

**CITY OF RIVIERA BEACH
PALM BEACH COUNTY, FLORIDA
CITY COUNCIL MEETING MINUTES
MUNICIPAL COMPLEX COUNCIL CHAMBERS
WEDNESDAY, MARCH 1, 2017 AT 6:00 P.M.**

(The following may contain unintelligible or misunderstood words due to the recording quality.)

[Before meeting chatter]

[Gavel]

CALL TO ORDER

CHAIRPERSON DAVIS: Good evening, everyone. We wanna welcome ya'll to the wonderful, great City of Riviera Beach City Council meeting. And at this time, we're gonna call this meeting to order.

ROLL CALL

INVOCATION

CHAIRPERSON DAVIS: Madam Clerk, roll call, please.

DEPUTY CITY CLERK BURGESS: Mayor Thomas Masters?

MAYOR MASTERS: Present.

DEPUTY CITY CLERK BURGESS: Chair Person Terence Davis?

CHAIRPERSON DAVIS: Here.

DEPUTY CITY CLERK BURGESS: Chair Pro Tem KaShamba Miller-Anderson?

CHAIR PRO TEM MILLER-ANDERSON: Present.

DEPUTY CITY CLERK BURGESS: Councilperson Lynne Hubbard?

COUNCILPERSON HUBBARD: Present.

DEPUTY CITY CLERK BURGESS: Councilperson Dawn Pardo?

COUNCILPERSON PARDO: Present.

DEPUTY CITY CLERK BURGESS: Councilperson Tonya Davis Johnson?

COUNCILPERSON DAVIS JOHNSON: Here.

DEPUTY CITY CLERK BURGESS: Interim City Manager Danny Jones?

INTERIM CITY MANAGER JONES: Here.

DEPUTY CITY CLERK BURGESS: Deputy City Clerk Jacqueline Burgess is present. City Attorney Andrew Degraffenreidt?

CITY ATTORNEY DEGRAFFENREIDT: Here.

DEPUTY CITY CLERK BURGESS: You have a quorum.

CHAIRPERSON DAVIS: Thank you. And just for the record, Mr. Jones is the actual City Manager until the other gentleman gets here. We wanna make sure to keep that corrected in the minutes for, for the record.

PLEDGE OF ALLEGIANCE

CHAIRPERSON DAVIS: We're gonna stand and pause of a moment of silence and the Pledge will be led by Councilperson Davis Johnson.

[Moment of silence]

COUNCILPERSON DAVIS JOHNSON: I pledge allegiance...

ALL: ...to the Flag of the United States of America and to the Republic for which it stands, one nation under God, indivisible with liberty and justice for all.

CHAIRPERSON DAVIS: Thank you.

ADDITIONS, DELETIONS OR SUBSTITUTIONS

CHAIRPERSON DAVIS: Mr. Jones, do we have any additions, deletions or substitutions?

INTERIM CITY MANAGER JONES: No, sir but I do have a comment. I...

CHAIRPERSON DAVIS: [Inaudible].

INTERIM CITY MANAGER JONES: ...received a request from Mr. Evans to have Item No. 8, concerning the Ocean Mall, postponed for 30 days to allow him an opportunity to review the documents and make a recommendation to Council.

CHAIRPERSON DAVIS: Mm. How does the Board feel about that?

COUNCILPERSON HUBBARD: So moved.

CHAIRPERSON DAVIS: No, no, no. How does the Board...

[Chuckles]

CHAIRPERSON DAVIS: ...feel about it?

[Inaudible dais comment]

COUNCILPERSON PARDO: Well, Mr. Chair?

CHAIRPERSON DAVIS: Yes, ma'am.

COUNCILPERSON PARDO: I think we should just move forward with this.

CHAIRPERSON DAVIS: Okay.

COUNCILPERSON PARDO: You know, I don't see a need to postpone it. You know, if you just look through the contract, you know what you can do and you know what you can't do. And it's just a matter of turning it, you know, releasing the lease from GSF to, um, to the new [pause] person. You know, Duncan Hillsley, whatever their name is.

CHAIRPERSON DAVIS: Yes, ma'am. [Stammer]...

COUNCILPERSON PARDO: I don't..., you know, it's, you know, it's a no-brainer. There's nothing more we can do.

CHAIRPERSON DAVIS: Councilperson Hubbard.

COUNCILPERSON HUBBARD: Well, I don't feel that we had a..., I had enough time to hear from, you know, from the experts on our side as, as..., as to what we can do. I did meet with the, um, with the gentleman and their representative today and I would like to [pause], I would like for us to see, you know, how can we put ourself in a better position even if it's with the new occupants or howe'..., you know, or... Some kind of way, we should, we should be in a better position than, than, than we're actually in. And, and the gentlemen, they were, you know, they were very, you know, positive, uh, very positive but it's just I don't think it's just [stammer] it's something that we need to at..., that we need to look into, 'to further. That's my two cents.

CHAIRPERSON DAVIS: Okay. Anyone...

CHAIR PRO TEM MILLER-ANDERSON: Chair?

CHAIRPERSON DAVIS: Vice Chair?

CHAIR PRO TEM MILLER-ANDERSON: I don't have a problem with postponing it considering we're in the transition with the two City Managers in the next couple weeks. So, I don't have a problem with po'..., having it postponed.

INTERIM CITY MANAGER JONES: Mr. Chair? I..., I would like to provide additional comments, I forgot to...

CHAIRPERSON DAVIS: Okay.

INTERIM CITY MANAGER JONES: ...include.

CHAIRPERSON DAVIS: Yes, sir.

INTERIM CITY MANAGER JONES: Is., within Amendment No. 4 of the lease, we're required to...

UNK: That's right.

COUNCILPERSON PARDO: That's right.

INTERIM CITY MANAGER JONES:respond...

UNK: Vote it up or down.

INTERIM CITY MANAGER JONES: ...within 30 days of notice and the 30 days will expire on March 3rd. So, if we were to postpone this Item, I would have to respond to GSF requesting...

[Inaudible dais comment]

INTERIM CITY MANAGER JONES: ...additional time.

CHAIRPERSON DAVIS: Is, is, is Mr. Evans aware of that?

INTERIM CITY MANAGER JONES: Yes. I did explain that to...

COUNCILPERSON HUBBARD: So, we have to vote it up or down. Is that the...

CHAIRPERSON DAVIS: No.

COUNCILPERSON HUBBARD: ...case?

CHAIRPERSON DAVIS: No. It doesn't require a vote. It's just a matter of postponing, if that's something that the Board chooses to do.

COUNCILPERSON HUBBARD: Well...

COUNCILPERSON PARDO: [Stammer].

COUNCILPERSON HUBBARD: ...I was... Mr. Chair, in reference to hi'.., his additional information. If he may.., if he might clarify, if we don't, um, if we don't vote it up or down, then we have to go to GSF for additional time but if we vote it up or down, then that puts us in a better position. Did I understand you, Mr., Mr. Jones? I'm sorry.

COUNCILPERSON PARDO: Well...

INTERIM CITY MANAGER JONES: No, ma'am. I didn't mean to...

UNK: [Inaudible background comment]

INTERIM CITY MANAGER JONES: ...in'..., indicate...

UNK: Okay.

INTERIM CITY MANAGER JONES: ...that it will put us in a better position. It just..., I wanted to clarify that we are on a clock of 30 days. I will defer to Mr. Degraffenreidt on the position that it will put us in if we did not respond within the 30 days if...

CHAIRPERSON DAVIS: Mr. Degraffenreidt. Legal.

CITY ATTORNEY DEGRAFFENREIDT: The contract provides that we cannot unreasonably withhold our permission to transfer...

CHAIRPERSON DAVIS: Okay.

CITY ATTORNEY DEGRAFFENREIDT: ...the lease agreement. It also provides that if we do not "respond" to the request to transfer, it will be granted within that 30-day period. The legal issue would be whether or not our request for additional time is a response. It can be seen two ways, if I'm..., I can see it plausibly from their perspective, 'If I don't get a response, then by the contract it says, I'm entitled to transfer it.'

CHAIRPERSON DAVIS: So...

CITY ATTORNEY DEGRAFFENREIDT: It's an iffy circumstance.

CHAIRPERSON DAVIS: Okay. Well, this is my position. I mean, just from dealing from a legal and dealing with the policy that we have in front of us, and that's our responsibility, they're going to..., if it's my understanding, the new buyer is going to purchase this with the current agreement as it is. Correct?

CITY ATTORNEY DEGRAFFENREIDT: Affirmative.

CHAIRPERSON DAVIS: So, no matter who has the property, we still gotta mo'..., address..., we can still address the concerns that Councilperson Hubbard was stating at a la'..., at a later date, if that's her issue?

CITY ATTORNEY DEGRAFFENREIDT: Affirmative.

CHAIRPERSON DAVIS: Okay. So, I just f'..., I just choose to, to support dealing with this item tonight.

COUNCILPERSON HUBBARD: The, the thing about, the thing about that, Mr. Chari, is the amount that, um, if you take one of the routes that's open to, that's open to us, it puts us in a steeper financial position, I talked to Mr. Degraffenreidt and, and the City Manager this, this afternoon and [pause]. So I, I think that what we, you know, if we go ahead and deal with it tonight... So, you're saying to vote it up or down tonight?

CHAIRPERSON DAVIS: No. I'm just...

COUNCILPERSON HUBBARD: What are you saying?

CHAIRPERSON DAVIS: I'm just saying right now it's on the Agenda, I wanna address it tonight once we... He's asking to.., Mr. Evans is asking to postpone it. I'm just saying we don't need to postpone something that's already on the Agenda and legal has given us our directives on what is responsible for us as a City so we can protect our position. No matter who purchased that property, it's gonna be as is. And so, the issue that you're suggesting, we can deal with that at a later date no matter who the owner is. No matter who the owner is.

COUNCILPERSON HUBBARD: I don't, I don't, I don't a'.., agree, Mr. Chair, with the fact that.., you know, dealing with it tonight, that's, that, that's fine.

CHAIRPERSON DAVIS: Mm.

COUNCILPERSON HUBBARD: But, that we could deal with it regardless of the who.., owner granting the transfer...

CHAIRPERSON DAVIS: Okay.

COUNCILPERSON HUBBARD: Is a, is a, is a issue and, and ne'.., you know, any kind of leverage that we can have, which we don't have much based on what, um...

CHAIRPERSON DAVIS: We'...

COUNCILPERSON HUBBARD: ...previous legal has done...

CHAIRPERSON DAVIS: We'...

COUNCILPERSON HUBBARD: ...for us.

CHAIRPERSON DAVIS: Well, how about this? How about we wait 'til we get to the Item to discuss what we wanna do? This is time sensitive but...

COUNCILPERSON HUBBARD: Okay.

CHAIRPERSON DAVIS: 'Cause we, we can debate it at that time. Just with all due respect...

COUNCILPERSON HUBBARD: Okay.

CHAIRPERSON DAVIS: ...to the.., respect to the Agenda.

COUNCILPERSON HUBBARD: Okay. Go right ahead, sir.

CHAIRPERSON DAVIS: Alright. Thank you.

DISCLOSURES BY COUNCIL

CHAIRPERSON DAVIS: Any disclosures by the Council?

MAYOR MASTERS: Yes...

CHAIR PRO TEM MILLER-ANDERSON: Did we...

MAYOR MASTERS: ...Mr....

CHAIR PRO TEM MILLER-ANDERSON: ...finish? Are we done?

MAYOR MASTERS: Mr. Chair?

COUNCILPERSON PARDO: Mr. Chair?

CHAIRPERSON DAVIS: Disclosures by the Council.

COUNCILPERSON PARDO: Yes, Mr. Chair?

CHAIRPERSON DAVIS: Yes, ma'am.

CHAIR PRO TEM MILLER-ANDERSON: Wait a minute. Are we finished with [stammer], additions...

MAYOR MASTERS: Additions...

CHAIR PRO TEM MILLER-ANDERSON: ...and deletions...

MAYOR MASTERS: That's what I need to know.

CHAIR PRO TEM MILLER-ANDERSON: ...and substitutions?

CHAIRPERSON DAVIS: There was none. Anybody add [inaudible]...

MAYOR MASTERS: No, no...

CHAIRPERSON DAVIS: ...add something?

MAYOR MASTERS: I did.

CHAIRPERSON DAVIS: When, when?

CHAIR PRO TEM MILLER-ANDERSON: He was trying to say it but you went into disclosures.

CHAIRPERSON DAVIS: Did he...

MAYOR MASTERS: Yes, I'm ready.

CHAIRPERSON DAVIS: [Inaudible].

MAYOR MASTERS: Thank you, Mr'.... You're recognizing me?

CHAIRPERSON DAVIS: Go ahead.

MAYOR MASTERS: Thank you, Mr. Chair. I had, um, had asked to have an add-on for to put on the Agenda a matter and then, um, possibly an add-on as it relates to the selection of the new Chair for the new season but I voluntarily withdraw that request tonight and we'll try to get on the Agenda for the next meeting due to the fact there's so many people here and not to belabor the time.

I do have a disclosure. I did meet with the gent'.., gentleman from, uh, Odyssey, the general manager, director, CEO. And I did have a chance on yesterday to visit one of the sites in Tampa. And, um, I need to disclose that and I do have information that, based on my own due diligence and a trip that I would like to present tonight when.., at the appropriate time and at your discretion, Mr. Chair.

Thank you.

CHAIRPERSON DAVIS: We will address it when we get to that Item. Any other disclosures?

CHAIR PRO TEM MILLER-ANDERSON: Yes.

COUNCILPERSON PARDO: Yes.

CHAIR PRO TEM MILLER-ANDERSON: Well...

COUNCILPERSON PARDO: Mr. Chair?

CHAIRPERSON DAVIS: I mean...

CHAIR PRO TEM MILLER-ANDERSON: Addition.

CHAIRPERSON DAVIS: Additions.., I...

CHAIR PRO TEM MILLER-ANDERSON: Yes.

CHAIRPERSON DAVIS: ...apologize. I really do.

CHAIR PRO TEM MILLER-ANDERSON: Yes.

CHAIRPERSON DAVIS: [Inaudible]. Yes.

CHAIR PRO TEM MILLER-ANDERSON: I.., I would like to add on the Chair discussion because in March, are, are we going to be meeting again?

UNK: We meet on the 15th.

CHAIR PRO TEM MILLER-ANDERSON: Because I know some of us are going to be out of town.

[Inaudible dais background comments]

CHAIR PRO TEM MILLER-ANDERSON: March 15th when.., is our next meeting and if we talked about the Chair positions and the Chair Pro Tem changing in March, I don't know when we are going to meet again. Will we be meeting again in March?

INTERIM CITY MANAGER JONES: I was planning to bring that up under my comments tonight to determine...

UNK: [Inaudible].

INTERIM CITY MANAGER JONES: ...if there will be a meeting, if we need to change the date for the 15th.

CHAIRPERSON DAVIS: Mhmm.

CHAIR PRO TEM MILLER-ANDERSON: Okay. So I would like to add it for discussion and deliberation to discuss the, um, the Chair and Chair Pro Tem positions.

CHAIRPERSON DAVIS: With all due respect to your request...

CHAIR PRO TEM MILLER-ANDERSON: Mhmm.

CHAIRPERSON DAVIS: ...I thought it was very clear in the meeting in May on which dir'.., on when we were gonna put it on the meeting. I'm just trying to find out what has changed.

CHAIR PRO TEM MILLER-ANDERSON: What do you mean?

MAYOR MASTERS: In.., last May, when we voted for Chair and Vice Chair, we determined at the second meeting in May, what will be the time that we'll [stammer], this will come up under discussions.

CHAIR PRO TEM MILLER-ANDERSON: We didn't.., you.., when you got it, you said that I hope that, you know, because it was in May and it went beyond March...

CHAIRPERSON DAVIS: Okay.

CHAIR PRO TEM MILLER-ANDERSON: ...that we [stammer], hopefully, we would consider extending it until May but we did not decide on it that night.

CHAIRPERSON DAVIS: Yes.

CHAIR PRO TEM MILLER-ANDERSON: So...

CHAIRPERSON DAVIS: What.., you know what, let's add it on the Item.

CHAIR PRO TEM MILLER-ANDERSON: Okay.

CHAIRPERSON DAVIS: And then I, I'll...

