9 project that needs to be done, and one way or another  
 10 is going to be done.  
 11 And the City, they have gone through  
 12 everything the City told them to do. And staff sat  
 13 here today, stood here tonight and said they did it,  
 14 they did it, they did it. How can you deny somebody  
 15 who did everything you asked them to do? It is  
 16 regulated for that. FDOT came. They did what DOT  
 17 wanted. FP&L came. They did what FP&L wanted.  
 18 Now it's time for the City to do what we  
 19 want, what they want, because if not, we're going to  
 20 end up in court, because so far, they have done  
 21 everything legally. So we're going to go into court,  
 22 and you know what the verdict will be. Thank you.  
 23 CHAIR JAMES: Thank you, Ms. Warrie.  
 24 Next up, Jessie Gray. Jessie Gray.  
 25 UNIDENTIFIED SPEAKER: I think she left.

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1 CHAIR JAMES: Ms. Gray.  
 2 UNIDENTIFIED SPEAKER: She left.  
 3 CHAIR JAMES: Next we have Charlotte  
 4 Darville.  
 5 MS. DARVILLE: Good evening.  
 6 CHAIR JAMES: Good evening.  
 7 MS. DARVILLE: Charlotte Darville at 361 West  
 8 20th Street.  
 9 I've been here in the city now for, it's  
 10 around 43, 44 years. This city, we've had our  
 11 problems. I know when I first moved here it was a  
 12 great city to live in, but gradually it went downhill,  
 13 and we need something positive here. I think, you  
 14 know, we're afraid from other happenings in different  
 15 states where there's been leakage and whatnot, and  
 16 we're concerned about that.  
 17 I don't live that far from Martin Luther  
 18 King. And then with the school there, Tropical  
 19 Shipping, Stonybrook, I can understand where it's a big  
 20 concern. I mean it's all fine, great, you know, that  
 21 they want to give jobs to people here in the city that  
 22 really need them, and we need that. But like the other  
 23 lady had said, we want that in writing. If they go  
 24 forward with this, we want something in writing to that  
 25 effect.

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1 But, you know, a lot of us are just scared  
 2 about that. I mean we had a problem on Blue Heron  
 3 Boulevard years back, you know, with the chemicals  
 4 being poured out into the ground. So we just, we don't  
 5 want anything like that happening again here. Thank  
 6 you.  
 7 CHAIR JAMES: Thank you, Ms. Darville.  
 8 Issac Searcy.  
 9 MR. SEARCY: Good evening. Issac Searcy,  
 10 2800 North Ocean Drive, Singer Island, Florida.  
 11 And I come before you too just to say I'm  
 12 coming as a concerned citizen. And my interest was  
 13 just in the tone of how the City was being represented  
 14 and the tone of the discussion about the project. It's  
 15 just that I would like for it to be that we're able to  
 16 discuss it civilly and then come away -- put forth a  
 17 good light insofar as Riviera Beach goes, even though  
 18 we might not disagree or we come to the point where we  
 19 just did agree to disagree.  
 20 So I would ask that we be mindful of that,  
 21 because if this project doesn't come in, maybe there  
 22 would be some other project to be here. And I mean  
 23 there are other businesses that are looking to come to  
 24 Riviera Beach, so we want to set an example that says,  
 25 okay, we're welcoming, we'll discuss it and weigh all

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1 the options.  
 2 But I think where the issue comes is that the  
 3 information -- is what information people have. And I  
 4 think they're concerned and they become emotional  
 5 because of the fact that maybe they don't feel as  
 6 though they're getting all the information that's  
 7 necessary.  
 8 And I appreciate the gentleman that came,  
 9 because let me share with you too, I too went to the  
 10 site in Tampa. Now, I'll share with you, I went with  
 11 some skepticism as to what it would maybe entail, but I  
 12 wanted to go see for myself. Bible says study to show  
 13 thyself approved, and that's what I would encourage  
 14 everyone here that's generally concerned about it, is  
 15 to go take a look at it for yourselves.  
 16 Now, what the people represented here who  
 17 also went with me is that you did not smell when you  
 18 were right there really close to those tanks. And what  
 19 I was expecting, I thought it was going to be a plant,  
 20 a big plant. It's a storage site. If anybody's  
 21 familiar with like cotton gins or grain facilities or  
 22 something like that, it's not a huge site. And it was  
 23 odorless. They kept it immaculate. It was clean; it  
 24 was a clean facility, and the people that were there  
 25 were happy and satisfied employees.

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1 And I would just say that with looking at a  
 2 company, and that something's going to be done at that  
 3 site at -- on Dr. Martin Luther King, to look at it and  
 4 see what's the best suited, because you want to think  
 5 long term as to how this -- how that industrial area,  
 6 how -- what's going to take place 50 years from now,  
 7 okay, that there's going to be something industrial  
 8 there in that site.  
 9 So let's not just dismiss this company, okay,  
 10 because of the fact that they're going to add something  
 11 additional there industrial-wise, because there's  
 12 nobody that's going to go in there and put anything  
 13 residential, okay, because it is such -- because it is  
 14 next to Tropical and Cemex.  
 15 And so I would say I was encouraged by what  
 16 their operation is and everything that that gentleman  
 17 laid out. And I would encourage people to get as much  
 18 information as possible. But everything that that  
 19 gentleman laid out and did that third party report was  
 20 the truth. Thank you.  
 21 CHAIR JAMES: Thank you, Mr. Searcy.  
 22 Donald Duncombe. He spoke already, I  
 23 thought.  
 24 So okay, Marina Petrakos-Byrd.  
 25 MS. BRYD: Good evening.

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1 CHAIR JAMES: Good evening.  
 2 MS. BYRD: I live at 764 West 5th Street.  
 3 I have to say that I recognize that the  
 4 people who visited the plant were very impressed with  
 5 the very clean operation and that that made a great  
 6 impact on them. And I have no doubt that as far as  
 7 bleach companies go, that this is a good one.  
 8 I think that the concerns are that if there  
 9 is an accident, that there is -- well, we spoke with an  
 10 engineer who said that there is eventually the  
 11 likelihood that there will be an accident with the  
 12 tanker trucks. They're going to be leaving at 5:00 in  
 13 the morning. It's dark. There is not a legal exit  
 14 from that property going west. You have to go over to  
 15 Avenue O in order to make a U-turn, a legal U-turn.  
 16 There's the potential for an accident there,  
 17 whether it's a car accident or a train accident. At  
 18 some point, there is the likelihood that at 5:00 in the  
 19 morning there may be a tanker truck accident with the  
 20 bleach, and if that happens, there is the potential for  
 21 the bleach to heat up and give off chlorine gas.  
 22 There is no evacuation plan in place should  
 23 this happen. The code for bleach is 1791. The 1791  
 24 code triggers an evacuation plan should something  
 25 happen, should an accident happen. And within that

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1 half a mile, you have to -- a half a mile radius of an  
 2 accident with bleach, you have to have an evacuation  
 3 plan in place, and there isn't one. So I was surprised  
 4 to see that a safety study had been done and it did not  
 5 include an evacuation plan. That's one thing.  
 6 Another thing is that the pollution from the  
 7 tanker trucks alone coming in and out is a huge concern  
 8 to the residents there, the children, the elderly, sick  
 9 people, everybody. I mean the traffic alone is going  
 10 to be -- going to have a great impact on the residents  
 11 there. Nobody is talking about that -- at least some  
 12 people are.  
 13 But the people who went and visited the site,  
 14 the bleach site in Tampa and were so impressed, it  
 15 might be a fantastic bleach facility. Put it somewhere  
 16 else. Don't put it in the heart of residents, because  
 17 the operation that involves the tanker trucks and the  
 18 railcars, it's not a friendly environment for people to  
 19 live next door to.  
 20 Nobody who owns and runs that bleach company  
 21 is going to want their family members living next door  
 22 to that plant, no matter how beautifully it works,  
 23 because of those trucks and because of the railcars and  
 24 because of potential accidents. Nobody can guarantee  
 25 that there aren't accidents.

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1 So -- and also the hours of operation for the  
 2 Stonybrook residents, plus noise carries. Dinner time  
 3 is interrupted, breakfast time is interrupted, sleep  
 4 time is interrupted from eight, whatever the hours were  
 5 that the operation of the trucks were allowed. It  
 6 interrupts dinner time and breakfast time. So I  
 7 couldn't understand that.  
 8 CHAIR JAMES: Thank you, Ms. Byrd.  
 9 MS. BYRD: I think it needs to be considered.  
 10 CHAIR JAMES: Thank you.  
 11 Andrew Byrd.  
 12 MR. BYRD: Good evening, Board.  
 13 CHAIR JAMES: Good evening.  
 14 MR. BYRD: My name is Andrew Byrd, 764 West  
 15 5th Street.  
 16 A couple things. The stenographer, I don't  
 17 know who's taking the notes, but I read my notes from  
 18 the first meeting, and what was written down was  
 19 nothing like what I said. Just in general, the notes  
 20 from the meeting I was in weren't being represented by  
 21 what was written. So I don't know if that's Jeff's  
 22 area or if there's a stenographer that works word for  
 23 word or if -- I don't know how that works.  
 24 But I just made two points the last time, and  
 25 that was we'll need an environmental study, and you

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1 need a community impact study, and that's just because  
 2 I have a planning background, and I was taught to think  
 3 that way. I like the study the fellow did tonight, but  
 4 as Marina was saying earlier, there's codes in  
 5 Tallahassee you going to have to address if you accept  
 6 this.

7 That Code 1791, if you allow one of those  
 8 tanks to be there, with that code there's a user guide.  
 9 It's called 154. If you get a chance to read that user  
 10 guide, it'll specify all the other things associated  
 11 with it that the City has to have to accommodate an  
 12 accident for Code 1791. And if you look at those  
 13 tanks, you'll see written on those tanks on all the  
 14 photographs 1791. So that's the code.

15 Now, the one concern I have, and once again,  
 16 as a planner, is that if there's a person willing to  
 17 pay \$50 million for a site -- this is location  
 18 theory -- there's always another person that's willing  
 19 to pay twice that much for a site.

20 I just don't like the idea that that be a  
 21 giant factory. It's bad enough for the cement company.  
 22 But I personally, having grown up in Riviera Beach,  
 23 don't like the idea, if they can make it as safe as  
 24 possible, of a bleach company being smack in front of  
 25 Stonybrook and right next to a (inaudible)

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1 neighborhood.

2 When you look at the manual, it will state  
 3 that if you had a truck fire, if there was a major  
 4 truck, tanker truck pulling out -- and that's what the  
 5 study didn't mention. We didn't see the environment  
 6 where the other facility is located. People who live  
 7 there saw it, but we didn't get this presentation.

8 But the way I understand it is big tanker  
 9 trucks are going to carry bleach somewhere else. If  
 10 there's going to be an accident, you have fire. You  
 11 mix fire with bleach, that hypochlorite, that CL in  
 12 there, that's from chlorine. That's what you going to  
 13 get coming out.

14 Thank you very much.

15 CHAIR JAMES: Thank you, Mr. Byrd.

16 Bonnie Larson.

17 MS. LARSON: I'm Bonnie Larson. I didn't see  
 18 a lot difference in the presentation tonight and how we  
 19 saw it the other day.

20 But Mr. McCoy, you're exactly right. The  
 21 reason it was tabled last time is because we didn't  
 22 have an answer about that. You got a letter at 5:00 at  
 23 the last meeting, and it said something about they  
 24 didn't have to follow City codes. That was the reason.  
 25 You wanted that answer tonight. We didn't get it

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1 tonight.

2 We have two attorneys. Their attorney and  
 3 our City Attorney are saying different things, so we  
 4 didn't get an answer, and that's not very comforting.  
 5 The response was: Well, that will be settled in court.  
 6 We don't want to go to court. We want to settle  
 7 something here tonight. We want to know if this is a  
 8 good plan, a not so good plan, if it fits in with our  
 9 city. We don't want to go to court over this later.

10 I didn't see a letter from the Fire  
 11 Department regarding this situation. You're not able  
 12 to get a recommendation or a non-recommendation from  
 13 the Community Development. That's also concerning.

14 The Odyssey people, they have given classes  
 15 to the Riviera Beach Utility Department, our Water  
 16 Utility Department on how to use the bleach, the ups  
 17 and the downs to it. They had to be trained on that.

18 People are talking tonight about jobs. There  
 19 aren't going to be any jobs. They mentioned 20. Well,  
 20 20 in phase one. They're not even going to monitor the  
 21 facility from here. They're not even going to have one  
 22 person to monitor the facility. They're going to do  
 23 that in Tampa. These are not people who are hiring  
 24 people.

25 All right, tonight you got another surprise.

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1 They removed the warehouse portion. That was the  
 2 bottling section, the chlorine bottling department they  
 3 were going to do. All right, you asked why it was  
 4 removed, and the answer was very telling. The answer  
 5 was because it's easier to get it through. That seemed  
 6 to be the sticking point last time, was that warehouse.  
 7 So let's just take it out this time, we can move on.

8 You asked: Are you ever going to do it  
 9 again? Well, no, we don't think so. Once they got it,  
 10 they got it. They presented it to you in the first  
 11 plan. They're just taking it out now so that it won't  
 12 be a sticking point. It's going to come back. They  
 13 said they don't think so. Well, you don't think so?  
 14 Is that in writing that you're not going to do it?

15 They say that their plants in Florida are  
 16 disappearing. Can't get it; can't get bleach in  
 17 Florida. Wonder why the plants are disappearing. Oh,  
 18 let's put it in Riviera Beach. They'll take us.

19 Oh, I read that this chlorine -- it has  
 20 another name to it -- is subject to heat. This is  
 21 Florida. We have 97 degrees here in the summer. At  
 22 the first meeting they mentioned if we had a hurricane,  
 23 not to worry, we'll take the plants and move -- or  
 24 we'll take the tanks and move them. I didn't hear them  
 25 talk about that tonight.

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1 How do you move eight 40,000 gallons of  
 2 bleach? How do you do that? When we have a hurricane,  
 3 you don't know if it's going to hit here, going to hit  
 4 in Miami, you don't know where it's going to go. They  
 5 said last time they're going to move them in case of a  
 6 hurricane. Where you going to move them to? They  
 7 didn't mention that this time.