CHAIR PRO TEM MILLER-ANDERSON: Thank you so much.

CHAIRPERSON DAVIS: ...bring up the Minutes and so we can verify...

CHAIR PRO TEM MILLER-ANDERSON: Discussion and...

CHAIRPERSON DAVIS: ...[inaudible].

CHAIR PRO TEM MILLER-ANDERSON: ...deliberation. Thank you.

CHAIRPERSON DAVIS: Anybody have any problem with that?

INTERIM CITY MANAGER JONES: So, Mr. Chair...

CHAIRPERSON DAVIS: 'Cause I, I...

INTERIM CITY MANAGER JONES: ...that'll be...

CHAIRPERSON DAVIS: ...me personally, I would prefer to wait until May like we discussed as a Board but if something has changed since the last meeting, in May, on how we're gonna handle this reorganization of this Board, I would like to hear it as this time. But it was quite clear, there was a 5-0 consensus that we will address this in the second meeting due to the fact that we had a special election and a special runoff election and we wanna stay consistent with our City Charter.

CHAIR PRO TEM MILLER-ANDERSON: Okay. So, we're gonna add it to as a No. 11.

INTERIM CITY MANAGER JONES: No.

CHAIRPERSON DAVIS: I just wanna...

INTERIM CITY MANAGER JONES: ...[stammer]...

CHAIRPERSON DAVIS: Hold on. We gotta get...

CHAIR PRO TEM MILLER-ANDERSON: [Inaudible].

CHAIRPERSON DAVIS: ...a consensus if everybody wanna add it.

CHAIR PRO TEM MILLER-ANDERSON: When did we start getting consensus to add...

CHAIRPERSON DAVIS: No. We...

CHAIR PRO TEM MILLER-ANDERSON: ...something?

CHAIRPERSON DAVIS: ...just always respectively supported what we wanted to do but this is something that we discussed in May, last year, that we're gonna, that we determined that it would be the second meeting in May of this year, to bring it up on the Agenda. And it was quite clear. Now, if that's, you know, unless something's changed, I just, you know, we already predetermined, last year, the second meeting in May.

CHAIR PRO TEM MILLER-ANDERSON: We...

CHAIRPERSON DAVIS: And, I have the Minutes, you can have it.

CHAIR PRO TEM MILLER-ANDERSON: Okay.

CHAIRPERSON DAVIS: I can make you some copies so you can view it.

CHAIR PRO TEM MILLER-ANDERSON: I would love that.

CHAIRPERSON DAVIS: Just for the record.

CHAIR PRO TEM MILLER-ANDERSON: Yeah.

CHAIRPERSON DAVIS: Okay.

CHAIR PRO TEM MILLER-ANDERSON: Maybe my memory is slipping.

CHAIRPERSON DAVIS: Okay.

MAYOR MASTERS: So, are we adding it?

CHAIR PRO TEM MILLER-ANDERSON: So, we're gonna add it until..., and then we can bring that up when..., you can..., the copies...

CHAIRPERSON DAVIS: Yeah, yeah.

CHAIR PRO TEM MILLER-ANDERSON: ...will come when...

CHAIRPERSON DAVIS: Yeah.

CHAIR PRO TEM MILLER-ANDERSON: ...we get there?

CHAIRPERSON DAVIS: Sure.

CHAIR PRO TEM MILLER-ANDERSON: Okay.

CHAIRPERSON DAVIS: Thank you.

MAYOR MASTERS: So, is it...

INTERIM CITY MANAGER JONES: It will be Item 10A.

MAYOR MASTERS: We added that...

CHAIR PRO TEM MILLER-ANDERSON: Alright.

MAYOR MASTERS: ...to the Agenda? What is it...

CHAIRPERSON DAVIS: Yeah.

MAYOR MASTERS: ...10A?

CHAIRPERSON DAVIS: Yeah.

INTERIM CITY MANAGER JONES: Item...

CHAIRPERSON DAVIS: Ma'...

INTERIM CITY MANAGER JONES: ...10A.

CHAIRPERSON DAVIS: Mayor, you got your request.

MAYOR MASTERS: Pardon me?

CHAIRPERSON DAVIS: So you got your request back on.

MAYOR MASTERS: So be it.

CHAIRPERSON DAVIS: Yeah.

[Inaudible dais background comment]

COUNCILPERSON PARDO: Are we doing disclosures still?

CHAIRPERSON DAVIS: Yes, ma'am.

COUNCILPERSON PARDO: Okay. So, I'd like to disclose I met with the team regarding Item 8. And then, with Odyssey, I did not meet with them, however, they did send me correspondence but I didn't respond.

CHAIRPERSON DAVIS: Anyone else?

MAYOR MASTERS: I do have another disclosure, Mr. Chair.

CHAIRPERSON DAVIS: You... You have another one?

MAYOR MASTERS: I do. We received a, a letter of correspondence from the new management on..., new management team of Odyssey, would be neighbor, uh, Stonybrook and I'm in possession of that letter of support and I would like to, at the

appropriate time, submit to the Clerk for it could be read into the record.

CHAIRPERSON DAVIS: Okay. Thank you.

MAYOR MASTERS: Thank you.

CHAIRPERSON DAVIS: Um...

COUNCILPERSON DAVIS JOHNSON: M'..., Madam..., Mr. Chair?

CHAIRPERSON DAVIS: Yes, ma'am.

COUNCILPERSON DAVIS JOHNSON: I too received a correspondence from counsel for the Odyssey project.

CHAIRPERSON DAVIS: Thank you.

COUNCILPERSON HUBBARD: I met with the counsel for Odyssey, I met with the representatives for..., from the Ocean Mall.

CHAIRPERSON DAVIS: Thank you. I re-met with Item No. 2, which is..., well, had discussions with Item No. 2. That's the Police Benevolent Association. Item No. 5, representatives. Is that 5? [Pause]. Yes, 5. Spoken with them. Item No. 6, spoken with the rep'..., a representative. Item No. [pause], not 7. No. 8. And that will be it.

CHAIR PRO TEM MILLER-ANDERSON: And, Chair? I only had a discussion some time ago regarding Item No. 5 for Odyssey. I have not had any recent contact with them.

CHAIRPERSON DAVIS: Thank you. [Pause].

ADOPTION OF AGENDA

CHAIRPERSON DAVIS: Can I have a motion to adopt the Agenda?

COUNCILPERSON PARDO: So moved.

COUNCILPERSON DAVIS JOHNSON: Second.

CHAIRPERSON DAVIS: Properly moved and second. Madam Clerk.

DEPUTY CITY CLERK BURGESS: Councilperson Davis Johnson?

COUNCILPERSON DAVIS JOHNSON: Yes.

DEPUTY CITY CLERK BURGESS: Councilperson Hubbard?

COUNCILPERSON HUBBARD: Yes.

DEPUTY CITY CLERK BURGESS: Councilperson Pardo?

COUNCILPERSON PARDO: Yes.

DEPUTY CITY CLERK BURGESS: Pro Tem Miller-Anderson?

CHAIR PRO TEM MILLER-ANDERSON: Yes.

DEPUTY CITY CLERK BURGESS: Chair Davis?

CHAIRPERSON DAVIS: Yes.

DEPUTY CITY CLERK BURGESS: Unanimous vote.

CHAIRPERSON DAVIS: Before I get started, real briefly, fire... Mr. AJ, wanna come up really quick? Walter, could you please.., we're gonna have a real quick presentation so they can get outta here.

[Inaudible background comment]

CHAIRPERSON DAVIS: Two seconds. Got some fun, good news. Thank you, sir.

MR. AJ O'LAUGHLIN: Oh, thanks for getting that up there. My name is AJ O'Laughlin. I'm with the firefighters. I'm the Legislative Vice President. We have Maria Gonzalez, she works for the City. You guys all know her, right?

MAYOR MASTERS: Yes.

MR. AJ O'LAUGHLIN: Yeah. She.., I hope so. I mean, she's been in your City for many, many years.

MAYOR MASTERS: Yes. She does...

MR. AJ O'LAUGHLIN: You have...

MAYOR MASTERS: ...a good job.

MR. AJ O'LAUGHLIN: ...Angelo Dariano, he's the tre'.., uh, treasurer out of our local... And, Scott Bielecki, he's the Executive Vice President.

But, I wanna tell the Council, thank you, Chair. Thank you for letting this opportunity to thank you guys. Thank you, Dawn Pardo, Ms. Councilman Dawn Pardo and my ladies up there. Thank you.

We're doing this benefit, this is the first running of the benefit. It is on April 1st. Marie, over here, with the firefighters, she decided to do this. When she started it, we went through a whole bunch of problems and organization. This Council here, which has helped the firefighters through many events, especially this one, in regards of making sure that we, we had a successful run. The run, once again, is on April 1st and I

know the Council is all gonna be involved and help out and we have approximately 20 volunteers, firefighter volunteers. And make sure, everybody in the crowd, be out there. There's gonna be [inaudible] cooking, barbecue, it's all there. So make.., everybody sure you show up.

The other, uh, the other, the other thing. Every dime, every dime that [stammer] that is collected from this, stays in this City for the kids of Riviera Beach. Every dime. And it's going to sponsorships and all.., for the kids that are gonna get into public safety, which you guys all know.

CHAIRPERSON DAVIS: Mhmm.

MR. AJ O'LAUGHLIN: So, I just wanna tell you thank you very much for all your support and help and thank you for putting us up here. Thank you.

CHAIRPERSON DAVIS: Mr. AJ, could you please read off those dates again, for the public?

MR. AJ O'LAUGHLIN: What's that?

CHAIRPERSON DAVIS: Could you please read off the date again?

MAYOR MASTERS: The one that's on the screen.

[Inaudible background comments]

MR. AJ O'LAUGHLIN: Saturday, April 1st.

CHAIRPERSON DAVIS: And wha'...

MR. AJ O'LAUGHLIN: Saturday.

CHAIRPERSON DAVIS: What's the prize if I come in last?

[Chuckle]

MR. AJ O'LAUGHLIN: The prize?

CHAIRPERSON DAVIS: Yeah.

MR. AJ O'LAUGHLIN: Do want...

CHAIRPERSON DAVIS: Bla'...

MR. AJ O'LAUGHLIN: Do you want...

CHAIRPERSON DAVIS: For last place?

MR. AJ O'LAUGHLIN: Do you want me to say that in public?

CHAIRPERSON DAVIS: Nah, don't say that.

MR. AJ O'LAUGHLIN: Okay.

[Chuckles]

MR. AJ O'LAUGHLIN: We can Terence. I mean, Chair.

CHAIRPERSON DAVIS: You okay.

MR. AJ O'LAUGHLIN: Okay.

CHAIRPERSON DAVIS: Alright. [Chuckle].

MAYOR MASTERS: [Inaudible].

MR. AJ O'LAUGHLIN: Thank you again for your support.

CHAIRPERSON DAVIS: [Chuckle]. Alright.

MAYOR MASTERS: What you can say is that won't be April Fool's Day [inaudible]...

MR. AJ O'LAUGHLIN: No, no, no. I swear to God.

MAYOR MASTERS: [Chuckle].

MR. AJ O'LAUGHLIN: If we get Terence out there running, it's gonna be a, it might be an April Fool's Day.

CHAIRPERSON DAVIS: Alright. Okay.

MAYOR MASTERS: Terence can run now, don't let him fool you.

[Inaudible audience background comment]

CHAIRPERSON DAVIS: Alright, alright. We've gone through that.

CONSENT AGENDA

CHAIRPERSON DAVIS: So now, we're now gonna go down to Consent. Before I approve Consent, I have one public comment card for the Consent Items. I'm gonna read the rules off.

CHAIRPERSON DAVIS: ALL MATTERS LISTED UNDER THIS ITEM ARE CONSIDERED TO BE ROUTINE. ANY ACTION WILL BE TAKEN BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION ON THESE ITEMS UNLESS A COUNCILPERSON SO REQUESTS IN WHICH, IN THE EVENT THE ITEM WILL BE REMOVED FROM THE GENERAL ORDER OF BUSINESS AND CONSIDERED IN

ITS NORMAL SEQUENCE ON THE AGENDA.

CHAIRPERSON DAVIS: Mr. Tradrick McCoy, Item No. 1.

MR. T. MCCOY: Good morning, Mayor. I'm sorry, good aft'., good evening.

[Chuckles]

MAYOR MASTERS: Good morning, sir. [Chuckles].

MR. T. MCCOY: Mayor and Council, Tradrick McCoy.

CHAIRPERSON DAVIS: Better get some rest, man.

MR. T. MCCOY: Riviera Beach.

CHAIRPERSON DAVIS: [Inaudible].

MR. T. MCCOY: Actually, I had a comment on the Minutes. It was referenced just a moment ago that a meeting back in May that the Minutes, or, it was in the Minutes that it was decided. It wasn't decided. The Charter sets forth that we elect a Chair and a Vice Chair every March. So, there was no vote. In fact, I had already looked at that and I was hoping that there was gonna be something on the Agenda to that effect. And, if it is, if it is on the Agenda and if it's been voted on, your City Attorney, who I don't have faith in, should have told you...

UNK. AUDIENCE: Wow.

MR. T. MCCOY: ...that you can't undo an Ordinance by a motion. It has to be another Ordinance. And if it's in the Charter, you can't undo the Charter or go against the Charter without a Charter review. Furthermore, speaking of Minutes, I'm here today specifically for the Odyssey plant and my issue with the Odyssey plant, speaking of the Minutes from the last meeting, I brought it up that, as a volunteer member of the Riviera Beach Planning & Zoning Board, I was down talked about something that I specifically asked for back in December and our City Manager... I'm sorry. Not our City Manager, our City Attorney came from the gallery to come up and make a comment when he wasn't even a part of the City Council meetings. And then, there were a couple members of the public that got up and followed him and saying how disrespectful it was that we had to wait six weeks just to get a answer back of no. I brought it up last City Council meeting and it's certainly reflected in the Minutes and I was hoping that there was gonna be some sort of review because I take my time very seriously. And it's very much a personal passion to see things that happen in my community. So, I don't want the foolishness. I would hope that we can address this issue.

And I do have other comments about the Odyssey project but certainly, um, in the remaining minute that I do have [pause]... Today is Lent. And we're..., [stammer],

those that are believers, that's observing...

MAYOR MASTERS: Yes.

MR. T. MCCOY: ...Lent, and traditionally, people give up certain things for religious purposes. And being the first day in March, I would hope we would give up some of the foolishness that I've been seeing. And it's been nothing but that.

MAYOR MASTERS: Mhmm.

MR. T. MCCOY: So, those are my comments and I'll be back. Thank you, Mayor and Council.

MAYOR MASTERS: Thank you, Mr. McCoy.

[Applause]

CHAIRPERSON DAVIS: Alright. That's the end of public comment. It's the only comment card we have for the Minutes, at this time. For any Consent Items.

Do any of the Council wanna pull any Items from Consent? [Pause].

[Inaudible dais comment]

CHAIRPERSON DAVIS: Do we have a motion to approve Consent?

COUNCILPERSON DAVIS JOHNSON: So moved.

COUNCILPERSON PARDO: So moved.

COUNCILPERSON HUBBARD: Second.

CHAIRPERSON DAVIS: Properly moved and second. Madam Clerk.

DEPUTY CITY CLERK BURGESS: Councilperson Davis Johnson?

COUNCILPERSON DAVIS JOHNSON: Yes.

DEPUTY CITY CLERK BURGESS: Councilperson Hubbard?

COUNCILPERSON HUBBARD: Yes.

DEPUTY CITY CLERK BURGESS: Councilperson Pardo?

COUNCILPERSON PARDO: Yes.

DEPUTY CITY CLERK BURGESS: Pro Tem Miller-Anderson?

CHAIR PRO TEM MILLER-ANDERSON: Yes.

DEPUTY CITY CLERK BURGESS: Chair Davis?

CHAIRPERSON DAVIS: Yes.

DEPUTY CITY CLERK BURGESS: Unanimous vote.

CHAIRPERSON DAVIS: Thank you so much.

END OF CONSENT AGENDA

CHAIRPERSON DAVIS: That's the end of Consent.

PETITIONS AND COMMUNICATIONS FOR FILING

CHAIRPERSON DAVIS: Any petitions and communications for filing? [Pause]. Here, none.

AWARDS AND PRESENTATIONS

CHAIRPERSON DAVIS: Awards and presentations? [Pause]. Here, none.

CHAIRPERSON DAVIS: 4. UPDATE ON CODE ENFORCEMENT

CHAIRPERSON DAVIS: Is the presenter here today?

[Inaudible background comment]

CHAIRPERSON DAVIS: They're not here? Okay. They're not here today so we'll pu'.., move that to the next meeting.

UNK: Okay.

CHAIRPERSON DAVIS: Yeah. They didn't show up. They said they'd try and make it.

INTERIM CITY MANAGER JONES: So, you're gonna postpone it until the next meeting?

CHAIRPERSON DAVIS: Yes, please.

INTERIM CITY MANAGER JONES: Okay.

CHAIRPERSON DAVIS: Yes.

PUBLIC HEARINGS

5. ITEM NO. 5

CHAIRPERSON DAVIS: Alright. Now, we can go to Item No. 5. Public Hearings.

DEPUTY CITY CLERK BURGESS: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA APPROVING A SITE PLAN AND SPECIAL EXCEPTION APPLICATION FROM ODYSSEY MANUFACTURING COMPANY FOR THE CONSTRUCTION OF A BLEACH STORAGE AND DISTRIBUTION FACILITY INCLUDING EIGHT 40,000 GALLON STORAGE TANKS AND A FUTURE MATERIAL STORAGE AREA ON A +/- 7.1 ACRE OF VACANT PARCEL OF LAND KNOWN BY PCN 56-43-42-32-43-001-0000 LOCATED ON THE SOUTH SIDE OF DR. MARTIN LUTHER KING, JR. BOULEVARD, FKA WEST 8TH STREET, EAST OF 1555 DR. MARTIN LUTHER KING, JR. BOULEVARD STONYBROOK APARTMENTS AND WEST OF 1489 DR. MARTIN LUTHER KING BOULEVARD TROPICAL SHIPPING AND PROVIDING FOR AN EFFECTIVE DATE.

CHAIRPERSON DAVIS: Do we have a motion?

CHAIR PRO TEM MILLER-ANDERSON: So moved.

COUNCILPERSON HUBBARD: Second.

CHAIRPERSON DAVIS: Properly moved and second. Mr. Gagnon, today we have an opportunity to educate the community on what this Item is about. Please do so, sir.

ASST. DIRECTOR COMMUNITY DEVELOPMENT GAGNON: Yes, sir. Good afternoon, Mayor and Council. Jeff Gagnon, Assistant Director of Community Development.

Before I enter the Staff presentation, I just want to make note of the attachments that are included in the Agenda backup. We have the Resolution, Exhibit A, B and C, which is the Site Plan, Landscape Plan and Elevations. We have the Planning & Zoning Board meeting packet from February 9th, we have the meeting minutes from February 9th, we have the Planning & Zoning Board meeting packet from December 15th, as well as the ERMI, Environmental Risk Assessment Report. So, those are attached as backup.

So, for the Staff presentation tonight, we're going to discuss multiple Items provided for the Board, both the map and the image of the site itself, site photos, previous and current site plan proposals, the Landscape Plan that's being proposed, a similar facility, photos of the similar facility and review of the City Staff Special Exception Analysis and also review of the Agenda Item summary sheet.,

So, before you, you have the subject area. Here's a location map of the site. Just to the west is Stonybrook and just to the east is Tropical Shipping. Here's an aerial view of the same parcel. Again, Stonybrook to the west and Tropical Shipping to the east. As you can see from the aerial, MLK runs east and west, just north of the site.

[Pause]. So, we have site photos that were taken from MLK roadway. This is a view looking southeast. You can see Tropical Shipping in the background. This is looking northeast. You can see the FEC uses that currently exist. To the north is both the canal and the Harmony Heights neighborhood. To the west, is a view down MLK corridor. [Pause]. To the south west, you can see the Stonybrook Apartments. And this goes, a view south down the site. You can also see Stonybrook Apartments to the right side of your screen. And the final view is the view south, down the entire parcel.

Initially, Odyssey proposed a three-phase Site Plan. I thought it was important to provide this information to clarify that certain elements have been amended throughout the process. In between the Planning & Zoning Board review on December 15th and the subsequent review on February 9th, the phase two that was currently..., previously proposed, which was a warehouse, shown on the Plan now, in the initial proposal, was removed in the subsequent proposal. So what's current being proposed is a Site Plan with two phases. Phase One is a, a storage component for bleach and transfer facility and Phase Two is a storage area for Cenex. However, as you can see on the screen, the warehouse component has been removed.

We also want to make note that the Landscape Plan, and you can see the cursor on the screen, on the Landscape Plan, this area specifically borders Stonybrook Apartments. So, what's been done is, additional landscaping has been added. So, 30 additional shade trees will be added in this buffer area. [Pause]. And this is Sheet 2 of the Landscape Plan, which is further south on the site. Again, Stonybrook is a'.., adjacent to the northern section and this part won't really be adjacent to Stonybrook. As you can see on the top left portion, this is the area that the bleach is proposed to be stored. [Pause].

So Odyssey was kind enough to provide two site photos of existing facilities. So this will give the general public and the Board a better understanding of what the storage tanks would look like. Again, this is an existing facility and just an example for the Board to get a visual of what the tanks would appear to be.

At this point, I'd like to review the City Staff Special Exception Analysis which is identified in City Code §31-62. So, there are multiple sections listed, letters A through H. So, I'll go through each one. Letter A is ingress and egress from the property and proposed structures thereon, if any, including such considerations as automotive and pedestrian safety and convenience, traffic flow and control and access in case of fire catastrophe. So, this section that appears in bold and italicized, that's within the Code itself and the Staff analysis, or response, is provided in regular text just underneath that. So, the Staff response was ingress and egress to and from the site is available through Dr. MLK, Jr. Boulevard. Odyssey has agreed to add pedestrian striping and crosswalk markings connecting the existing sidewalks on either side of the driveway.

Letter B of the Special Exception Analysis discusses off-street parking and loading areas. The Staff analysis provides that adequate automobile parking spaces have been prop'.., proposed in accordance with the City's Land Development Regulations. Truck parking areas have also been provided. Tanker trucks and railcars

are proposed to be used at this location as a primary function of business operations.

Continuing, letter C deals with refuse and service areas to the site. Currently, a six-foot-high masonry enclosure has been proposed to hold one dumpster for garbage collection and refuse. Letter D describes utilities, including such consideration as hook-in locations and availability and compatibility of utilities for the proposed use or structure. This development is currently in a developed area and utilities are currently available to the site and they will be properly connected.

Letter E deals with landscaping, specifically, screening, buffering. As described before, additional landscape has been added adjacent to the landscape buffer on the west side of the property, next to Stonybrook. Additionally, an eight-foot concrete wall has been proposed along the western property line, adjacent to Stonybrook Apartments. And again, Odyssey has agreed to add 30 additional shade trees. Letter F deals with the signs or outside displays. At this time, no free-standing signs is currently proposed. Additionally, a lighting plan has been provided, so, site lighting itself. And it demonstrates adequate lighting, no light trespass from the property.

Letter G deals with required yard and open spaces. Staff analysis is, adequate yard and open space have been provided in accordance with the City's Code of Ordinances. Letter H accounts for other applicable requirements such as those found in §31-48, §31-566 and §31-596. Those individual sections deal with PUD developments, our landscape code and also our parking regulations. So this seems to be the catchall review process so Staff did make note that a third party Environmental Risk Assessment has been provided by the applicant and it's been purveyed by Environmental Risk Management, Inc. and that's dated January 20, 2017 and it has been provided in Council backup.

So now, I would like to move on to the review of the Agenda Item summary sheet. The City's General Industrial Zoning Code, specifically §31-382 requires a special exception approval for warehouses and storage uses. As far as the Planning & Zoning Board review, I, I mentioned previously, on December 15th and February 9th, the Planning & Zoning Board reviewed the Site Plan and Special Exception application from Odyssey. On February 9th, the Board unanimously recommended disapproval of the Site Plan and Special Exception application from Odyssey Manufacturing Company to the City Council. Staff recommendation is that, Staff recommends the City Council consider the request from Odyssey Manufacturing Company for Site Plan and Special Exception approval. If approved, City Staff recommends the following conditions of approval and there are 11 in total.

1. A two-year landscape performance bond for 110% of the value of landscaping, and irrigation shall be required before a certificate of occupancy or a certificate of completion is issued.
2. Construction and landscape improvements must be initiated within 18 months of the effective date of the Resolution.

3. All future advertising must state that the development is located in the City of Riviera Beach, fees and penalties in accordance with the City Code §31-554 will be levied against the property owner.
4. Once approved, this Resolution shall supersede any previous site plan approval resolutions associated with the property, causing previous site plan approval resolutions to be null and void.
5. City Council authorizes City Staff to approve future [stammer]..., excuse me, to approve future amendments to the Site Plan administratively, so long as the Site Plan does not deviate greater than 5% from the originally approved Site Plan.
6. A unity of title is required prior to the issuance of a certificate of occupancy or a certificate of completion for the three parcels associated with this development proposal.
7. Activity on this property which results in offensive noise, which is identified within the City Code §11-141 and subsequent sections shall be discontinued during the time between 8:00 p.m. and 7:00 a.m.
8. Tanker trucks may actively transport bleach from this location. However, tanker trucks shall not be utilized for long-term storage of bleach or other material on site.
9. The eight 40,000 gallon storage tanks proposed shall only be utilized for the storage of bleach and no other material or substance shall be stored in those storage tanks.
10. Approval of any future expansion requests of the onsite bleach storage capacity of this facility shall be re'..., shall require an additional special exception approval. Again, there's currently eight 40,000 storage tanks proposed, which is 320,000 total storage.
11. Odyssey manufacturing Company will conduct a local job fair in the City of Riviera Beach prior to the City issuance of certificate of occupancy or certificate of completion.

Just as, as a closing statement, I did wanna make sure that everyone was, was aware that there's no manufacturing of bleach proposed onsite. This is a storage and transfer facility. There is additional documentation within the Staff backup and the Agenda Item summary sheet, identifying that fact.

And, at this time, I would like to take Board questions or we could have Odyssey come up and continue with their presentation.

CHAIRPERSON DAVIS: Yes. Let's go to Odyssey so..., then we can go to the public so they can ask questions or share their concerns...

ASST. DIRECTOR COMMUNITY DEVELOPMENT GAGNON: Right.

CHAIRPERSON DAVIS: ...based on all the presentations.

ASST. DIRECTOR COMMUNITY DEVELOPMENT GAGNON: Sure. Mr. Allman is here and his...

CHAIRPERSON DAVIS: Yes.

ASST. DIRECTOR COMMUNITY DEVELOPMENT GAGNON: ...team's here as well.

CHAIRPERSON DAVIS: Then we'll go to public comment at that time.

MAYOR MASTERS: Mr., Mr. Chair...

[Inaudible background comment]

MAYOR MASTERS: ...wh'.., when.., will we have an opportunity to.., if we have some questions or clarifications for the Staff...

CHAIRPERSON DAVIS: We, we gonna...

MAYOR MASTERS: ...not Odyssey.

CHAIRPERSON DAVIS: We're gonna get to that, after public comment.

MAYOR MASTERS: Then.., then we'll call 'em back up?

CHAIRPERSON DAVIS: Yeah.

MAYOR MASTERS: Okay.

CHAIRPERSON DAVIS: After public comment.

ASST. DIRECTOR COMMUNITY DEVELOPMENT GAGNON: I, just did the full screen so...

UNK: Oh, okay.

ASST. DIRECTOR COMMUNITY DEVELOPMENT GAGNON: ...so it's loading up.

MAYOR MASTERS: So we're going to the hearing now. [Inaudible].

CHAIRPERSON DAVIS: It's coming back. We'll get a chance to deal with that after public comment.

MAYOR MASTERS: Okay.

MR. P. ALLMAN: Are we ready to go?

COUNCILPERSON PARDO: Yeah. Go ahead.

CHAIRPERSON DAVIS: Yes, sir.

MR. P. ALLMAN: Okay. Thank you. Thank you very much, Mr. Chairman, City Council. Appreciate the opportunity to be here on behalf of Odyssey Manufacturing Company. My name is Pat Allman, I'm the General Manager of Odyssey Manufacturing Company. I reside at 707 South Packwood in Tampa, FL.

So, I'll jump right into it. Our core business is disinfection. The primary chemical used for disinfection in Florida is bleach. Bleach is added to drinking water to create safe drinking water. It's also added to wastewater to make it safe to dispose of and you', on either the ground or the ocean. This is our core business here, this is a bleach tank at the City of Riviera Beach Water Plant. As part of the technical assistance we've provided to the City of Riviera Beach Utilities Department, we installed this tank in response to a Consent Order that the City of Riviera Beach received for the Water Department, to improve their drinking water supply. What this tank does is it adds bleach to the drinking water su'... It's sent over to the ground storage tank across the street so that it's properly disinfected before it goes out to the public. This was one of the discrepancies that was identified in, in the Health Department, uh, in the Palm Beach County Health Department review of the water system here.

The biggest point I, I wanted to make up here is chlorine is not bleach. Sodium hypochlorite is bleach. We've had our product referred to as chlorine continuously and it is not chlorine. It is not a deadly gas. Sodium hypochlorite is bleach, it is not chlorine gas. If you [stammer], I've heard it said that sodium hypochlorite is flammable, it is not flammable. It turns into water and then salt when it's evaporated or heated. It's actually used to create safe drinking water. Another piece of misinformation that's [stammer] been put out on the internet is there was a household chemical manufacturer in Riviera Beach by the name of Clo White. They went out of business in the early 2000's. They brought in railcars of chlorine gas and railcars of ammonia. They used it to make cleaning products. One of the many products they made was bleach. The report that I just had on the screen was done by the, uh, DEP. This is the report finding. This report was done last year by your local DEP office. It says that over 127,000 lbs. of chlorine gas and over 10,000 lbs. of ammonia gas were released as emissions between '92 and '99. These releases resulted in two evacuations in the City. The misinformation on the internet said this was the result of bleach, excuse me, chlorine gas. It had nothing to do, I'm sorry, with bleach. It had nothing to do with bleach, it had to do with dangerous chlorine gas and dangerous ammonia.

So why bleach? Most of the cities and counties in the State of Florida are getting rid of chlorine gas and replacing it with bleach for safety, anti-terrorist and risk management concerns. Your own City, two years ago, voted to get rid of the dangerous chlorine gas at your water plant and replace it with bleach. [Pause]. This shows that 94% of the water and wastewater plants in Florida use bleach for disinfection. Only 3 perc'..., excuse me, only 6% use chlorine gas and this was as of June of 2016. There's actually less now using chlorine gas. In Palm Beach County, the only two utilities that

uses chlorine gas are the City of Riviera Beach and Seacoast Utilities. Chlorine gas is very deadly and dangerous. [Pause]. Looks like I'm supposed to buy a license. Uh [chuckle]. [Pause]. Anyway, there's over 4,000,000 gallons of bleach storage tanks in Palm Beach County. They are primarily power plants, water and wastewater plants and pool stores, such as Pinch A Penny and Leslie's. We're asking to add eight more and we're asking to add them so that we can supply all those customers that we already have in Palm Beach County that we're currently having to supply all the way from Tampa. These are some of the cities in Florida and counties that are in your area, in Broward and Palm Beach, they're using bleach for their disinfection. All the ones with an asterisk are, are, uh, entities or utilizes that we're currently serving. For example, right down the street from you, in the City of West Palm Beach on Banyan Road, we installed six bleach tanks about five years ago. They get four trucks of bleach a week, 20,000 gallons a week.

This is the bleach market in Florida. As you can see, water and wastewater plants are a big component, power plants, pool and hardware stores. Home Depot and Lowe's sell bleach just like we distribute in one gallon jugs. And finally, water parks, such as swimming pools. The bleach that's used in all these applications is 10 ½% bleach. That's the bleach we're bringing in, that's the bleach we're selling. The bleach that's sold in bottles, for laundry, is about 5 ¼ to 6 1/2%. So, it's, it's pretty much similar strength. It's a little weaker. We could use our bleach to do your laundry. We could use 10 ½% bleach to do laundry if we wanted to. Whether the bleach is 6 ½% or 10 ½%, there isn't any difference in the safety aspects of the bleach.