8 Oh, EPA, EPA. There was something on EPA  
 9 last time that said about the fauna, it's not going to  
 10 harm the fauna. We're concerned about our fauna, yes.  
 11 We're more concerned about human lives here.

12 Another speaker said that the wind would take  
 13 the vapors, not to worry; the winds can take vapors.  
 14 That's right. The wind will take the vapors all over  
 15 this city.

16 So don't be swayed by the warehouse, removing  
 17 that. It's going to come back. They don't plan it  
 18 today, but it's coming back. So keep that in mind.  
 19 They're entitled to bring it back later, so keep that  
 20 in mind when you think about this.

21 CHAIR JAMES: Thank you, Ms. Larson.  
 22 Mary Brabham.

23 MS. BRABHAM: Did everybody on the Board get  
 24 one of these? Mr. McCoy, did you get one of these?  
 25 VICE CHAIR McCOY: I'm not sure what it is.

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1 MS. BRABHAM: Will you please give that to  
 2 him, please?  
 3 I'm going to ask you to borrow two of these  
 4 chairs here.

5 CHAIR JAMES: Speak into the microphone,  
 6 Ms. Brabham.

7 MS. BRABHAM: Okay, before I get started, I  
 8 need this to sit in a chair right here. I need two  
 9 chairs right here, please, so that everybody can see  
 10 this here.

11 Good evening. Ms. Mary Brabham, Riviera  
 12 Beach.

13 Smell is useless when you're sick in bed. We  
 14 don't care about the smell. We care about the impact.  
 15 The zoning regulation code is silent. Maximum gallon,  
 16 are you in compliance? If you exceed even one gallon,  
 17 you will have to come back for a special exception.

18 Do not be deceived by the shakedown. These  
 19 are shakedown people. St. Lucie County, they know it  
 20 too. Read your package there.

21 Compatibility section, traffic stop, ingress  
 22 and egress leads to illegal turns. All of that round  
 23 circle there, besides Stonybrooks, the only way that  
 24 they would get out is on a right turn. And O Avenue,  
 25 there go Lincoln, the Head Start, Suncoast, the number

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1 two school in the country, all of those areas there,  
 2 all that circle there, that encompasses. Even on the  
 3 other side over here. Come on, people; come on,  
 4 people.

5 1791. Look at your package there. Those  
 6 pictures there as I go through this, the 1791. That's  
 7 the trigger code. It stands for fire and evacuation.  
 8 Every last one of these pictures here with these tall  
 9 tanks here, and you see there's a (inaudible) here.  
 10 Somebody come and pass this around. These tall tanks  
 11 here.

12 When Elizabeth Robinson here, yes, they went  
 13 up there. We don't care. This is our community, and  
 14 we say no. This is a trigger code. Ms. Brabham didn't  
 15 establish it. Read it. That's 1791. And read what it  
 16 says on the back of it; read what it says on the back  
 17 of it. Who was it established by?

18 Those high tanks have it and these semi  
 19 trucks, tanks. These are semi trucks. Look at the  
 20 pictures what I gave you. That's what will come  
 21 through our neighborhoods. Not just on 8th Street,  
 22 Australian, 13th Street; they doing it now. There's no  
 23 regulation to put it in this City here. Can we take  
 24 this chance here? No, no, we can't take this chance.  
 25 We say no.

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1 The railroad, it is only a two track rail,  
 2 and those tracks are worn; those tracks are worn.  
 3 Tri-Rail is going to come right in the back of  
 4 Stonybrooks. We can't have this here. This is  
 5 detrimental to our community, and shame on them for  
 6 doing this.

7 I listen to this Board here about the law. I  
 8 got it here. It doesn't state that your city is  
 9 denigrated in approving anything. Those tracks reside  
 10 in your city. They might belongs to Congress, but  
 11 Congress can't tell you what to okay to put in your  
 12 city. They can't do that.

13 So this is a shakedown that these people do.  
 14 You got the package. They came over in Tampa on a bid,  
 15 on a bid. They have a spiel. Read it. It's in there.  
 16 I can't go through it all. Read it. It's in there.

17 Also, EPA, they was fined by EPA for \$29,596.  
 18 They didn't tell you all that. It's in your package  
 19 there.

20 They failed to do an impact study because it  
 21 wasn't necessary. Chlolite (phonetic), the bleach  
 22 company that was here, yes, it had chlorine. Read it;  
 23 read it. And how much chlorine vaporized the air?  
 24 That's why our children sick with asthma and immune  
 25 system. And the schools that it impacted at that time

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1 was Palm Beach SDA Bilingual School, Inlet Grove High  
 2 School, Riviera Beach Maritime Academy, and that's not  
 3 all. The other residents that live in our community,  
 4 it's there; it's there.  
 5 This is a shakedown; this is a shakedown.  
 6 When they talk about 5 a.m., 5 a.m., you best believe  
 7 that they going to have that highway just like we see  
 8 it. We got traffic, too much traffic there now. And  
 9 they going to make their illegal turns; they going to  
 10 make them. And those semi tank trucks, those pictures  
 11 and that fire and stuff, that was just recently; that  
 12 was just recently of those rigs. Those are the type of  
 13 rigs.  
 14 And they house nothing but gallons of sodium  
 15 chlorite. This is not no ordinary bleach. I'm tired  
 16 of this hanky panky. This is high purity sodium  
 17 hypochlorite. This is what this is here. World War II  
 18 used it; World War I used it. And guess what?  
 19 Ms. Brabham and others did their research. Iraq used  
 20 it and made bombs.  
 21 Come on, you people. It's a lot of bull. I  
 22 don't care where you went at. We know what's going on.  
 23 If you got a hand in the deal, you take your hand and  
 24 march on to the beat. But this is our city, and we say  
 25 no; we say no. That's why you didn't get the impact

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1 studies. That's why you didn't get a lot of stuff.  
 2 And then the man wants to stand here, talk  
 3 about the study that he done. These friends are  
 4 theirs. I can pull out the list. We got the list.  
 5 Michael, do your homework. We got the list.  
 6 Ms. Brabham got it. Ms. Brabham got more than her  
 7 share to share with this Board here to let you all  
 8 know. We would object to paying for any such analysis.  
 9 And this is highly unusual and certainly not customary  
 10 for a (inaudible).  
 11 CHAIR JAMES: Thank you, Ms. Brabham.  
 12 MS. BRABHAM: We got the trains. But these  
 13 are semi tanks, truck tanks that will carry those  
 14 gallons through our city. This called 1791 was not --  
 15 look at the back of that; look at the back, what's  
 16 written on there. And all of the tanks have this,  
 17 including them high-rise tanks that could explode and  
 18 (inaudible).  
 19 CHAIR JAMES: Thank you, Ms. Brabham.  
 20 MS. BRABHAM: Fire; fire and evacuation. How  
 21 we going to get out here? Each way is a half mile.  
 22 Sysco even in this here perimeter. Come on. The wind  
 23 blows; the wind blows from south to southeast at 9.7  
 24 miles per hour, and that's on a normal day.  
 25 CHAIR JAMES: Thank you, Ms. Brabham.