So, let's talk about Odyssey. We were founded in 1998. We currently employ 62 people. We're headquartered in Tampa. We have multiple locations. We make bleach in Tampa at one of our facilities and we have a distribution facility where we bring it in by railcar, also in Tampa. We're a chemical systems designer and integrator. We sell equipment to water and wastewater plants and we're a licensed general and plumbing contractor who installs chemical systems. Just like we did at your Singer Island booster station and at your water treatment facility here in Riviera Beach. [Pause]. Our plan is to put a distribution facility in Riviera Beach and one in Jacksonville. We currently have one that we just brought online in Tampa. [Pause]. What we did, [pause], last year, is we recognized there's a severe bleach shortage in the State of Florida and we needed to bring additional capacity in. Our choices were to build another salt to bleach manufacturing facility, where we make it outta salt and spend \$65,000,000 or we felt it was a better idea, was, we approached Olan Chemical, one of the largest bleach makers in the world and we bought excess, their excess capacity in Niagara Falls and it comes in by railcar from Niagara Falls and we agreed to set up three..., actually, four, bleach, uh, distribution facilities where we got it in by railcar. These facilities are costing us between five and \$10,000,000 and that's a lot cheaper than spending the money for a salt to bleach plant. We're getting a lot more capacity that way.

We have an exemplary environmental and safety record. For those of you that know what that means, our EMR rate is less than 1. We've had almost no reportable accidents in the workplace, based on review of our OSHA 300 alphalogs. We've had no reportable spills or chemical releases in 18 years. The only thing you'll be able to find

is, we had one reporting citation 18 years ago from the EPA. We were.., we agreed to pay a fine of \$29,000 for not filling out a form that we felt we didn't have to fill out. The form had to do with reporting chlorine gas releases. Since we don't make chlorine gas, we didn't feel we had to fill it out but a bureaucrat at the EPA thought we did. So, we agreed to [stammer] fill the form out going forward. When I asked the person at the EPA what I put on the form, they said.., for how much chlorine gas you release.., they said, 'Well, you don't make it so you're gonna put zero down there.' So, I think it's just one of those environmental bureaucratic things. This is the only reporting citation, the only blemish you'll find at all on our record in 18 years.

Our first facility was in Tampa. That's where we're located. We put the distribution facility on an industrial property located across the street from residential housing. The facility was granted a priority economic development status from Hillsborough County and we got expedited permitting in economic developments because of the investment we made in the community, because the jobs we brought. So why Riviera Beach? This is the only CSX track, in all of Palm Beach, and north of Fort Lauderdale, that has existing rail service that's zoned industrial where we could find property for sale. As most of you know, most of the rail down here has been taken over by the people mover system. There's, there's no sites anymore where you can get rail service, that's zoned industrial. This is the only one. This property sits on a major railyard. The railyard has five tracks that wrap around the property and it's one of four interconnection points between Florida East Coast Railroad and CSX, the other three being Fort Pierce, Jacksonville and Miami.

Right now, we're having the supply, Riviera Beach, all the entities in Palm Beach County and Broward that we serve from Tampa. It's not economical for the citizens down here. They're paying a lot for gas.., for just.., for us to transport it with diesel fuel. The other thing that's happening is chlorine gas is being phased out, creating more demand for bleach. The 6% of the plants left on chlorine gas, like Riviera Beach will probably be all converted in the next two years. There's gonna be even more demand for bleach. So, in summary, we picked Riviera Beach because of the rail, because of the property had rail access and was zoned industrial. Our business is integrally related to and dependent on the rail service. This is the site, we're purchasing nine acres. We don't need nine acres. We're leaving the front five acres vacant. Okay? One of the misinformations and the reason I put this slide up is, we will not block Dr. Martin Luther King, Jr. Drive at all with any of our rail service. The CSX railroad tracks run down the south side of the Bee line. They go underneath I-95, they go underneath Congress, they wrap around that entire industrial park in Riviera Beach and they come up on the east side, between the property and Tropical.

CHAIRPERSON DAVIS: Mhmm.

MR. P. ALLMAN: That's how we're gonna push the cars in, that's how we're gonna pull them out. We are never gonna block that roadway.

[Inaudible audience comment]

MR. P. ALLMAN: The other thing that, that we did, is we shoved all our operations to the back of the site where it's adjacent to the concrete companies that are on the south part of the property on the west side. We got community input to the design. First, we talked about we are not gonna..., we were told we couldn't stop any traffic on Dr. Martin Luther King, Jr. Boulevard. We designed the rail to do that. We're not using the front five acres. All our operations are on the back of the property. We've agreed to put a decorative black wrought iron fence in the front of the property. The landscaping we're providing is well above Code and it's gonna be kept up and maintained by a professional landscaping company. We agreed to put an 8' high separation wall with Stonybrook Apartments. Even though Code only required landscaping on one side of the wall, we took the community input, we offset it from the property line and we're putting landscaping on both sides of the wall. To further separate us from Stonybrook, on the other side of the wall is a giant retention pond. [Pause]. This is what the, uh, landscaping and the black wrought iron fence will look like. This is identical fence that was put up at the Tesla dealership on the west side of town, by a local fence company we plan on using.

This is a better shot of the facility that we just built in Tampa. Thought this might give you a good perspective of it. This is our control room at Odyssey. We are gonna monitor security cameras and also all the instrumentation 24/7, at this facility. Not only will it..., will any security or plant alarms go off in this control room, it'll also go off on the cellphones of the, of the personnel that will be working here in Riviera Beach. [Pause]. We intend to use local suppliers to provide all the materials to construct this plant and these are some of the areas that we've already have contracts or purchase orders issued to local suppliers and vendors. And some of 'em are gonna come here and tell you that they have contracts already tonight. [Pause]. We're a licensed general contractor. We're acting as a general contractor, specifically, so we have total control over hiring all the subcontractors. We intend to hire all local subcontractors, some of 'em are gonna come up and talk to you tonight. And these are some of the trades we're gonna hire. Once the facility's constructed, we're gonna need ongoing support. These are some of the areas that, uh, we intend to call on the community for support. One of the things I put up there, you might find of interest, is we intend to hire off duty, Riviera Beach Police Department employees on the weekends for security.

The total investment we plan to make initially is eight and a half million dollars and, in the future, we might make as much as \$4,000,000. [Pause]. In the first two years, we plan to employee 25 people. The final employment could be up to 50. The salary range is what we pay our employees in Tampa now. We also, I think, have excellent benefits and I put up here, just to give you some inkling, I charge \$92 a month to my employees for family medical. I pay over \$1,600 a month. I think that we're the kind of company that you wanna have here. So, these are a summary of the benefits. We're making a significant investment in the community. We're gonna create jobs and hire local people. We're gonna increase your tax base. Between the property and, and, uh, tangible property tax, it's gonna be about \$200,000. That'll pay for two policemen or two firemen. We also intend to continue to purchase outside services here locally.

And lastly, we intend to partner in your community. I think we've already

demonstrated that by the technical assistance we provided and the training we provided at your Water Department. So, in summary, the Staff has stipulated, we meet all the requirements for the special exemption. We accept all the stipulations, all 11 stipulations that was put up by your Staff Member, Jeff Gagnon, just before I, I spoke. And we request that you approve this project.

And, I thank you for your time.

CHAIRPERSON DAVIS: Thank you, sir. So, at this time, they're finished their presentation. We're gonna to...

MR. M. BROWN: [Inaudible]...

CHAIRPERSON DAVIS: There's another p'..., person? Okay.

MR. M. BROWN: There's a, there's another portion of the presentation.

CHAIRPERSON DAVIS: Okay. I'm sorry.

MR. M. BROWN: Again, my name is Michael Brown. As you know, I'm the attorney for Odyssey. And in light of the fact that it's a quasi-judicial proceeding, I wanna make sure that we get all of our information in as a part of our presentation. And what, what, what I'd like to do is address some issues here to make it clear that Odyssey doesn't wave any of its rights that it has under the law and it accepts the conditions that Mr. Gagnon articulated on behalf of the Staff of the City of Riviera Beach regarding this project. So, we have met those conditions, uh, we accept the conditions that Mr. Gagnon addressed. And so the, the record is clear and official that we do accept those terms as a part of the issues of the special exception and the approval of the Site Plan.

Now, I want to point out to you all as I get ready to also do a presentation here.... [To another]: Can you have him come up so I'll know which one to point... that the bleach that Odyssey... Oh, there it is... The bleach that Odyssey brings here and plans to bring at this site, is the same bleach that is making our water safe right now. It's the same bleach. It's the same bleach that's making our wastewater safe right now on Singer Island. And so, from a practical standpoint, so that you understand, this bleach is safer than what you have..., what we have going on right now at our water plant, as we sit here right now. All of us, are subject to dangerous chlorine gas which, if it explodes right now, all of us in this building would probably die. And on a daily basis, our community is subject to the dangerous chlorine gas that is in our water plant. And from a practical standpoint, Odyssey's product, which is bleach, is replacing that dangerous chlorine gas. And the ironic part about it, is that even though there've been information that's put on the internet about this product being unsafe, it's just the opposite. This product is, in fact, the safest product for clean drinking water and to treat our sewage wastewater. And so, one of the things that we also put together is this little five-minute video here which will show you, the Council Members, a visit to the facility in Tampa. And with that, if the technical person can start it...

[Video begins and plays]

MR. M. BROWN: [Inaudible] here. That's the facility in Tampa. That is the type of facility that we will like to bring here. This is the operation. You can turn [inaudible]. These are the operations. This is the system. It's safe, it's complete, it's designed not to spill. Those are the tanker cars where we're coming in on the backend of the property, down the Bee Line Highway, it will never block Martin Luther King..., Dr. Martin Luther King Boulevard. These are the trucks in which the product is removed from the tanks and into the tanker truck. It's helping to provide safe, clean drinking water and proper disposal of wastewater for the City of Riviera Beach and other South Florida residents. There we are on a s'..., on a visit to the site in Tampa. The tanks are right behind us there. These are residents from the City of Riviera Beach. You see them there and you see how close we were to the tanks. Some of these people will speak tonight and tell you what they observed and what they saw, as opposed to what they heard. This video gives you a, a sight of what happens. We're replacing the dangerous chlorine gas with bleach that is delivered by Odyssey. There's Mr. Allman explaining to some of our resident, were there on the site, this is what we're talking about. It's better to see it rather than to listen to information or..., that people are publishing which is totally untrue.

Jobs for Riviera Beach which pay between forty and \$90,000 per year, plus benefits. Forty and \$90,000. [Pause]. This is one of the employees there. If you listen closely, he's trying to describe what it's like working there. [Pause – video playing]. An estimated 15 to 25 jobs that'll cre'..., be created within the first 18 months of operation. [Pause – video playing]. Estimated 40 jobs within the first 36 months of operation. And again, these jobs pay between forty and \$90,000 a year. [Pause – video playing]. An additional four to \$6,000,000 in construction costs will be spent with Riviera Beach residents and contractors, laborers and materialmen. You can turn it up. And again, this is just a chance for the Council Members to visit the site visually without, obviously, having to, uh, taking a trip to the site. You can see it's fresh, it's clean, it's professional, it's well managed, it's not like these..., this is bleach flowing out of tanks, this is..., bleach is vacuum, it's professionally done and it is designed to not spill. Generation of millions of dollars in additional local taxes over a period of time. These are some of the residents that..., these are the trucks that will transport the bleach to the different locations, including Riviera Beach. This is in the operation room at their main headquarters in Tampa. This room will monitor this site 24 hours a day. Even when it's closed, these folks will be managing it. Odyssey will establish a business relationship with the citizens of Riviera Beach as Mr. Allman has already indicated regarding, not only employees, but the contractors building the facility from the ground up and maintain the facility, including landscaping and install'..., and the installation of the fences.

You will hear from some of these residents who took a trip there who will be able to tell you what they saw and what they know as opposed to what has been spread about this business. [Pause – video playing]. Odyssey also has agreed to partner with Dr. Mary McLeod Bethune Elementary School to basically be a business partner with that school, uh, going forward so that it can relate with them what we call The Odyssey Way. And we hope that if the Council approves this project, you will use Odyssey and its business plan and model as a plan for future business plans [inaudible] as other businesses come to this City.

And with that, Mr. Chair, I return it back to you.

CHAIRPERSON DAVIS: Thank you, sir. Thank you for the presentation. Now, if that's the end of presentation, we're gonna go to the public comment. As it regard to this Item. I'll read the rules before we get started.

CHAIRPERSON DAVIS: PUBLIC COMMENTS WILL BE RESTRICTED TO MATTERS AND ISSUES AND TOPIC'..., PERTINENT TO THE TOPIC OF THE CITY OF RIVIERA BEACH. PLEASE BE REMINDED THAT CITY COUNCIL HAS ADOPTED RULES OF DECORUM GOVERNING PUBLIC CONDUCT DURING OFFICIAL MEETINGS WHICH HAS BEEN POSTED AT THE ENTRANCE OF THE COUNCIL CHAMBERS. IN AN EFFORT TO PRESERVE ORDER, IF ANY OF THE RULES ARE NOT ADHERED TO, THE COUNCIL CHAIR MAY HAVE ANY DISRUPTIVE SPEAKER OR ATTENDEE REMOVED FROM THE PODIUM, FROM THE MEETING OR THE BUILDING, IF NECESSARY. LET'S PLEASE GOVERNS ALL OF OURSELVES ACCORDINGLY.

CHAIRPERSON DAVIS: And the first person will be Ms. Ernestine Gordon.

MS. E. GORDON: My name is Ernestine Gordon. I'm to'..., I'm here about the plant. I listened to what Mr. Brown and I also listened to the manager of the plant talk about how much, how much revenue it will bring into the, uh, City but I think they put a price on the, on the human life, on they' health. The schools are arou'..., that this plant is all around the schools, it's all around the playground where the ch'..., the childrens are and it seem' like that the money is more important than the people' health. I noticed that Boynton Beach and West Palm Beach turned 'em down, they didn't want 'em. So, I wonder did they go to Palm Beach Garden and North Palm Beach and ask them. Did you go Mr. Brown? I don't think you did.

[Chuckles]

MS. E. GORDON: But you always comes out here and always [stammer] I mean, [stammer] your property value gonna go down, the kids' health, things gonna happen to the kids and [stammer] sure as I'm standing here, it' gonna be explosion. You don't, you don't wanna believe it but it gonna happen. It's human nature. Man is not perfect and he don't create anything perfect. And I'll be honest with you, I don't see why we're still having this, uh, conversation about this plant when the people have spoken and say they don't want it. So why are we keep dwellin' on it?

[Inaudible audience comment]

MS. E. GORDON: Thank you.

[Clapping]

CHAIRPERSON DAVIS: Ms. Gaye.

MS. GAY: Good afternoon, Councilmen.

CHAIRPERSON DAVIS: Good afternoon.

MS. GAY: Ms. Gay, Riviera Beach. I'm very perplexed as I listen to the attorney for Odyssey speak. Sometimes we have to sit back in retrospect to see dangers that I see. When it was disapproved itself by Planning, Zoning Board, and as she said, I wonder why we are here now with the same Agenda. It's a profitable business for any enterprise to come into Riviera Beach and snow because what they are doing, they have already, uh, negotiate salaries, saying that we are gonna get \$90,000. Who, in they right mind.., like they say, some things sound so good, when you take a real close look at it, it is not beneficial for anyone. I went through all the summary and background of this company and, as it said, we offer and coming to offer anything. It was disapproved, it was also, now Staff approve and I'm wonderin' why Staff would take a look at something so dangerous [stammer] as this is to me? With the lives of individuals in the City, the residents which are the most important key factors. Why would the Staff sit there and approve this Item when it should not even be on the Agenda at this time. There is a definite need that th'.., we've heard the expression, 'You fall for anything and you don't take a stand.' I believe in taking a stand. Where I see danger, where I see liability and especially when you emphasize the Staff that property owners.., what fees gonna be, uh, given these exorbitant fees to be added on to their properties. Who would sit there and a'.., agree to assigning property owners, whomever, the residents of Riviera Beach, I would definitely hope that your mindset would not be to approve this. I emphatically disapprove of the whole Agenda Item being placed on here. I also emphatically disagree that we should take another look, even though I may bring 15 or 20 people, or I have 50 and 20 residents go and focus and take a look. I'm one...

[Beep]

MS. GAY: ...that cannot be bought for any negotiable salary or whatever.

CHAIRPERSON DAVIS: Thank you.

[Clapping]

CHAIRPERSON DAVIS: Next, we will have Ms. Dorothy Bullard.

MS. D. BULLARD: Good evening.

CHAIRPERSON DAVIS: Good evening.

MS. D. BULLARD: Dorothy Bullard, 1620 West 36th Street, Riviera Beach, Florida.

I'm here to speak on behalf of the children of Riviera Beach against the proposed toxic storage plant, Odyssey. The City of Riviera Beach have six public schools. Five of those schools are located within one mile of this proposed toxic plant. The City's.., the schools that are located are Lincoln Elementary, and that's at 1160 Avenue M, Riviera Beach. We have 608 students. It's located .6 miles from the toxic plant. We have West Riviera Beach Elementary School at 1057 West 6th Street. It ha'.., Riviera Beach. It has 727 students. It's located .8 miles from the proposed toxic storage plant.

Suncoast, one of the premier schools in the country, is at 1717 Avenue S. It has 1,523 students and it's located .8 miles from the proposed toxic plant. And we also have John F. Kennedy Middle School at 1901 S Avenue with 677 students. It's .9 miles from the proposed toxic plant. The total number of students that could be harmed from this chemical plant is 3,951. Are we willing to risk the health of 3,951 children for 20 so-called, maybe, jobs? Which may or may not go to the citizens of Riviera Beach? Your track record so far is the top paying jobs in Riviera Beach do not go to the citizens of Riviera Beach.

I worked in the manufacturing plants with dangerous chemicals for about 15 years. We were told they were completely safe. Then, I worked in healthcare for about 25 years and learned that they were quite dangerous. Today, I suffer from chronic respiratory diseases and guess who pays for this, I do. This little item costs \$325 per month. Do we wanna put our children, in Riviera Beach, at risk for 20 so-called jobs? I think not. I vote.., I asked you not to consider this toxic storage plant in our City.

[Clapping]

CHAIRPERSON DAVIS: John, John Miller.

MR. J. MILLER: John Miller. I live in the Singer Island area of Riviera Beach. Thank God I don't have railroad tracks over there. Alright?

[Inaudible audience comment]

MR. J. MILLER: That, that's startin' that off. You know, I wa'.., I, I came to the presentation on Planning & Zoning, I listened, I watched. I know a lot about, you know, working in the indu'.., construction industry and I looked at the different things that they have and I understood a lot of it. The p'.., uh, you know, we're not gonna have a plant on Singer Island 'cause we don't have anything that's zoned industrial over there. Alright? And I looked at the pros and the cons on this. I just went to that Planning & Zoning meeting to really just see what it was all about. But let me, let me say this to you. If you look at the, in other words, the plant itself, I don't think is a problem. It's where you're puttin' it at. It's, in other words, you need bleach, I understand that. But, the bottom line is, I think you need to find railroad tracks further out...

[Inaudible audience comment]

MR. J. MILLER: ...where there.., in other words, where you're not around all these people.

[Audience clapping and inaudible comment]

MR. J. MILLER: I mean, think about it. And I do think that safety trumps jobs. I hate to say that but really, when you look at it, because the problem is this, if, if something does happen, if something happens down the line... They have a great safety record, I'm looking at that. I mean, I give 'em credit. But the thing about it is, if something does happen, they're gonna go after every one of ya's forever. And the thing about it is, the,

the Commissioners that are sittin' up there got elected by the people out here.

UNK. AUDIENCE: [Inaudible] on now. Yeah.

[Inaudible audience comments]

MR. J. MILLER: Right? So, I mean, the thing about it is, when you look at the pros and the cons, you gotta say no way.

Thank you.

[Audience clapping]

CHAIRPERSON DAVIS: Ms. Margaret Sheppard.

MS. M. SHEPPARD: Margaret Sheppard, Riviera Beach.

When you are raped, the main thing that is told to you, no means no. I, I don't, I don't get it. This is the third presentation that I have heard and I just don't understand why the word no doesn't mean no? N-O. I, I listen to Ms. Bullard and I also have a respiratory problem. On my door, it says no smoking. That mean' any type of fume in the air, any type of perfume or too much bleach...

UNK. AUDIENCE: Yeah.

MS. M. SHEPPARD: ...just regular bleach. So, he's talking about a bleach that can be watered down what, 10 times? Did I get it right? Well, just the regular bleach sends my respiratory problem off. So I say to the gentleman, where do you live?

[Inaudible audience comment]

MS. M. SHEPPARD: Take it and build it where you live.

[Inaudible audience comment]

MS. M. SHEPPARD: Why do you come to a predominately black neighborhood with children? We have a lot of children here and we wonder why, why are they suffering with this and why... It's people like you that wanna come and contaminate our water. Oh yeah, it's been contaminated. Now you wanna contaminate our air. I get the picture, you want us dead? You wanna move us outta here? Because, if it was me, the first time I read it, I woulda said, 'Oh no. This is not for me.' But you continuously come down here, wherever you're from... And Mr. Brown, I tell ya, I, I'm disturbed. It sounds like desperation. Somebody's desperate.

UNK. AUDIENCE: That's right.

MS. M. SHEPPARD: And it's not the City. Our, our, our logo, our logo is, 'The best City to live, work and play.' It appear' to me that you guys want us dead. I appeal to you to say no. Say no to this project. Send 'em packing and the one thing that I

want, you all close up the holes so these people don't come back. They' comin' back. If you say no, they're coming back. They came with the junkyard.

[Inaudible audience comment]

MS. M. SHEPPARD: Oh yeah. Send 'em packing and I declare today, they're goin'. They' gettin' up outta here.

UNK. AUDIENCE: Alright.

MS. M. SHEPPARD: Because the residents of Riviera Beach has spoken. I am a resident of Riviera Beach. I do stay in a, a piece of prime land of the Housing Authority. They're proud of it. Came from Ivy Green and Mr. Brown know' it took me a year but I had that place torn down. I will...

[Beep]

MS. M. SHEPPARD: ...send you notice, it will be torn down, if you come here with this foolishness.

CHAIRPERSON DAVIS: Thank you.

MS. M. SHEPPARD: Thank you.

[Audience clapping]

CHAIRPERSON DAVIS: Mr. Lloyd Brown.

MR. L. BROWN: Hello. You know, I really don't have much to say about that but I, like she said, no mean' no. And I mean, if the Japanese woulda said, 'Well, we want you to drop the bomb, right here,' you know, it's okay. See, nothing happened to 'em, they exploded. Now, years, years from now, they're having problems over there with different diseases and whatever, you know, from dropping the bomb. And then, I wanna know, why did they pick Riviera Beach too? I guess they say, 'Well, them nigga's is gullible.'

[Audience exclaim]

MR. L. BROWN: Excuse the language but, hey, that's what it look' like to me. I don't care what you think. We're just a gullible City. You can sell us ice if we were in the North Pole. So, that's what these people tryna do. I didn't hear this man say anything about.., anything about money except money that they'll lose if they don't have that railroad track...

[Inaudible audience comment]

MR. L. BROWN: ...over there. They didn't say anything about what we'll lose if they put it over there. Like the lady said who just came, I mean, what other place, why you

pick Riviera Beach? Because we' so gullible?

[Inaudible audience comment]

MR. L. BROWN: I mean, we'll accept anything? We don't wear our shoes on the wrong foot so we gotta be right in our head. And, I mean, I, I really..., it doesn't matter to me whether this chemical plant is dangerous or if anything' wrong with it but, I mean, we, the citizens..., like my mother told me, she said, 'Boy, you could ride the bike.' So, I had my faith and my trust in her. She would hold the bicycle while I paddled and she would let me go because I had faith and trust in my mother, I rode that bike. So, I'm having faith and trust in you Council Members to tell this man, you know, go back to Tampa.

UNK. AUDIENCE: Right.

MR. L. BROWN: Take your plant right back up there to Tampa. You know? 'Cause I., if you don't, then we're already losing faith and trust in you people. So don't just knock it all out.

And anyway, another thing I gotta say. I found out that, you know, I'm not a felon, convicted felon. You ever heard the song, uh, Footsteps in the Dark by the Isley Brothers?

[Chuckles]

MR. L. BROWN: Well, all your positions up there, I'll be coming for 'em 'cause I'm not a felon. And, I mean...

[Inaudible audience comments]

MR. L. BROWN: ...we, we, we need to deal, we need to deal with the major problems. Don't even worry about these people. Put a supermarket there. Anything else but that. You got all those people on Section 8 over there, living in Stonybrook, and you're gonna put a bleach plant. I mean, that's crazy, when you got them goin'... I mean, put a supermarket, anything else. I mean, you could put a Dunkin Donuts there.

[Audience chuckles]

MR. L. BROWN: I mean, but all this man is sayin', they're gonna lose money. He ain't said nothing about any improvement with us, just 90 jobs or whatever, ninety..., whatever he said.

[Inaudible audience comment]

MR. L. BROWN: But what I'm tryna say is this, he didn't say anything that's gonna benefit us, not to me. He only said they're losing money with the diesel and all that. You heard him talk. If we don't have diesel, we gotta pay a higher price to drive it from here to there. And then, you know, Brown got some pretty fat pockets here.

UNK. AUDIENCE: Uh oh.

[Inaudible audience comments]

MR. L. BROWN: So, you know, I don't really.., he.., 8th Street was pretty good before he got in there, and now, look at it now.

[Beep]

[Inaudible audience comments]

MR. L. BROWN: Yeah.

[Audience clapping and cheering]

CHAIRPERSON DAVIS: Did Mr. McCoy leave?

MR. T. MCCOY: No, I'm here.

CHAIRPERSON DAVIS: Oh.

[Inaudible audience comments and chuckles]

CHAIRPERSON DAVIS: [Inaudible] he's gotta go to work. [Pause]. No, no, no. No, he told me he had to go to work. [Inaudible]...

MR. T. MCCOY: Tradrick McCoy, Riviera Beach. I wanna be really quick but I wanna be succinct and this will really close down everything and this is from a factual basis. And I certainly don't agree with the project but every site plan applications that's received by the City of Riviera Beach must include a agent authorization application. And what that is, is the application by the property owner, that's notarized, saying that the, that the applicant has permission to apply for a site plan at that location.

[Audience clapping]

MR. T. MCCOY: Well, there's not one in this, in this packet nor was there one in the Planning & Zoning packet. Neither meeting. So, just based on that, the application is deficient and should be denied...

UNK. AUDIENCE: Denied.

[Inaudible audience comments]

MR. T. MCCOY: ...because there's no application that shows that the owner who's Trademark Recycling authorized this application to go forward. So, if that in itself is not enough, I do have some other information. I also have...

[Inaudible audience comments]

MR. T. MCCOY: ...if I can go back to our December 15th meeting, on the Planning & Zoning Board, which I am honored to be a Member of, thank you Councilman..., Ch'., Terence Davis for appointing me...

UNK. AUDIENCE: Uh oh.

MR. T. MCCOY: ...but we ask that we table the meeting so that we can get a review of our..., from our Legal Department and I asked our Assistant City Attorney, Ms. Busby, and she assured us that it was gonna take a comprehensive review. Six weeks later, we still had not received it and when I asked during that meeting last month, I repeat Mr., Mr., our City Attorney came from the gallery, he wasn't even a part of our Planning & Zoning Board meeting, and said, and stated to the effect that we needed to make a decision, completely disregarding our request. And one of our vested powers, as members of the Planning & Zoning Board is, and I'mma quote the statute..., I'm sorry, I'm gonna quote the Ordinance verbatim. So, if you'll allow me to indulge you, indulge you just one second. 'The City of Riviera Beach Code of Ordinances, No. 2735, states in part, The Planning Board shall have the power to require information which shall be furnished in a reasonable time from other departments of the City government in relation to its work.' Well, we never got it, six weeks later. Well, guess what I just came across with the public records request? Evidently, your Board has more power and control than the Planning & Zoning Board because when we requested something, we didn't get it. But now I hold here a memo from the City Attorney's office to the City Council and the City Attorney that states, in pertinent part, on the back, 'Although the City Planning & Zoning Board recommended that the special exception and Site Plan be denied, it is my understanding that City..., City Zoning Department determined that the petitioner has, in fact, met these requirements for a special exception in the Site Plan.' Well clearly, he didn't see the site plan application 'cause he would've noticed that there was no agent authorization application.

[Beep]

MR. T. MCCOY: So he pretty much misled you in this memo and he should be reprimanded.

[Inaudible audience comment]

MR. T. MCCOY: Not just for the comments he made at the Planning & Zoning Board but for a memo that's factually incorrect and that you're about to make a decision on. So, you know, it's a bad project environmentally. But just from the basis that they can't even complete an application, you should deny it just based on that alone.

And those are my comments. Thank you so much.

CHAIRPERSON DAVIS: Thank you, Mr. McCoy.

[Audience applause and inaudible comments]

CHAIRPERSON DAVIS: [Stammer] James Crowley.

MR. J. CROWLEY: Thank you, Mr. Chair.

CHAIRPERSON DAVIS: Thank you.

MR. J. CROWLEY: For the record, my name is Jamie Crowley and I'm an attorney with the Gunster Law Firm in West Palm Beach and I thank you for the opportunity to speak here tonight on behalf of the property owner, Trademark Metals Recycling. They've owned this property since 2006 and they bought the property in reliance on its industrial.., industrial zoning designation. So, the answer to the question about why this property, is because this, this property carries with it ind'.., industrial zoning designation, which makes this as permitted use, as your Staff told you here tonight. When they purchased the property in 2006, they originally came forward with another plan which you heard about earlier. That plan was denied by the City, however, the property owner stuck with the City, they didn't dump the property during the recession. They've held onto it and paid property taxes since 2006.

I'd like to get into the fact that this is a quasi-judicial proceeding as Mr. Brown told you earlier. So, the Board is not setting a policy here tonight. It's not the Board's role to say whether it's a good idea that this property be zoned industrial. The Council's determination needs to be based on the evidence in the record and the specific criteria for approval of a site plan or a special exception and I think Mr. Gagnon made clear that the specific criteria in your Code, which he went through, including ingress and egress, parking, refuse, utilities, landscaping, signs, open space. You know? And the catchall third party risk assessment that he discussed, basically establishing all the criteria have been met. So, I understand this is a difficult decision for the Council but the Council's role tonight is not to set the policy. That policy has already been set by prior Councils and that policy is why our client purchased the property in the first place.

So, in conclusion, I'd just like to please request that the Council follow the rules that are set forth in the Code of Ordinances and approve the application here tonight. And, by the way, on behalf of the property owner, I would specifically, you know, as their attorney, say that we authorize them to be the applicant for this application.

Thank you.

CHAIRPERSON DAVIS: Thank you.

[Audience clapping]

CHAIRPERSON DAVIS: Ms. Carmen [pause] Wildagrass.

MS. C. WILDGOOSE: Wildgoose.

CHAIRPERSON DAVIS: Wildgoose. I'm sorry.

MS. C. WILDGOOSE: Carmen Wildgoose, resident of 821 Avenue N which is several blocks away from the proposed site for the storage and distribution for the chemical sodium hypochlorite.

To the Mayor, Council Members and others, I'm here to express my concerns about the proposed site for a facility that would be used to store and distribute a hazardous chemical, sodium hypochlorite. Our City, Riviera Beach, has become a popular place for new industries over the years and I welcome these opportunities for economic growth and development. I also appreciate the City officials who work to capitalize on the expansion of the Port of Palm Beach and the other industries connected to it. But you are the elected representatives of the common people and I'm asking you to choose and promote businesses that will not threaten the quality of our life. There are young children, men and women who live next door to this property where they plan to construct the facility. Across the street, are the homes of common people who have worked long and hard just to acquire a little piece of the American dream. We deserve a living space that will not be threatened by potential chemical accidents which could result in unhealthy air to breath, tainted soil and unsafe drinking water. Not to mention the threat of traffic collisions and traffic congestion in that area. Our residents deserve to have a good night's sleep so that they're not..., so that they're rested for school and for work. The increased noise pollution would be counterproductive.