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1 MS. BRABHAM: Thank you.  
 2 CHAIR JAMES: We've actually concluded all of  
 3 the comment cards we have for this item. There are  
 4 other cards here that are marked for public comments.  
 5 So if there's anyone else at this time whose name may  
 6 be on one of these cards that wants to speak on this  
 7 item, I'm going to call a name, and if that's you, you  
 8 can come up to the podium.  
 9 Sarah Steiner.  
 10 MS. SHEPHERD: Madam Chair.  
 11 CHAIR JAMES: Yes, Ms. Shepherd.  
 12 MS. SHEPHERD: May I ask a question? If they  
 13 want to speak on public comment, can they come back, or  
 14 is this just --  
 15 CHAIR JAMES: Well, I had mentioned earlier  
 16 at the beginning of the meeting that there were cards  
 17 that may have been marked incorrectly, so that's what  
 18 I'm trying to go through now. So if I called your name  
 19 and you spoke on the VI-A, and you want to speak again  
 20 for a public comment, you will need to do a new card  
 21 for public comments. Okay, so we're still on VI-A,  
 22 okay?  
 23 MS. STEINER: Hi. I'm Sarah Echo Steiner. I  
 24 live at 432 North D Street in Lake Worth.  
 25 And the reason I'm here is that a friend came

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1 to me and said that they're building a chlorine plant,  
 2 a bleach plant in Palm Beach County. And I said:  
 3 Really? A bleach plant? Well, yes, I'm telling you.  
 4 Where are we going to put this bleach plant? Is it  
 5 going to be over on, you know, Mar-a-Lago, Palm Beach?  
 6 No, no, he said, not Palm Beach. Jupiter Island? No,  
 7 no, not Jupiter Island. Wellington? No, no, not  
 8 Wellington. Riviera Beach.  
 9 Well, why would they want to build a bleach  
 10 plant in Riviera Beach? I find it so disingenuous that  
 11 they come into town and say that it's because of the  
 12 railroad tracks being here, close to the railroad,  
 13 close to the Port makes it easy access. We know why  
 14 they're building the chlorine plant here and not in  
 15 Palm Beach, because no one in Palm Beach would let that  
 16 happen. No one in Palm Beach will let that on their  
 17 island.  
 18 And I'm just appalled that a scientist would  
 19 say to you this is the same bleach that is in your  
 20 water, it's safe to drink. Well, you know what? I can  
 21 drink one shot of tequila, it's not going to get me  
 22 drunk. But if I drink that bottle, it sure will.  
 23 Disingenuous to say this is the same bleach  
 24 that's in your house. There's a lot of things in my  
 25 house that I don't want 32,000 gallons of in my back



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1 yard. Also disingenuous.  
 2 And we can talk about the fact that wind is  
 3 going to carry it in other directions. That's exactly  
 4 the problem, the containment.  
 5 And I think it's very disingenuous not to  
 6 talk about the fact that chlorine gas is a by-product  
 7 of heat hitting this bleach and not talking about the  
 8 real facts of that being a real security issue. You  
 9 are right on these tracks. I saw that fence. Any five  
 10 year old can climb that fence. You've got a real  
 11 security issue here.  
 12 A lot of -- I've got a 14 page report here  
 13 from Green Peace all about bleach factories and what's  
 14 happened. And the truth of the matter is that a lot of  
 15 people are phasing these out, because after 9-11, they  
 16 saw them as being a legitimate security threat, and  
 17 nobody wanted them in their back yard. They didn't  
 18 want this target.  
 19 And you're sitting up there, and you want  
 20 jobs for your community. I get that. You need jobs  
 21 for your community. They're offering you 20 jobs,  
 22 possibly, if it works out, at a toxic plant. And  
 23 that's what they think your citizens need.  
 24 You can build a strip club there and hire 20  
 25 people from your community. You could build a Family

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1 Dollar there and hire 20 people from your community.  
 2 You could build a restaurant there and hire 20 people.  
 3 They are offering you chump change. They are  
 4 playing you, and they are disingenuous about the reason  
 5 for picking Riviera Beach. And you got to kick them  
 6 out, because you've got to stand for yourself, because  
 7 believe me, nobody else will.  
 8 CHAIR JAMES: Thank you, Ms. Steiner.  
 9 Nery Arevalo.  
 10 MR. AREVALO: Good evening.  
 11 CHAIR JAMES: Good evening.  
 12 MR. AREVALO: My name is Nery Arevalo. I  
 13 also live at 342 (phonetic) D Street in Lake Worth.  
 14 I come to you because I'm very concerned  
 15 about the children in your neighborhood. I have been  
 16 involved in education for over 30 years in (inaudible),  
 17 and mostly in very small communities that are  
 18 surrounded by other communities with much more wealth.  
 19 Well, I see you as a target, not only for the children  
 20 that are nearby on a chemical spill.  
 21 Here's my point, and that's why I'm here in  
 22 front of you. I am not from this area, but I have an  
 23 experience of living in a chemical valley, Charleston,  
 24 West Virginia, where a lot of this product is  
 25 manufactured. I have seen cities go down under

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1 lockdown because of spills, of gas clouds, because of  
 2 fires. This is fact. You can look it up.  
 3 You also see the impact on the community, the  
 4 health. And not only that, look at your real estate  
 5 property. It goes down. This is not an investment.  
 6 You're actually killing your neighborhood and you're  
 7 killing the property value.  
 8 Not only that, the children, the health,  
 9 environmental impact on the children in West Virginia  
 10 and the amount of breathing difficulties they have is  
 11 by far -- and the cancer rate is another thing. So  
 12 take a look at these things before you allow this  
 13 poison in your community. Thank you.  
 14 CHAIR JAMES: Thank you, Mr. Arevalo.  
 15 Carol Strick.  
 16 MS. STRICK: Hello. My name is Carol Strick,  
 17 and I live at 3516 Whitehall Drive in West Palm Beach.  
 18 We're about ten minutes from here.  
 19 My first comment is people who went to the  
 20 plant in Tampa and were impressed by the cleanliness  
 21 and the lack of an odor, well, just try going over to  
 22 the incinerator on 45th Street. It looks beautiful and  
 23 there's no odor. But live in the cross fire between  
 24 the incinerator and the expanded FP&L plant. When we  
 25 open the door in the morning, whew, it stinks there.

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1 And that's from those two poisons that were supposedly  
 2 never going to have an odor. Well, there's a huge  
 3 odor, and it's dangerous.  
 4 The next thing is the company mentioned  
 5 something about the water. They said that their  
 6 product is in the local water and West Palm Beach was  
 7 one of the cities it included. Well, you know what?  
 8 It's not working. Our water -- everybody in Whitehall,  
 9 which is 360 apartments, buys their water, filters  
 10 their water. Nobody drinks the City water from West  
 11 Palm Beach, which we all consider polluted. So your  
 12 water is not working in our area.  
 13 There are just so many things wrong here.  
 14 This illusion and this constant mention of landscaping,  
 15 that's what we heard all the time from the people who  
 16 were putting the incinerator up. They said: Oh, when  
 17 you go out there, it looks like some kind of a nirvana,  
 18 trees, wild animals. That's not what it is at all.  
 19 It's just an illusion to sucker people in to put this  
 20 incinerator near where people live.  
 21 We asked them: Why are you putting it here?  
 22 Why don't you put it 20 miles away? They said the  
 23 reason was because they would have to spend too much  
 24 gasoline on the trucks. In other words, the gasoline  
 25 on the trucks is more important than our health.