Would you..., do you think that the sight of these large, oversized silos would improve the physical appearance of our neighborhood? Would our neighborhood attract healthy and productive families which would help us to develop and sustain a viable community? Those pictures look good but, to put them smack dab in the center of our neighborhood would not be a good thing for us. For decades, federal projects authorized by the government, such as airports, road expansions, ports and so forth, they have disrupted neighborhoods because the government decided that they had a better use for that space or land. Hundreds of thousands of common people have been displaced and communities have been dissolved, ruined because some other entity decided that that land was too important to be left to common people. I believe that the common people can coexist with these new industries that wanna come to Riviera Beach. I read about the DeKeyser Engineering Company that moved to this area at the Rybovich shipyard so that they could collaborate with the marine industry. I also wanna welcome the other people who wanna come here and live even though they're trying to convert our living space into their recreational playground. They bring commerce but they do not threaten our quality of life. The industrial companies that involve hazardous chemicals are just too risky.

Therefore, I'm asking you to use your political power to protect our right to a healthy quality of life and that this Council will go on record as rejecting the Odyssey Manufacturing industrial project for this location, which is right smack dab in the middle of our residential neighborhoods.

Thank you for your time.

[Clapping]

CHAIRPERSON DAVIS: Thank you so much. Mr. Tony Terrace.

MR. T. FERRIS: Good evening. Tony Ferris, Ryder Truck Rental, 7709 Central Industrial Parkway, Riviera Beach.

Ryder is a..., Ryder's a provider of transportation equipment, fleet management, fleet maintenance and we have had a business relationship with the folks at Odyssey for some 18 years, almost since the inception of, of their company. What we do is we maintain fleets safely and reliably so companies can focus on their, their core businesses. We've been fortunate to partner with Odyssey since 1999 and, as their first leasing partner, we have had the loyalty and benefit of the loyalty and support of their employees and we remain their sole partner for their trucks today. Earlier in the presentation, you saw some photographs of, of our fleet that we provide to, to the company. Throughout our entire relationship, Odyssey has..., they've never missed a payment, they've been a very reliable and safe partner. Their..., the, the, the most important thing for them on a consistent basis as, as we are involved or as it pertains to us has been the safety and safe operation of their fleet, [stammer], whether it's with drivers and driver training or keeping their trucks safely and reliably on the road. They lease about 25 tractors and trailers from us in the Tampa location and through that relationship, we've been able to employ..., grow our business there to, to 28 employees and we have a similar type of a relationship in the Orlando market. Now, here, uh, at our location today, we service about 170 vehicles, plus we have another 40 or so rental trucks and we employ 10 employees here in, in Riviera Beach. So, the influx of this project if, if approved, would allow us to grow our employee base here as well.

So, I greatly appreciate your time and we look forward to helping to grow the economic environment here in Riviera Beach as well.

So, thank you very much.

CHAIRPERSON DAVIS: Thank you, sir. Next, we have Ms. Gloria Hill.

MS. G. HILL: Hi. My name is Gloria Hill. I went to Tampa to visit the site and it was clean and there was no fume or anything there. And it was, um, in fact, I think a little savor than a lot of places I've seen around here. They should, I think, have it to come here because we had bad water here, and they cleaned that up. So, they can could clean up..., they're not, they're not storin' it here..., I mean, they're not making it here they're just storing it so it can be closer to us.

Okay?

CHAIRPERSON DAVIS: Thank you, ma'am. Mr. Michael Toribio. If I stand corrected, please, I apologize, sir.

MAYOR MASTERS: We do need to get addresses on the record. As well.

MR. M. TORIBIO: Good evening.

CHAIRPERSON DAVIS: Yes.

MR. M. TORIBIO: My name is Michael Toribio and I'm here on behalf of Odyssey Manufacturing. I am currently employed by Odyssey, my boss being Mr. Pat Allman. I've been with the company for approximately five years. A year and a half of that as a temporary, until November 4, 2013, my boss hired me. It's a pretty, uh, what we do is really important but our main priority is safety. You know? We have to make sure that we are safe in all aspects of our job. What I do, is ch'..., chemical systems installation technician. That's my job. It sounds important, it is. You know? We have to have relations, safety, make sure that all your water is, uh, safe to drink and the environment is safe.

Now, before I came here to Florida, I'm originally from New York and I've been here for almost five years and before I came here I didn't have no knowledge of what Odyssey did as a, as a company. And the reason why I didn't have any knowledge, is because when I was in New York, I wasn't in a knowledgeable place. Right? Odyssey, to me, has given me opportunities that probably no one else would have. If I tell you my story, I bet none of you would probably hire me but this man here, Mr. Allman, gave me the opportunity, regardless of my past...

[Inaudible audience comments]

MR. M. TORIBIO: ...but I myself have to show and prove, you know, that work dedication, that I had good work ethic, that I have some level of professionalism and that I had some type of intelligence. Right?

Now, the reason why I'm here is job opportunity. You know? We could go into statistics, recidivism rates, we could go into all of that if you would like but, the thing is that Odyssey is a proponent for opportunity, which Mr. Allman gave me at moment in my time..., in my life. When I was in New York, I was considered, and I'm still considered, a convicted felon and, uh, guess how much time I did in New York. You probably wouldn't even believe it.

UNK. AUDIENCE: How much?

MR. M. TORIBIO: Well, I did 15 years, in the State of New York. So, across the U.S., I am a convicted felon.

CHAIRPERSON DAVIS: Mhmm.

MR. M. TORIBIO: Alright? And I have five years right now in the State of Florida. Reason why I came to Florida was, of course, a new..., turn over a new leaf, new opportunities.

CHAIRPERSON DAVIS: Mhmm

MR. M. TORIBIO: Right? This man opened that door for me, showed me a lot, I have a lot of respect for him. Of course, he put me through the grinder but that's expected of an employer. Right or wrong?

CHAIRPERSON DAVIS: Mm.

MR. M. TORIBIO: So, what he comes to bring here, to Riviera Beach, is opportunities for everyone. A lot of people. Even convicted felons such as myself. Okay? I have a manslaughter charge, 15 years in prison. Would you hire me? I highly doubt...

[Light background whistle]

MR. M. TORIBIO: ...that. But this...

[Inaudible audience background comment]

MR. M. TORIBIO: ...man sat me down and asked me a question, tell me about yourself. And all I did was tell him the truth and he gave me an opportunity. So, wha'.., wha'.., what he will bring here to this community...

[Beep]

MR. M. TORIBIO: ...is job opportunity.

[Inaudible audience background comment]

MR. M. TORIBIO: Thank you.

CHAIRPERSON DAVIS: Thank you for sharing your story.

[Clapping]

CHAIRPERSON DAVIS: Now, I'mma say Mr. Wilson.

COUNCILPERSON HUBBARD: Audie.

CHAIRPERSON DAVIS: Audie.

COUNCILPERSON PARDO: [Inaudible].

CHAIRPERSON DAVIS: Alright. I didn't wanna mess up your first name...

MR. A. WILSON: No, man.

CHAIRPERSON DAVIS: ...Mr. Audie. You...

MR. A. WILSON: You did good.

CHAIRPERSON DAVIS: Okay. [Chuckle]. Alright. I got the Wilson part in.

MR. A. WILSON: Yeah. You, you did good.

CHAIRPERSON DAVIS: [Chuckle].

MR. A. WILSON: Yes. I'm Audie Wilson, 1600 West 9th Street. And yes, I am, um, not for the project. And my reason is simple, you know, bleach, when you use it correctly, it's great. But if you pour a little bit too much and you go like this...

[Inaudible audience background comment]

MR. A. WILSON: [Snorting sound]. Now, they're gonna be having 40,000 of those things and, and, um, eight thi'... You know, you, you got a good safety record until you don't.

UNK: That's right.

MR. A. WILSON: And when that don't come, we in trouble, with that much chlorine.., I mean, bleach, in the air. The buffers that you're talking about, the, the vapors can't stop'.., the buffers don't stop the vapors. I, I'm simply saying, I think your company is good from what I, [stammer], from what I saw, I'm very impressed but I just wish that you'll just com'.., move it a little further west or, well, just outside of our neighborhood. That's smack dab right on top of us.

UNK. AUDIENCE: Yeah.

MR. A. WILSON: And that's the problem.

[Inaudible audience comment]

MR. A. WILSON: Not what you're doing. That's the problem. And, and, and I'm against it. And I hope and pray that our Council Members are gonna side with, with, with the, with, with how we feel. You know, I don't know about the Ordinances and all that stuff that the guy said. You know, you got legal people to make that right. I don't know nothin' 'bout that but I do know that we don't want it and I do know that, uh, we're asking you.., people have come up and have been very articulate and, and have said their things and [stammer] and I think it should carry some weight. We're not, we're not as'.., we're, we're not being, um, acting all rudish but we're, we're, we're coming up here voicing our opinion about something we don't want in our neighborhood. And that's really the bottom line. We don't want it in our neighborhood.

Thank you.

CHAIRPERSON DAVIS: Alright, Mr. Wilson.

[Clapping]

CHAIRPERSON DAVIS: Mr. McCray, William McCray.

MR. W. MCCRAY: William McCray. I said it once and I'm gonna say it again, our ancestors sold us out, put us on slave ships, sent us into slavery over here. Jesus was sold out for 30 pieces of silver. I wanna see which one of you gonna sell us out tonight, if you're serious enough to do that. Twenty jobs in the City of Riviera Beach. If you

approve this tonight, I hope one of the jobs is gonna be for you 'cause next election, you gonna be gone. I can pretty much assure you of that. I will have an impact in the City of West Palm Beach and I will follow through with it and I will help anyone who runs against you to beat you. I will be there every step of the way, trust me when I tell you that.

[Inaudible audience background comment]

MR. W. MCCRAY: The people don't want it. All those pictures of that nice shiny plant in Tampa, it wasn't right next door to a neighborhood, especially a black one.

[Inaudible audience background comment]

MR. W. MCCRAY: I don't think they would allow that next to a trailer park if there were white people there. I don't believe they'd do it. It's unfortunate but that's the way I see it.

I don't make threats. I make promises.

CHAIRPERSON DAVIS: That's cool.

MR. W. MCCRAY: I was born and raised in the City of West Pa'..., Riviera Beach. Born and raised. I care about the people, I'm about the people and what the people want. You weren't elected to do to what you think is best for the people, you were elected to do what the people want. We've been bullied by attorneys, people come in here, Gunster Yokley, other attorneys, Mr. Brown. Mr. Brown tried to sell out the City for eminent domain. It was found to be a terrible thing for the City and thank God it didn't work. Now, you're gonna sell us out for a chlorine plant? I was in the town hall last night where he was brainwashing little old ladies. I was ashamed. I tried to sa'..., ask a couple questions, he called the police on me, like I'm scared of the police.

UNK. AUDIENCE: Ooo.

MR. W. MCCRAY: I mean, are you kidding me? I support the police, I'm supposed to be afraid of them? Are you..., that's a joke. But, um, I brought up the fact also that this plant puts a terrorist bullseye on the City of Riviera Beach. And, I see that the CEO tried to alleviate that and said he was gonna hire some Riviera Beach police officers for the weekends. I think that would be a good thing if, if you guys are not too smart and approve it but, um, this, this is something that you would not do on Singer Island, if the railroad tracks were over there. If it was on [inaudible], you wouldn't allow it in a white neighborhood. And the reason they don't wanna put it out west is it's too close to Ibis and you know those white folks out there, they got a lot of money and they're not gonna allow you to put it out there. That's why you're ain't gonna try and put it out there. Let's just be honest. Let's just tell the truth.

[Chuckles]

MR. W. MCCRAY: It's not gonna happen. So, try and put it out there. Put it out west

where it belongs, in an industrial area.

UNK. AUDIENCE: This is an industrial area.

[Inaudible audience background comments]

MR. W. MCCRAY: So, another thing about the chlorine, it is a liquid but if a terrorist put a bomb on it, the heat and the pressure would transform that into a gas and it would be a poisonous cloud that could kill...

[Beep]

MR. W. MCCRAY: ...the whole City and heaven help us if that happens.

CHAIRPERSON DAVIS: Thank you.

[Clapping]

CHAIRPERSON DAVIS: Next, we have Mr. Rod James. Mr. Rod James, if I have it..., said it right?

[Inaudible audience comment]

CHAIRPERSON DAVIS: There you go, sir.

MR. R. JAMES: Rod James, Riviera Beach. I listened to this, uh, Mr. Allman the other day and he was talking about jobs and he had also mentioned that the, that there would be initially two, two jobs, I think he mentioned.

[Inaudible audience comments]

CHAIRPERSON DAVIS: [Inaudible] say that?

MR. R. JAMES: Well, he said 20 but initial'..., I think the initial [inaudible]...

CHAIRPERSON DAVIS: Please. We, we need to be able to hear the speaker, sir. We [inaudible].

MR. R. JAMES: Okay. I think the initial was, was two and those were entry level positions but he didn't..., I don't, I don't hear anything as far as specifics. Are these jobs temporary, permanent or anything of that nature? The contractors that are here that are wanting to go for this project, you know, they're, they're here for the money, obviously and they're just getting a little temporary, short-term, um, thing on that.

The..., I'm mainly here because I'm sick and tired of the commercialization and, and the industrialization of Riviera Beach. 8th Street has been completely torn up. I'm assuming [stammer] due to this Mr. Brown. This guy needs to be banned from the City, in my opinion.

[Audience chuckles]

MR. R. JAMES: Also, he was saying about the ten per..., 10 ½% bleach as opposed to the, you know, 5 ½% bleach that's for the, you know, that, that's home. It..., and just, someone mentioned also, if you pour bleach in a room, that turns into a gas or, or, or it gags you and you got 10 ½%. You know? So that's a potential of, um, you know, something happening, could potentially happen in the future and, and it's right next door to Stonybrook. You got little black kids that are there and just one child hurt is worth, uh, you know, not having this thing go forward.

I understand the legal ramifications that if you guys don't approve this but I think, in the long term, the safety that if, if anything happens, I think whatever legal ramifications or costs that, that may occur right now, is gonna be miniscule to what's gonna potentially happen later on in the future. So, I'm hoping that you guys don't approve this, this, this project and like someone else said, put something else there because this is the wrong spot. Not opposed to the project, wrong spot.

That's what I have to say.

CHAIRPERSON DAVIS: Thank you, Mr. James.

[Audience clapping]

CHAIRPERSON DAVIS: Mr. Jim Bingold.

MAYOR MASTERS: Mr. Chair, while he's coming, I'd like to ask the speakers to please be respectful to others and please try not to make personal personnel comments.

Thank you.

MR. J. BINGOLD: Good evening. My name is Jim Bingold. I'm the manager of Proline Distributors. Been doing business in Riviera Beach for about 25 years. We have a very similar facility. Obviously, at a much smaller scale. We distribute to the local pool people, uh, to the people that pressure clean your roofs and we have a similar facility. There's trucks comes to us, smaller trucks come to us and, and move it out from there. We've done business with them since the business started. I can probably tell you probably 30, 40 other places within the area that ha'..., do business with them. And, while I was sitting there listening to everybody call this a plant and kind of the dangers of it, I'd be more afraid of a gasoline station across from me and the only difference is, you don't see the tank. It's underground, it's flammable, it's explosive. This is liquid, it's not. So, we've been in the City for..., you know, I've heard people talk about investing in the City. I don't believe it's just the jobs. We contribute every year to Suncoast, every year we probably teach 40 to 80 kids how to swim over at Barracuda Bay. Their businesses do more for your community than just the jobs, it's the support people that, you know, have to do the windows, have to do the lawn, there's..., it's a lot more to a community than just 20 jobs.

So, I would say that you look at their safety record and the quality of this company and, and consider doing this. The reason it's Riviera Beach, is you don't have that north, south, east, west access anywhere else. That's why it's Riviera Beach.

[Inaudible audience background comment]

MR. J. BINGOLD: Thank you for your time.

CHAIRPERSON DAVIS: Thank you, sir.

[Audience clapping]

CHAIRPERSON DAVIS: Mr. Weendell Esthema. Did I get that correct? Your last name? Hope I get close, I apologize, sir.

MR. W. ESTHEMA: Thank you. My name is Weendell Esthema.

CHAIRPERSON DAVIS: Look at that. Okay.

MR. W. ESTHEMA: I've been in Tampa last year. I make a trip with the residents of Rivera Beach. We see the site. Me, as a mechanical engineering, I ask a couple question, when it's come to, to the project. The question that I was asking, I, I asked if the bleach is spill, what's it gonna do, with that, for the residents. They say the bleach is just like something, it's a very simple process they make with salt, water and electricity. We saw everything.., that we see all the equipment. If it spill, they're just gonna watch it because it's just salt and water. I don't see.., based on that, I don't see anything wrong with that and since they're gonna be collaborate with the City and the Health Department... And I know I read a report, the report that they have, like, couple months ago regarding the health of the water. It was like, supposed to be like, six point something. It was, like, below that one it was causing a big damage, to the City. And now, I think it's a big advantage if we can take it. I know some people may see it differently but it's a good, it's a good thing. If you study the process, if you take a close look, I know a lot of people can be against it but it's a good thing if they have it right here.

It's not only a question of job', how much money they' gonna pay but I see it further, how they're gonna help and participate in the community. And a good thing, it's not gonna be outside just like the other company, they just come here every single day, they work, they come from Boca, they come from Palm Beach Garden, everywhere. They come early in the morning and in the afternoon, all of them just leave. It's gonna be the people that's live here, they are the ones who' gonna be in charge, that's gonna be responsible. For me, I see as good thing for everyone, especially if you have a criminal record, you did bad thing, they give you a second chance. You can rebuild, you can reestablish yourself because I know everyone can make mistake, in the past and then later on, you can see it, you can regret your life. But, if you have a second chance, I think it's a good thing, it's a good start for the people that's living in Riviera Beach. Especially, young, young guy like me.

Thank you.

CHAIRPERSON DAVIS: Thank you, sir.

[Audience clapping]

CHAIRPERSON DAVIS: Mr., no. Ms. Patricia Edmonton.

MS. PATRICIA EDMONSON: Mayor Masters, Chairman Davis, City Council Members, my name is Patricia Edmonson. I'm on the Palm Beach Water, uh, Soil and Water Conservation District, group 3. I'm President of the Palm Beach County Envir'..., Democratic Environmental Caucus and I'm Acting Vice Chair of the Palm Beach County Environmental Alliance.

I was gonna come up here and give you all sorts of scientific evidence about the negative impact of bleach on the environment. I cannot state more eloquently, then what your citizens have told you. There are dire, long-term effects if the bleach is released into the water. Greenpeace has called.., it produces dioxins, one of the most dangerous chemicals on earth. There are countries that have actually reduced its use. You are being targeted for this facility because you have railroad tracks. Um, let them put the facility some place where it's not going to put your citizens, your children in danger. When bleach is released into the air, it can cause respiratory issues, heart issues and kidney issues. This is a commonly used asthma drug.

CHAIRPERSON DAVIS: [Inaudible].

MS. PATRICIA EDMONSON: Okay? One of the resulting respiratory diseases that can come from bleach being released into the air. This costs \$420 for a person who has.., a month, for a person who has insurance. Please listen to your citizens. We are all elected officials. It is incumbent upon us, we work for the people that elected us. Please listen to your citizens. They are crying out to you to do the right thing. It's not worth it for 25 jobs. The long-term health effects, the long-term negative impact on your environment, are not worth 25 jobs.

I applaud Odyssey for hiring that young man who had limited opportunities, that's wonderful. But, as elected officials, you can create those opportunities elsewhere. Please listen to your citizens.

Also, I want to speak on behalf of Rabbi Barry Silver who is also an environmental attorney. He wanted me to let you know that he will file suit against you if you go forward with this plan, backing up Mayor Master's position.

Thank you so much for the opportunity to speak with you this evening.

CHAIRPERSON DAVIS: [Inaudible].

[Audience clapping]

CHAIRPERSON DAVIS: Wesley Shuler.

MR. W. SHULER: How ya doin'? Wesley Shuler, 1859 North Congress Avenue.

I went to the site, visited the site myself. I did not get no feedback from being by the tanks, the smell or nothin'. And, from.., since then, I hired two people, out of Stonybrooks with a criminal record. Nobody out of Stonybrooks is gettin' hired from nobody and it's mighty funny that everybody doin' all this talking but no action and not doing nothin'. This man, Mr. Pat and, for one, I'm not getting paid. Mr. Pat ain't pay me to come up here and I ain't get sold out to come up here and speak. I don't need the money, I got plenty work. I got work'll take me all the way to two more years from now, so I don't need people saying that I got sold out 'cause I don't.., I, I ain't get sold out by nobody. And for two, it's mighty funny that people with criminal records is not getting hired. This man is willing to give the City a opportunity to feedback to the community and give back to the community. And not only that, he did something that's out of nowhere that the community needed help with, with they City, with the water. This man helped ya'll and they denied trying to get him to come into the City. That is mighty funny. And not only that, people are coming to the mic saying all this different stuff, it's not true. They needed, they needed to know the facts, they shoulda went to Tampa theyself.

[Inaudible audience comments]

MR. W. SHULER: He invited them to go to the site twice.

CHAIRPERSON DAVIS: Excuse me, excuse me, excuse me. Let's respect the speaker. Sir, you have your timeframe. If anybody wanna speak, speak to public comment card.

MR. W. SHULER: And after that, I, I think this project do need to get approved but it's mighty funny that this project, that just that lot alone, done had issues by itself. And Planning Review Board, if they wanted to do they job, they shoulda been doing they job. Certain things and projects come through here, they're approved. Certain projects that they wanna get approved, they deny it. I understand about the health but there's a lot of stuff... [Stammer], what, what about the gas stations that they just built, the Wawa? That's close. What about other projects that's close to [inaudible] and to houses and stuff. But ain't nobody saying nothin' about that. Gas stations is worsen than the bleach. What they need to do something else, they need to know they facts.

Thank you.

CHAIRPERSON DAVIS: Alright. Thank you for your comment.

[Audience clapping]

CHAIRPERSON DAVIS: Le'.., le'.., before I move further, I just wanna say listen, this is obviously a hot topic. And we all just must respect each other's opinion but let's, let's respect the time 'cause each person has three minutes and we just wanna respect that

so we can move through the meeting. So, whether we disagree or not, let's respect the three minutes of each other. Can we all do that?

UNK. AUDIENCE: Yes.

CHAIRPERSON DAVIS: That's all I ask. Ms. Maria Zwicver. I can spell it right but... I'm struggling [chuckle] with the pronunciation. Maria is the first name. Marie? Marie? She's not here. Okay. She was up front earlier. Nah, that's not your last name.

[Inaudible audience comment]

CHAIRPERSON DAVIS: Okay. Well, I'll hold the card just in case she stepped out for a minute.

[Inaudible audience comment]

CHAIRPERSON DAVIS: Lieb'..., Liebian...

COUNCILPERSON DAVIS JOHNSON: Lidian.

CHAIRPERSON DAVIS: Who?

COUNCILPERSON DAVIS JOHNSON: Lidian? Oh no?

CHAIRPERSON DAVIS: No, that's...

COUNCILPERSON DAVIS JOHNSON: It's not Lidian.

CHAIRPERSON DAVIS: S is the first initial.

COUNCILPERSON DAVIS JOHNSON: [Inaudible].

[Inaudible audience comment]

CHAIRPERSON DAVIS: Last name, sir.

SAMPSON: [Inaudible].

CHAIRPERSON DAVIS: You the man.

[Chuckles]

UNK: Who?

COUNCILPERSON DAVIS JOHNSON: How do you say that name again?

CHAIRPERSON DAVIS: Say your last name again.

SAMPSON: [Inaudible]. The K is silent.

CHAIRPERSON DAVIS: Okay. Alright. [Chuckle].

SAMPSON: Good evening, Council. My name is Sampson [inaudible]. I'm the Co-Chair of the Palm Beach County Green Party and I'd like to speak a little bit on what I've heard today.

The gentleman spoke earlier and gave the presentation showing us their record of safety, how willing they were to hire from the community but a couple things that they said concerned me. First of all, he warned the public about going to the internet. I was worried that he's gonna start talking next about fake news so I went to the internet. The first frame that he showed, showed the gift they'd given to the City of the, uh, the chemical that they're planning to store and it had a big number on the side that said 17-91. So, I went to the internet and looked up 17-91 and found some information on the cdc.gov, the Center for Disease Control. Now, the gentleman pointed out the fact that sodium chlorite, this chemical we're talking about is not chlorine gas and it is not combustible and the CDC agrees but it also says if the substance decomposes on heating and on contact with light to produce toxic and corrosive gases, including chlorine. The substance is a strong oxidant, reacts violently with combustible and [inaudible] materials causing fire and ex'., and explosion hazard.

He also spoke about the safety of his, of his organization and how they, they go through great efforts to make sure that such things won't happen. The thing is, that this is a distribution center which means there'll be trains and trucks coming in and out of this place and I have yet to hear him say about how safe those things can be concerned. So, I looked further and went to the Department of Transportation, also on the internet. I know the internet can't be trusted but maybe the DOT can be trusted. According to the DOT, if a tank railcar or tank truck is involved in a fire, isolate for 800 meters, half a mile. And also to be considered, initial evacuation for 800 meters, half a mile in all directions. I felt that it was kinda disingenuous to put forth this information, these half truths about how this is not chlorine gas and it's not combustible in the state it's in but if it, if it becomes heated, it immediately becomes chlorine gas, it immediately becomes combustible. He talked about how safe he can be but he can't really talk about the fact that you'll be increasing traffic of trucks and tankers coming in and out of your neighborhoods, that if they fall over and exposed to light or heat, will, will release a toxic plume that will cause you to have to evacuate your children, your neighbor, the elderly, the VA Hospital around the corner, a half a mile in every direction.

I just wanted to add that information to the, to the record and into the conversation and I thank you, respectfully, for your time.

CHAIRPERSON DAVIS: Thank you, sir.

[Audience clapping]

CHAIRPERSON DAVIS: Next, we have Mr. Rafael Tyburan. I hope I got that right. Mr. Rafael.

[Inaudible dais background comment]

MR. R. TYBURAN: Good evening, Members of the Council. You have a very difficult job and I appreciate the hot seat you're in. You have to decide between economics, on the one hand and safety on the other. How are you gonna make this decision? What principle will guide you? May I suggest the Golden Rule which says, 'Do unto others as you would have them do unto you.' Do not put burdens on other people that you will not put on yourself or, for the positively, only put a burden on someone that you will accept yourself. 800 meters, will you and your spouse and your children and your pet cat and dog and parakeet and canary reside within 800 meters of this plant? Will the people who run the plant reside within 800 meters? That will give them some credibility in case there is a liability because then, at least, they can say, 'Well, we were with you. We, we believed in, in our safety record enough to actually live next to the plant.'

When they write the second volume of this book called, 'Pioneers in Paradise: West Palm Beach, the First 110 Years,' what are they gonna say about you? You're either gonna come out smelling like a rose, because you promoted Riviera Beach as, 'The best waterfront community in which to work, play and live,' or you're gonna smell like something else.

[Inaudible audience background comments]

MR. R. TYBURAN: I, I wish you good luck in your decision.

CHAIRPERSON DAVIS: Thank you, sir.

[Audience clapping]

CHAIRPERSON DAVIS: Mr. Andrew Byrd.

UNK. AUDIENCE: He, he had to step out for a minute. He'll be right back.

CHAIRPERSON DAVIS: I can, I can listen to you. [Chuckle]. That's his wife.

MR. A. BYRD: Andrew Byrd, 764 West 5th Street, Riviera Beach.

Known Mr. Brown all my life so I know he can take some of this stuff we're dishin' out on him. Everything's cool.

Back in the day, Solitron was the producer of an electronic device that was used in the patriot missile. That's when Iran was shootin' scuds over.., on Israel and Riviera Beach was producing the control system that shot 'em down before they hit and killed people. Well, Mr. Brown over here, he was left with the fallout, the pollution. He had to dig it up and get rid of it. You know, I could talk a long time about this bleach problem but I think I.., I think he did a good job digging up pollution and get' rid of it. A lot of people still died as a consequence of water pollution. The aquifer got polluted from Solitron, from making those chips. Well, right now, we're talking about something that has a federal code on it. Back then, they didn't know that the photoresist, that you make those microchips from, will kill people. You all know people that have died that lived close to Solitron as a result of those chemicals. It effected their kidneys and

they're already gone. But there's a direct relationship between that chip, that war, that pollution. And, Mr. Brown here, had to go through hell to get the federal government to dig up the sand and get it all outta here. We don't really wanna be dealing with another project like this again.

Now, I know Mr. Brown has his job to do now, that was ages ago but still, he knows that fight. I know him, we all know each other. We gotta do the right thing and I'm here to appeal to all of you just to say no to this project. This one is one we gotta let slide. Now, it coulda gone out west. I don't know why it didn't. I know there's politics or whatever involved but it should've. Maybe people would've enjoyed working out there. Maybe it still can, I don't know. I just know the Planning & Zoning Board said no, period. It was four to zero. So, I think I'll stop there. I don't, I don't see any reason for us to consider again. We worked on this thing now for weeks, ever since December..., ever since before December doing research and so we know just what that 17-91 means on the side of those tanks. It will kill you.

[Beep]

MR. A. BYRD: If a truck flips, that stuff forms a plume and that plume does co'..., contain chlorine and people will die.

Thank you very much.

CHAIRPERSON DAVIS: Thank you, Mr. Byrd.

[Audience clapping]

CHAIRPERSON DAVIS: Mr., now Ms. Byrd. Ms. [stammer], Marina, correct?

MS. M. BYRD: Yes.

CHAIRPERSON DAVIS: Okay. Alright.

MS. M. BYRD: Good evening, Council.

CHAIRPERSON DAVIS: How ya doin'?

MS. M. BYRD: Good. There are a few things, before talking about the bleach itself, that bother me about how this project came about, how it came into the public eye, um, that I just wanted to quickly say. I was reading the traffic analysis study and it said that in August, the plan was to manufacture bleach, at this site. That's something that I wa'..., hadn't been aware of but it's in, it's in the report, in the traffic analysis. So, that concerns me. It also concerns me that doing such a..., dealing with such a hazardous chemical, on such a large scale and [pause], not having done a safety study from the start and not having requested the community's input very rigorously from the start, makes me feel like... And, and then plus, trying to quietly pass it in the week before Christmas, that gave me a terrible feeling about how this all came to light to most of us. So, that's, that's one thing.

The bleach itself, is extremely volatile. It decomposes from the, from as soon as it's made, it starts to decompose, the decomposing process. And what that means is, as it's affected by warmth, heat, light and other, and other possible things, it will evaporate into chlorine gas. So, for the study to say that liquid bleach is safe and it doesn't pose a risk to the residents and the neighborhoods it doesn't make sense because we all know that when we smell bleach, that's because it's evaporating and what we smell is the gas. So, in the summertime, our roads are very hot. They, they can be 120, 130 degrees. There are going to be 48 tanker truck trips in and out of that facility every day, carrying.., loaded with blea'.., gallons and gallons of bleach. If there's a car accident or a rail accident collision with that truck, there's going to be a plume of chlorine that is deadly. And it's of great concern. And that hasn't been raised. In the safety.., Environmental Safety Study, they say that residents won't be affected. Well, as soon as there's that kind of an accident, a great deal of resi'.., residents are going to be extremely affected.

And, there's another thing that hasn't been addressed...

[Beep]

MS. M. BYRD: ...the safety of going in and out the ingress and egress. It has not been addressed. It.., there is not a legal way to go left when you.., to, to go west when you leave the property. So, there will be people making illegal turns, left turns to go west, truck drivers, at some point, which increases the risk of traffic accidents. And we know that this happened already on Singer Island at the main entrance to the Ocean Mall where this was, this was stated but it was ignored and eventually DOT had to come in and put concrete poles there because there were so many illegal left turns made.

CHAIRPERSON DAVIS: Thank you.

MS. M. BYRD: Thank you.

CHAIRPERSON DAVIS: Thank you, Ms. Byrd.

[Audience clapping]

CHAIRPERSON DAVIS: Mr. Anthony Williams. [Pause]. Mr. Anthony Williams.

MR. A. WILLIAMS: Good evening.

CHAIRPERSON DAVIS: Good evening, sir.