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1 And this is an age of pollution, and the less  
 2 industrialism we have, the better. We're all being  
 3 eaten up alive by this stuff and we have to stop it.  
 4 Thank you.  
 5 CHAIR JAMES: Thank you, Ms. Strick.  
 6 Going to move into Board comments, and I'm  
 7 going ask the same thing of the Board that I asked of  
 8 the public with the comments, that we be courteous.  
 9 So with that being said, I'm going to start  
 10 with Ms. Shepherd.  
 11 MS. SHEPHERD: Thank you, Madam Chair.  
 12 I don't have any questions to ask. But the  
 13 one thing I want to do is thank the community for  
 14 allowing me to sit on the Planning and Zoning. And one  
 15 thing I've heard over and over, I will not sit at the  
 16 devil's table. And so with that, I thank the residents  
 17 for coming out or sitting at my house and talking, and  
 18 I want to let you know that I hear you loud and clear.  
 19 If my time is up to move off of Planning and  
 20 Zoning, I'm willing. It's a volunteer situation. I  
 21 have enjoyed my stay. But the one thing I want to say  
 22 to the public is that I will not sit here and vote for  
 23 this plant to be here in the City of Riviera Beach.  
 24 I thank the city for your love, your support,  
 25 your respect of me, and I know that in the near future,

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1 that whatever become of me is because of you. And with  
 2 that, I thank this Board, I thank the Chair, I thank  
 3 all of you, and I thank you for coming out and  
 4 supporting Planning and Zoning on tonight. Thank you.  
 5 CHAIR JAMES: Thank you, Ms. Shepherd.  
 6 Mr. Whigham.  
 7 MR. WHIGHAM: Thank you, Madam Chair.  
 8 We know that any chemical is dangerous,  
 9 hazardous and harmful if not properly handled. We know  
 10 that. But we have heard so much from the people  
 11 tonight opposing this site in a neighborhood.  
 12 After reviewing these papers that I picked up  
 13 Friday of what the company is proposing and how they  
 14 plan to set it up, they answered a lot of my questions.  
 15 I had ten major questions I was going to ask, but they  
 16 answered them on paper for me.  
 17 Yes, anything is hazardous, anything. But my  
 18 main question is: Why put this, even though it's a  
 19 beautiful facility, why put this facility in a  
 20 neighborhood?  
 21 We have in Riviera Beach -- and I worked on  
 22 that Board in 2010 when everybody was trying to get  
 23 over there by Tropical, and we put up a plan to put out  
 24 there by Dwyer Park and other areas out west, we set up  
 25 an 89 acre industry plot out there for people to go out

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1 and put stuff on, special exceptions, and get those  
 2 developments out of the area.  
 3 And I was hoping that this company -- I want  
 4 them here because we want the tax dollars. I want this  
 5 company to think about that, putting it out on where we  
 6 got the section. And you can talk with the Planning  
 7 and Zoning Board Administrator. They can tell you  
 8 where it is, because I've forgotten the exact location.  
 9 But there are 89 acres out there, and there  
 10 are some companies out there that we rejected from  
 11 being in the city that are out there, and they're  
 12 happy. So let's think about that. Move out there. We  
 13 want you, but move out there. Don't put this in a  
 14 neighborhood.  
 15 Still, I've mentioned this before, I'm a  
 16 retired educator. I taught kids for 36 years. And  
 17 there's the schools right around that area. I do not  
 18 want to see one kid come down with an illness from an  
 19 accident there that would happen on that street.  
 20 That's a (inaudible).  
 21 There are going to be some accidents. You  
 22 got a lot of careless people that live right here in  
 23 Riviera Beach that drive like fools. Our Police  
 24 Department know that. They'll hit one of those trucks  
 25 out there (inaudible) in a minute. They might even run

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1 into a freight car. So we got to factor all those  
 2 things; we got to factor all those things.  
 3 Let's hope that the company would reconsider  
 4 talking with the Planning and Zoning Board and moving  
 5 this plant out west under a special exception that will  
 6 be accepted, because right now it's not acceptable by  
 7 the community, and I can see that tonight from the  
 8 people that spoke.  
 9 Thank you very much, Madam Chair.  
 10 CHAIR JAMES: Thank you, Mr. Whigham.  
 11 Mr. McCoy.  
 12 VICE CHAIR McCOY: Thank you, Madam Chair.  
 13 I have a few things. Number one, it was said  
 14 a few times, and I want to kind of talk about the  
 15 process and how we got here, our responsibility as  
 16 Board members, because it was stated that we're getting  
 17 chump change, and I want to clarify that.  
 18 We're not getting any change. Quite  
 19 honestly, we're volunteers, and we spend countless  
 20 hours not just here at the meetings, but reviewing this  
 21 information. And just as enthusiastic as both sides of  
 22 this issue is, I mean there's Boards that's available  
 23 in this City that you should come out and apply and be  
 24 a part of it.  
 25 But the gesture that we were on the take and

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1 that we were receiving chump change is not just  
 2 offensive, I thought it was downright inappropriate,  
 3 because there's just, in fact, four of us up here  
 4 today, so in the event that -- I think two members are  
 5 out. We may lack a quorum. So, you know, I spend a  
 6 lot of time leaving from my family to come here, and I  
 7 just thought that that was the most -- I guess from the  
 8 public's perception, maybe you didn't understand.  
 9 But to say that we were under pressure, I  
 10 mean we're an advisory Board, and we make a  
 11 recommendation to City Council. Prior to it arriving  
 12 here, it came through by an application from the  
 13 applicant, and it went to the staff level, and it was  
 14 reviewed at the staff level and disseminated through  
 15 the various departments. Then it's presented to the  
 16 Planning and Zoning Board for information, for us to  
 17 vet it out and see if it's consistent with our Land Use  
 18 Regulations.  
 19 And quite honestly, it's been said probably  
 20 over a half dozen times, "the jobs." Our role doesn't  
 21 include factoring or even considering whether they  
 22 bring jobs into our community. I will invite you to  
 23 visit Municode. We're not even to make a  
 24 recommendation about the jobs. That's something that's  
 25 designated with the City Council.

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1 So I don't want the perception to be that  
 2 we're receiving something in exchange or there may be  
 3 some jobs coming down the pike that we're making our  
 4 decision on, because at least for me, that's not, you  
 5 know, why I'm here and some of the criteria I use. I  
 6 want to judge the project solely on the merits and the  
 7 criteria that's required for it to particularly be in  
 8 our city.  
 9 And, you know, this Board is advisory. And  
 10 if -- you know, that was almost a joke, to say that we  
 11 might get removed. We don't even have enough members  
 12 to participate in some of the meetings, so I doubt that  
 13 that's even an option.  
 14 So, and one other point is this. What we  
 15 rely on is the information that's provided in the  
 16 packet -- and I think there's a binder out front -- as  
 17 well as the public comments and the applicant. So you  
 18 know, all of it is intertwined. And we, I guess we  
 19 have to rely on information from various sources, and  
 20 also, you know, we're allowed to do our own independent  
 21 research.  
 22 And I will revisit this again, because it was  
 23 mentioned two other times, about a request that the  
 24 Planning and Zoning Board made. But specifically it  
 25 was stated that this project was exempt from local

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1 regulations.  
 2 And just out of curiosity, as being a member  
 3 on the Planning and Zoning Board, I asked what was that  
 4 exemption. And then I see Attorney -- our Assistant  
 5 City Attorney was not familiar with it because it came  
 6 in at the last moment. And I think it was not  
 7 unreasonable to ask if we could get an opinion or a  
 8 response. And that's where we left that off at in  
 9 December.  
 10 So when I got here to the meeting, that's  
 11 what I was expecting, because it sure wasn't in our  
 12 packet. And I had inquired with our staff in the  
 13 Planning and Zoning Board on two different occasions  
 14 about a response regarding whether this was exempt from  
 15 the City's code. So I certainly rely on all of that  
 16 information, and I try to make a decision based off of  
 17 the facts.  
 18 And certainly, I like jobs. I would like to  
 19 see everybody have a job. But our role is not to  
 20 consider whether or not they bring jobs.  
 21 So I think for the most part, I think all of  
 22 the concerns that I've had, I, at least, you know,  
 23 entertained and considered.  
 24 I know there was one thing I will ask Madam  
 25 Chair that was brought up that I was really curious

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1 about. It didn't get mentioned before, but there was  
 2 something related to how this liquid bleach would be  
 3 transformed into a gas, and I didn't know if that was  
 4 possible. And I would ask just as a privilege if the  
 5 third party environmentalist can respond to that, and  
 6 then I will finalize my last portion of comments, Madam  
 7 Chair.  
 8 CHAIR JAMES: I will allow him to come to the  
 9 podium and explain that.  
 10 MR. HILFIKER: Thank you. Any liquid will  
 11 boil and turn to gas. The product is very stable. It  
 12 has -- in my research, the beginning of the process of  
 13 heating up and beginning to release would be at an  
 14 average consistent temperature of 95 degrees. The Palm  
 15 Beach County average annual temperature is 75 degrees.  
 16 The temperature --  
 17 CHAIR JAMES: Let's remain courteous.  
 18 MR. HILFIKER: The tanks are ventilated, and  
 19 the temperature will never approach consistently the  
 20 temperature necessary to begin that process. It's 20  
 21 degrees off.  
 22 CHAIR JAMES: Does that answer your question,  
 23 Mr. McCoy?  
 24 VICE CHAIR McCOY: It does, Madam Chair.  
 25 CHAIR JAMES: Thank you.

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1 VICE CHAIR McCOY: I also recognize, not just  
 2 this meeting, but in our first meeting, this was unlike  
 3 any other project that has come before Planning and  
 4 Zoning where there was a recommendation by staff, and  
 5 in this case there wasn't. And that gave me the  
 6 impression that staff didn't approve it, because I only  
 7 remember one time since 2012 that I've been on the  
 8 Board that a project came to the Board and staff didn't  
 9 approve it.  
 10 And we were given a response or an  
 11 explanation today that it was on us. So you know, I  
 12 spent some time dealing with the issue. I would have  
 13 liked to have a response to the legal opinion.  
 14 But those are my comments, Madam Chair, and  
 15 then, you know, we can move forward.  
 16 CHAIR JAMES: Yes, I just have a couple of  
 17 questions as well. I'm looking at the memo from Frank  
 18 Stallworth, Fire Inspector, and he does not also give a  
 19 recommendation. He says: The Fire Prevention Bureau  
 20 has the following comments. They're just comments. So  
 21 I don't know if these are recommendations for approval  
 22 or they don't agree with what's proposed or what  
 23 they've reviewed.  
 24 Jeff, Frank Stallworth is the Fire Inspector  
 25 for Riviera Beach?

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1 MR. GAGNON: Yes, ma'am. Even though the  
 2 memo specifically doesn't say the word approve, in my  
 3 previous review of any sort of comment memos, what this  
 4 is from the Fire Department, it's approval with  
 5 conditions. They mainly deal with the building plans  
 6 themselves. So the eight items that are listed within  
 7 the memo are requirements for the developer to meet  
 8 prior to issuance of a building permit.  
 9 CHAIR JAMES: Okay. So that kind of explains  
 10 some of these items on here about who this is referring  
 11 to. I wasn't sure if it was the City or the applicant,  
 12 but you're saying it's for the applicant, correct?  
 13 MR. GAGNON: Yes.  
 14 CHAIR JAMES: My other question is phase two  
 15 is still proposed tonight. That is the future proposal  
 16 for a material storage area for Cemex. If I could have  
 17 staff explain to me how that is actually different from  
 18 the previously requested 11,259 square foot  
 19 refrigerated warehouse, because the previous  
 20 application stated refrigerated warehouse, but this in  
 21 proposed phase two is future materials storage area for  
 22 Cemex. That's very generalized. So future material  
 23 storage area, what is going to be stored there, how big  
 24 is it, if you can answer that?  
 25 MR. GAGNON: Yes, if I may, Madam Chair,

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1 provide again for your review the previous proposal  
 2 which does have the warehouse included in this area.  
 3 So this specific area was previously phase two. Being  
 4 that it's omitted from this proposal, what was phase  
 5 three in the development, which is the Cemex storage  
 6 area, that has now turned to phase two, being that  
 7 there's no longer three phases, there's just two  
 8 phases.  
 9 As far as operations for this location, if  
 10 you look on the current proposal, you can see the  
 11 warehouse is no longer on the plan, however, this  
 12 storage area still remains. So from the information  
 13 I've been provided, it will be very similar to the  
 14 existing facilities adjacent to this location. So  
 15 Cemex has different aggregates, concrete, rocks, things  
 16 of that nature. I haven't been provided specific  
 17 details as far as loads or specific items, but it would  
 18 just be similar to what is already adjacent to the  
 19 property.  
 20 CHAIR JAMES: Could you clarify the usage on  
 21 that? Who's going to be -- who is going to be using  
 22 that storage area? Is it going to be Cemex or Odyssey?  
 23 MR. GAGNON: The proposal currently states  
 24 that it will be leasable area for Cemex.  
 25 CHAIR JAMES: Okay. Those are my questions.

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1 And so I think we need a motion. Is there a motion?  
 2 MS. SHEPHERD: I move that the Planning and  
 3 Zoning deny the resolution to Odyssey, to deny them a  
 4 bleach storage and distribution factory known by the, I  
 5 guess, the PCN 56-43-42-32-43-001-0000, be denied  
 6 application here in the City of Riviera Beach.  
 7 CHAIR JAMES: Is there a second? Is there a  
 8 second?  
 9 VICE CHAIR McCOY: Madam Chair, I want to  
 10 offer a substitute motion, but I don't want to second  
 11 that one. So if it doesn't have a second, I would hope  
 12 that we can move on, because hers was pretty exclusive,  
 13 and I don't want to commit to that one, so --  
 14 CHAIR JAMES: Being that there is no second,  
 15 the motion fails. Is there a new motion?  
 16 VICE CHAIR McCOY: I move to deny, recommend  
 17 denial of the site plan application and the special  
 18 exception application, irrespective of where it's at in  
 19 the city.  
 20 CHAIR JAMES: Is there a second?  
 21 MR. WHIGHAM: Second.  
 22 CHAIR JAMES: Roll call.  
 23 MR. VELASQUEZ: Julius Whigham.  
 24 MR. WHIGHAM: Yes.  
 25 MR. VELASQUEZ: Margaret Shepherd.

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1 MS. SHEPHERD: Yes.  
 2 MR. VELASQUEZ: Tradrick McCoy.  
 3 VICE CHAIR McCOY: Yes.  
 4 MR. VELASQUEZ: Rena James.  
 5 CHAIR JAMES: Yes.  
 6 MR. VELASQUEZ: Unanimous voting. Motion  
 7 approved.  
 8 CHAIR JAMES: Okay, on to -- there is no new  
 9 business. We're going to move on to item VIII, General  
 10 Discussion, and onto public comments. First up will be  
 11 Bishop Thomas Masters.  
 12 BISHOP MASTERS: Well, at this point, I'm  
 13 glad you all did the right thing. Great. Let's go  
 14 home.  
 15 CHAIR JAMES: Thank you, Bishop Masters.  
 16 Next we'll have William McCray.  
 17 MR. McCRAY: William McCray.  
 18 I'd like to thank the Board for your insight  
 19 and your wisdom in this decision. And I think it was  
 20 the appropriate decision, and I, along with many other  
 21 residents here thank you very much.  
 22 We, as a community, have had enough  
 23 environmental racism and dumping on our citizens and  
 24 our community, and we are tired of people selling us  
 25 out. And I don't like to talk behind people's backs,

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1 but Mr. Brown tried to have eminent domain and take  
 2 away people's property once before, and thank God, it  
 3 failed. We don't need him coming back, damaging  
 4 people's property or taking it or making the property  
 5 values go down anymore. We don't need those kind of  
 6 lobbies in this city. We don't need that kind of  
 7 conduct in this city.  
 8 Oh, and another thing, this gentleman right  
 9 here. This meeting is recorded. He works for the  
 10 City. He clearly seems to be a cheerleader for  
 11 Odyssey. He went up and he spoke to the City Attorney,  
 12 Assistant City Attorney off the record, which is  
 13 clearly, in my opinion, a Sunshine violation, Sunshine  
 14 Law violation. So I would hope that kind of conduct  
 15 isn't continued in the future. So that's just a big  
 16 no, no. If I'm wrong, tell me.  
 17 But we don't need this kind of conduct in  
 18 this city anymore, and I will hope that this will be a  
 19 lesson for any future applicants who want to dump the  
 20 environmental racism on this city. Thank you.  
 21 CHAIR JAMES: Thank you, Mr. McCray.  
 22 Andrew Byrd.  
 23 MR. BYRD: Thank you all very much.  
 24 I think Ms. Brabham said it loud and clear,  
 25 exactly where most of the community is coming from. I

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1 would wish though that we could have seen the  
 2 environment where the comparison was made. I mean  
 3 that's how I was taught. If you compare apples and  
 4 oranges, then you should have both the apple and the  
 5 orange in front of you.  
 6 We didn't see the environment that they have  
 7 in the other site in Tampa. I looked myself though,  
 8 and I got little pictures from Google. And it's more  
 9 laid out. The lots are huge. This is not a  
 10 concentrated, high density environment like what we're  
 11 talking about on Martin Luther King.  
 12 The things that Ms. Brabham and I worked on  
 13 for the last three weeks had to do with codes and code  
 14 violations. We did this because of the kids. We spent  
 15 hours and hours just trying to do the research that I  
 16 reported. And it would appear that if they wanted to  
 17 do a big project, they would actually have to force the  
 18 City to set up a hazmat team and pay for all of that.  
 19 Thank you very much.  
 20 CHAIR JAMES: Thank you, Mr. Byrd.  
 21 Mary Brabham.  
 22 MS. BRABHAM: Ms. Mary Brabham, Riviera  
 23 Beach.  
 24 I'm tired. I'm tired of people coming into  
 25 our city abusing us, oppressing us and we just have to

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1 settle for it. We can do better.  
 2 For the community, our inner communities, our  
 3 schools, everyone knows that I'm a fighting champion  
 4 for my children and my community. This is never,  
 5 never, never about Ms. Brabham. I would never allow it  
 6 to be about Ms. Brabham. I am a servant of God, and  
 7 I'm going to say it loud and clear: I love Him. I  
 8 can't do without Him. He strengthens me.  
 9 I'm not the best. Perhaps you all are not  
 10 the best. But when these things comes into our city,  
 11 we have to say no. We have to stand firm in the belief  
 12 that we are all entitled to decency and respect. This  
 13 is what all of us should be about, not looking up,  
 14 lining up here and there, but lining up for the good,  
 15 for the entirety that will make each one of us great,  
 16 that will make our children feel as if that they are --  
 17 not belong to a city that just radicalize them with  
 18 pollutions. We got so much of that now. We have to  
 19 stop.  
 20 And our leaders themselves have to stop  
 21 lobbying for this type of detrimental to their city.  
 22 If you a leader, you would know how to lead, you would  
 23 be a good leader with great ideals, not ideals so that  
 24 they only ingenious you. Stop being crafty with greed.  
 25 Everything that looks good is not good.

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1           When Ms. Brabham set out on this journey, I  
 2           want you all to look at this binder here. This binder  
 3           here is nothing but people's names. I told you all  
 4           that Ms. Brabham, everybody knows where my heart is. I  
 5           shed tears, but they're not tears of sorrow, they're  
 6           tears for joy, because knowing I do believe that we can  
 7           do better. We must do better.  
 8           But anytime when our leaders do us like this  
 9           here and make us rise, it is an awakening all over this  
 10          land because of the same thing here. We have been  
 11          oppressed, we have not been heard, and all we ask for  
 12          is to be treated like we're human beings.  
 13          That may be vacant property over there, but  
 14          it always could be something that is conducive for the  
 15          neighborhood. Nobody asked to live that way, but you  
 16          have to conform it so that it can be decency amongst  
 17          the schools. That hub there have all the schools and  
 18          practically all of the homes on the west side.  
 19          It's shameful of the leaders. But I know  
 20          someone that's this high, and he looks low. Every  
 21          dirty deal that is pulled, I want you to know that it  
 22          will come back to you ten times fold. And when it  
 23          comes, you won't be able to stand it.  
 24          So I say to this City here: Stop doing us  
 25          residents like this. Let's move the things that we can

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1           move. It is movable things in here. It is a gold mine  
 2           city, but our own people keep selling us out. We have  
 3           to stop that mentality. Stop it, people; stop it.  
 4           Thank you.  
 5           CHAIR JAMES: Thank you, Ms. Brabham.  
 6           Staff, is there any correspondence?  
 7           MR. GAGNON: No, ma'am.  
 8           CHAIR JAMES: Okay, Planning and Zoning Board  
 9           comments, project updates, upcoming projects.  
 10          MS. SHEPHERD: Madam Chair.  
 11          CHAIR JAMES: Yes, Ms. Shepherd.  
 12          MS. SHEPHERD: Can I make one comment?  
 13          First I want to thank the public once again  
 14          for coming out. And I went around in a circle to make  
 15          sure that we tie this property up, that we make some  
 16          type of motion, that someone get together so we never  
 17          have to go through this again. This is the second  
 18          time. We did it with Trademark, and now we're coming  
 19          with this company.  
 20          Something, staff, has to be done that we do  
 21          not make this piece of property a property where they  
 22          can come, put a trash can or something in our yard.  
 23          That's why I went around in a circle, because I'm tired  
 24          of our people coming here, crying at that podium about  
 25          that piece of property. It's a prime piece of

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1           property, and that's why they are here; that's why  
 2           they're here. I hope you all lock it up. Make some  
 3           type of a motion, make some type of resolution. But I  
 4           hope you bring it back to the City so we never have to  
 5           go through this again.  
 6           Thank you, Madam Chair.  
 7           CHAIR JAMES: Thank you, Ms. Shepherd.  
 8           Staff, we were on project updates. Jeff, we  
 9           were on project updates.  
 10          MR. BROWN: Madam Chair, I was just asking  
 11          your staff member so that the record is clear that we  
 12          requested the matter, even though you voted to deny it,  
 13          that we requested the matter be transmitted to the City  
 14          Council for final review. I just want to -- I asked  
 15          Mr. Gagnon to make that official request. I guess he  
 16          was afraid to do so. But I just wanted the record  
 17          clear that we now want the matter to go before the City  
 18          Council.  
 19          CHAIR JAMES: Thank you.  
 20          Staff, it does go to City Council, because  
 21          that's our -- our recommendation was for denial, but it  
 22          still goes to City Council. Is that correct?  
 23          MR. GAGNON: The Planning and Zoning Board's  
 24          recommendation will be provided to City Council.  
 25          CHAIR JAMES: Thank you.

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1           MR. GAGNON: Yes, ma'am.  
 2           CHAIR JAMES: Okay, project updates. Do we  
 3           have any project updates, Jeff?  
 4           MR. GAGNON: I did want to update the Board  
 5           and make mention of the fact that we are trying to  
 6           shift a lot of the information to a web based format,  
 7           so that way the information will be accessible by Board  
 8           members, general public. We created a new web page on  
 9           the City web site.  
 10          Currently we're still updating project  
 11          information. However, we're also transitioning our  
 12          Planning and Zoning Board packets to the same Nova  
 13          System that the City Council uses, so that, again, will  
 14          increase transparency. So in the very near future,  
 15          that will be coming before the Planning and Zoning  
 16          Board and available to the general public, and staff  
 17          will follow that up with a memo to the Board.  
 18          CHAIR JAMES: Thank you. Before we end,  
 19          we're going to go to Board comments. Ms. Shepherd  
 20          spoke already. Mr. Whigham, do you have any closing  
 21          Board comments?  
 22          MR. WHIGHAM: No, Madam Chair.  
 23          CHAIR JAMES: Mr. McCoy.  
 24          VICE CHAIR MCCOY: I do.  
 25          Mr. Gagnon, I would have, I guess, if it's

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1 permissible with staff, I understand we have a new  
 2 Community Development Director, and we haven't been  
 3 formally introduced. So if not tonight, certainly I  
 4 would ask that that happens, I guess at our next  
 5 meeting.  
 6 But here's where I'm at, and I'm really  
 7 bothered again, because I try to operate off of our  
 8 general authority and powers as being Board members.  
 9 Section 27-35, General Powers: The Planning Board  
 10 shall have the power to -- and the first item it says  
 11 is require information which shall be furnished within  
 12 a reasonable time from other departments of the City  
 13 government in relation to its work.  
 14 I don't know what happened, but the response  
 15 that came from the City Attorney, who wasn't even at  
 16 our meeting in December, was irrelevant, inappropriate  
 17 and offensive. Our meeting was December the 16th.  
 18 Today is February the 9th. If that was the whole  
 19 purpose of us temporarily postponing a meeting or  
 20 tabling an item, I would have liked to have that before  
 21 now.  
 22 And here's the thing. It's like we're  
 23 revisiting these failures. And you know, I'm not even  
 24 going to try to point fingers, but you know, even in  
 25 December I said to myself when we got a project that

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1 involved Mediterranea and there was some technical  
 2 things that wasn't -- in my opinion, that there was  
 3 some technical things that wasn't presented properly, I  
 4 kind of said to myself, well, being on the up and up, I  
 5 will hope things turn around for the new year.  
 6 I had an opportunity to scroll around and  
 7 browse the web site of the City, and I noticed that I  
 8 guess the next few months of projects is on the web  
 9 site. And it's actually available, and I didn't have  
 10 to contact anybody, so I thought that was certainly a  
 11 step in the right direction.  
 12 But if we want to ask for information, I want  
 13 to make sure that it's provided to us in a written  
 14 form. That way we have time to digest it and  
 15 cross-reference it and revisit it. But to be told  
 16 that's not in our scope or it's irrelevant, it's a  
 17 decision that's by us. We're appointed by City  
 18 Council.  
 19 And I don't know what the mechanism has to be  
 20 to get information, but I think today we need to make  
 21 it a point that if we ask for something, there has to  
 22 be a smooth transition on how it leaves from this  
 23 Board, whether it goes to staff or whether it goes to  
 24 City Council. But even two members of the public  
 25 acknowledged that it was disrespectful and

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1 inappropriate. And we're vested with this authority  
 2 statutorily.  
 3 So you know, those are my comments. And I  
 4 just don't want to revisit that again because I felt,  
 5 you know, I felt the approach was very condescending  
 6 and it was inappropriate.  
 7 So those are my comments, Madam Chair.  
 8 CHAIR JAMES: Thank you, Mr. McCoy.  
 9 I don't have any additional comments at this  
 10 time, so is there a motion?  
 11 VICE CHAIR McCOY: So moved.  
 12 CHAIR JAMES: Meeting adjourned.  
 13 (Whereupon, at 9:44 p.m., the proceedings  
 14 were concluded.)  
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1 CERTIFICATE  
 2  
 3  
 4 THE STATE OF FLORIDA )  
 5 )  
 6 COUNTY OF PALM BEACH )  
 7  
 8  
 9 I, Susan S. Kruger, do hereby certify that  
 10 I was authorized to and did report the foregoing  
 11 proceedings at the time and place herein stated, and  
 12 that the foregoing pages comprise a true and correct  
 13 transcription of my stenotype notes taken during the  
 14 proceedings.  
 15 IN WITNESS WHEREOF, I have hereunto set my  
 16 hand this 16th day of February, 2017.  
 17  
 18  
 19  
 20  
 21  
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 23  
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 25

  
 Susan S. Kruger
 