MR. A. WILLIAMS: I'm Anthony Williams. I live at 2518 Timber Run North, Riviera Beach. Lived here all my life. Um, I don't wanna offend some people. But, one thing I can say, you can please some of the people some of the time but you're not gonna please all the people all the time. I understand your concerns. Unfortunately, I have to use one word and that word would be ignorance. And the word ignorance means lack of knowledge or information. I hear everybody's concern. I'm a electrical contractor. You wanna be concerned about something that happens to you every day, take a look

at the house that you live in. Take a look at the panel that's in your home, see if it's FPE, see if it's a fuse box. Your children deal with electrical every day. Every day we make things to make it safer but none of you comply with that, none of you come out and change the things in your house to make it safer for your children. But yet, you complain about a plant that you really don't have any factual basis on. You don't have enough information, know the information. Sure enough, all the things that you've looked up are true but if you're gonna point your finger at things, you're gonna be pointing your finger at everything in Riviera Beach starting from Tropical. What does Tropical bring in every day? You have no knowledge. They bring in chemicals, explosives, anything that needs to go from West Palm Beach to Miami to wherever it's distributed to. It comes through here. And you have no idea, it's out of sight, out of mind.

You're not..., and, these things, for instance, dangers. Alright? You're talking about bleach. Home Depot. Look at Home Depot, go in the chemical departments. What would happen if that building caught fire? Those same chemicals would explode and cause the same problems that you already worried about or that you think you're worried about but you live amongst 'em every day. If your house was to catch on fire, the same chemical, just a can of paint, explodes. A ordinary spray can of paint will explode and cause catastrophic damage in your house. And if you're around it, it will kill you. A lot of things will kill you, a lot of things are unsafe but we do have common sense measures. We put them in a, into place every day. This facility has those things because they're basically warranty and governed by what we have, plan review. They look and make sure that it is safe. Our inspectors that come out, they look at these buildings and make sure they meet those regulations and that they are safe. Even as a electrical contractor, my insurance, my liability and my experience makes sure that I wire your homes and your buildings safe.

[Beep]

MR. A. WILLIAMS: But, they still send out a City inspector to make sure that I am complying.

I'm not just throwing something at you. The main thing you gotta understand is, it's zoned for that.

CHAIRPERSON DAVIS: Thank you, Mr. Williams. Ms....

[Audience clapping]

CHAIRPERSON DAVIS: Ms..., um, Ms..., is it Carlene Ponder? Do I have that correct?

MS. C. PONDER: [Inaudible].

CHAIRPERSON DAVIS: Take your time. We'll, we'll wait on you. We ain't in no rush.

[Inaudible background comments]

MS. C. PONDER: Carlene Ponder, 657 West 10th Street, Riviera Beach.

CHAIRPERSON DAVIS: Excuse me, Ms..., Ms. Ponder' fittin' to speak, let her speak. Thank you, Ms. Ponder.

MS. C. PONDER: 657 West 10th Street, Riviera Beach.

I was one of the lucky ones to visit the pa'..., the plant. We were there for hours, we..., I went over to, uh, we went over the facility with, you know, the, um, Mr. Pat back there, he showed us everything, I went in the monitoring office, room where they monitor the equipments. I saw what they were doing, it's monitored 24/7. We were out there for hours, I did not smell any bleach. My eyes didn't burn like some people say it'll burn your eyes. And all I could say is, I'm for it because if we don't do something about this water, we're gonna be another Flint, in years to come.

That's all I gotta say.

[Audience clapping]

CHAIRPERSON DAVIS: Dozier, is it Ashanti? Do I have that correct? Ashanti Dozier? I could be saying it wrong so, I'll hold this card just in case I don't [chuckle]. Okay. Ms. Sarah Steiner. [Pause]. S-T-E-I-N-E-R. Are you Ms. Steiner? [Pause]. Steiner? [Stammer] I ain't gonna say it no more 'cause I keep changing it. Please, I'll let you say it for the record.

MS. S. STEINER: Hi. I'm Sarah Echo Steiner.

CHAIRPERSON DAVIS: [Inaudible].

MS. S. STEINER: 432 North D Street, Lake Worth, Florida. I'm the secretary at the Palm Beach County Green Party. Thank you for having us here tonight.

These are dark times for American politics. They're bleak times for the globe, for her waters, for her soil, for her people. Tonight, a few people hold a responsibility to make a decision for the entire community, for its air and for its water. I'm here to encourage you, the City Commission to be the heroes that this world so desperately needs. I ask you to vote no on the proposed plant, to vote resoundly no. The risk here outweigh the benefits. 25 or so jobs? And what kind of jobs? Jobs working with a hazardous materials? That's not progress, that's not the kind of economic growth and opportunity that this community needs. That's the growth and risk. Some may argue that this project will bring an increased property tax revenues but what do you think will be the effect on the surrounding properties? Particularly of the nearby residences. No one calls their local realtor requesting a home or an apartment close to water, near good schools and, 'Oh, by the way, we wanna be close to the bleach plant.' It doesn't happen.

So tonight, I appeal to you, on my behalf, on behalf of the Green Party, on behalf of the community, on behalf of the air and the water. I appeal to you to be our heroes,

to carry the voice of this room, the trees, the air and the water and the people of the community that did not have the boundless resources to fill a van of your residents and take them on a tour to show them what the worst case scenario would be. We depend on you. You are our resource, make us proud of our government again. You can be the hero.

CHAIRPERSON DAVIS: Thank you.

[Audience clapping]

CHAIRPERSON DAVIS: Ms. Bonnie Larson. Ms. Bonnie Larson, I know she's here.

[Inaudible audience comment]

CHAIRPERSON DAVIS: That's right. You're in a different spot this time but I know you somewhere.

MS. B. LARSON: And you could pronounce it.

CHAIRPERSON DAVIS: [Chuckle].

MS. B. LARSON: This, um, I'm not gonna call it an opportunity, this situation has been vetted several times. It's been to the P&Z and it's actually a place where they have sort of a dress rehearsal. They tell you about the..., what they wanna put in the City and the [stammer] citizens and the P&Z voice their questions and objections. So, it's like a, like a dress rehearsal. The first time this was at the P&Z, it involved a manufacturing plant right in the middle of the property. Bottling, they said. The second time it came back to the P&Z, very surprisingly, that little section had been removed. P&Z didn't even know about it to ask what happened. Odyssey, they were truthful. They said that manufacturing plant in the middle of the property was like a sticking point, people really didn't like that.

[Audience chuckle]

MS. B. LARSON: So this time, we took it out because, not that we're never gonna do it, but we took it out because that's in Phase 2 so we just wanna get Phase 1 passed through. Don't worry, that Phase 2 is coming back. They took it out because they know that was a sticking point. [Clears throat]. Excuse me.

UNK: You can [inaudible].

MS. B. LARSON: They have an extra space at the, the far side of their property. What do they wanna put there? They wanna dump broken concrete there. Think about the noise of that, think about the, uh, the, the dust and everything from that, all, all hours of the morning and night. They're just gonna use that temporarily. Who knows, maybe they're gonna wanna bring in another 20 tanks and put there.

They had an expert witness and he's here tonight, he said somebody brought up,

you know, this is a liquid but it can turn into a gas. He said, 'No, no, no. Not to worry because that liquid has to be at a boiling point, 92 degrees, to turn into a gas. And, Riviera Beach has an average temperature of 75.' So, not to worry about it.

[Inaudible audience comment]

MS. B. LARSON: This degrades when there's heat and light. What do we have in all of Florida? Heat and light. Big problem, big problem.

Jobs and stuff. Of course they're gonna use Home Depot and whatever they have to, it's cheaper for them. Of course they don't want to, uh, truck it over from Tampa, it's cheaper for them. They mentioned all these things. They are being honest about certain things. Now, what you have to decide tonight, one of the things is, this is an exception. They're asking for an exception because it's not just something that would pass through automatically. My question to you is, to allow them to have this special exemption, are 30 trees and an 8' wall, is that good enough for you, to grant this exception to them? Wouldn't be good enough for me. So, the Community Development has said okay...

[Beep]

MS. B. LARSON: ...it's up to you to decide, not Community Development if that passes the exception tests. 30 trees and a wall? No way. Thank you.

[Audience clapping]

CHAIRPERSON DAVIS: Ms. Tina White. She's here, I saw her just a minute ago.

MS. T. WHITE: Good evening.

CHAIRPERSON DAVIS: Good evening.

MS. T. WHITE: Tina White, 808 West 1st Street, homestead property owner.

I am asking the Council to unanimously vote no on this project. And I'm gonna give you some legal reasons why you can vote no. In the Site Plan package, there is a land use application and on that land use application, Odyssey stated that the owners of the property was Trademark Metal Recycling Company. A Trademark attorney came up here and verified that they are still the owners of the property and that was signed January the 3rd, 2017. There is a document called the Agent Authorization form which Mr. McCoy was correct, was not loaded into the Site Plan but Mr. Gagnon sent it to me this afternoon. I had made a public records request. And it's dated August, 2016. That is an authorization form in which Odyssey had stated that they are the owners of the property and their agent of record is Mr. Granberry. That is a form that had to be notarized, it is a sworn affidavit and that is a fraudulent document because, as we now know by the disclosure of Trademark attorney, that the property is still owned by Trademark. You cannot give a verbal authorization. Our Planning Department should have caught this, our Legal Department should've caught this, Mr. Brown should've

caught it on behalf of his client [chuckle] but the bottom line is, you have to realize that, if you have submitted fraudulent documents, this Board has a duty to reject the Site Plan. There's a reason for that agent authorization form because they don't own the property and in order for someone to submit your property for a site plan, the owner must agree to that, uh, stipulation. And we have a form in which must be notarized to that effect. You could call Mr. Gagnon back up and I think he will verify that this is accurate information.

So, if you're looking as the attorneys and Mr..., our own Attorney has tried to tell you that you have no choice but to approve this because it meets the Code. Anytime the word exception, if you look it up in the dictionary, it means it's not ordinary and customary and it means you have discretion to vote yes or to vote no. For our Attorney to tell you, you do not, that's absolutely absurd but he gives us some bad advice on other matters as well.

[Inaudible audience comments]

MS. T. WHITE: But I, I., it is important that you look at these documents and realize that Odyssey have fraudulently represented owning that property in their Site Plan dated August, 2016 and there's no...

[Beep]

MS. T. WHITE: ...other document to substitute that. Thank you.

CHAIRPERSON DAVIS: Alright.

[Audience applause]

CHAIRPERSON DAVIS: Mr. Edward Strick.

MR. E. STRICK: Alright. I'm Edward Strick. I'm a Co-Chair of the Green Party.

And, so far, you've heard enough comments that I would say no right now and not even continue. There's no point. But, if you want another reason, um, Riviera Beach has had a lot of problems in the past, Solitron with the water., you already have a power plant, you already have two incinerators, you already have Tropical and [inaudible], you already have so many toxic developments that why would you even consider adding another one? And then, at this magnitude? 320,000 gallons. So, if there's a hurricane, a fire, any kind of, of accident by train, by truck, you're just adding to an already, uh, there's already too much toxicity. There's already a high cancer rate and a high asthma rate so why would you even consider this?

Other than that, I think everything's been said. So, thank you.

CHAIRPERSON DAVIS: Thank you, sir.

[Audience clapping]

CHAIRPERSON DAVIS: Ms. Carol Strick. Ms. Carol? Where's she..., oh, there she is in the back over there. Yeah.

MS. C. STRICK: Thank you. This is a déjà vu of Riviera Beach Task Force. We won the Referendum, the people of Riviera Beach spoke, no big boats, keep Newcomb Hall, keep Spanish Court. What happened? These corporate men come in here and they chip away and chip away and chip away until they get their way. We..., in any other city and any other Referendum, the winner, whatever the winner wanted, is what's done. And, in our case, Newcomb Hall would've stayed, no big boats, that was one of Emma's things she wanted and the Marina was for the public. It didn't happen.

The same thing is happening now. The last meeting, people overwhelmingly did not want this, the Planning & Zoning Board overwhelmingly said no. What happened? We're back here, in the same scenario as the task force. Keep going, keep going until they get their way. Pay more people, spend more money, make more promises, this is ridiculous. It is completely polluted. How much more pollution can we contain? Go over to 45th Street to the Public Health any morning and see how many mothers are sitting with young children coughing, sick, respiratory infections. It would really break your heart to see what's going on here. And people are acting like that's..., doesn't even count. We have to consider that we can't really contain any more pollution in this area. Period. We're..., I live 10 minutes from here and every morning, I said this before, open the door, there comes the smell of the garbage wafting through. I remember when the FWA swore up and down, this is the cleanest garbage, people are coming from all over the world to see this incinerator. What a joke that turned out to be. That's one more joke coming up the pike.

Say no.

[Audience clapping]

CHAIRPERSON DAVIS: Mr....

UNK. AUDIENCE: Wow.

CHAIRPERSON DAVIS: Mr. Isaac Searcy.

MR. I. SEARCY: Good evening. Isaac Searcy, 2800 North Ocean Drive, Singer Island, Florida.

I just come as a citizen and just to share with you, I did have the opportunity to go to the Tampa site and I have no sweat in the game. It was just, for me, it was to gather information so that I would actually have the information and know what was actually being proposed. And, health concerns was my primary concern and what I listened to and what I saw at the site and what I hear from the, uh, from the experts is that the health concerns, standards, all the legitimate, standards are being met by this company. And I would just say, the issue appears to be that we are trying to create a resolut'..., a, a residential solution to an industrial zoned piece of property. That's where the issue lies. And it's because..., okay, the, the site itself is industrially zoned so

something is going to go at that site that's gonna be an industrial site. And what I would say is that, before we [stammer], I don't want us to miss an opportunity to place a really good company here. I know job concerns does not override health concerns but I would ask that people get..., that, that you really look at the, the true information and if you..., that, that being an industrial site and they're meeting all the standards, then the fact that they are a good company, what they have pledged and committed to, to do with jobs and with the people that they were hire..., that they would hire, that typically nobody is going to hire. Okay? And look long term because something is going to be placed at that site that is industrial. That's the issue. It..., there is going to be something there industrial. So, don't..., you don't wanna dismiss a good company. Okay? 'Cause all the companies that come in aren't necessarily good companies.

CHAIRPERSON DAVIS: [Inaudible].

MR. I. SEARCY: Okay. And I'm witness that they, they, they really run a top notch operation. So, I would ask that you really consider that fact. Okay? Which is why I, after having reviewed all that for myself, that's why I would say that they are somebody that you could move forward with. Thank you.

CHAIRPERSON DAVIS: Thank you, sir.

[Audience clapping]

CHAIRPERSON DAVIS: Mr. Terrance Coleman.

MR. T. COLEMAN: Ah, how everybody' doin'? My name is Terrance Coleman, 3160 H Avenue West, Riviera Beach, Florida.

I also had a chance to visit the site and, um, this is my first time attending a meeting. It's kinda entertaining because it's not a lotta facts going around and if anybody woulda went, it woulda changed a lot of your point of view, if you'd'a went. And you guys keep speaking of danger, their job is to prevent danger and prevent bleach going within the atmosphere, whatever else. I work for the City of West Palm in water distribution and we deal with bleach and we pour bleach back into the water. So, for you to say that bleach is dangerous, we drink bleach every day. Rather you know it or not, we drink bleach every day.

Also, a lot of people come up here speaking would not be applying for these jobs that they are offering. So, you can rather care less but, for someone of, uh, the guy back there who spoke earlier and me, this would be a opportunity and I will like to see Odyssey come forth within Riviera. And I am rootin' for them and I hope they do get to build their site.

Thank you.

CHAIRPERSON DAVIS: Thank you, sir.

[Audience clapping]

UNK: That's right.

CHAIRPERSON DAVIS: Mr. Harry...

[Inaudible audience background comments]

CHAIRPERSON DAVIS: It begins with a T. I'll let you finish the rest.

MR. H. TANGALAKIS: That'd be me. [Chuckle].

CHAIRPERSON DAVIS: Tangalackou?

MR. H. TANGALAKIS: Yeah. Thank you. Harry Tangalakis. And, uh, I don't live in the City. [Stammer], I live in Fort Lauderdale, Florida. 5571 Bayview. I wanted to come because I was at the first hearing and, and I hear the same questions being asked again. So, who am I and why am I here? Yes. I have a financial incentive, I am the real estate broker who was hired to find a site for Odyssey. Now, all I wanna tell you is, the perimeters. People are saying, 'Why here?'

[Inaudible audience comments]

MR. H. TANGALAKIS: Well, the fact is, is that the FDOT track in the south three corridor is 81 miles long. My challenge, and what I was told from the beginning, on June 15, in [stammer], in June, 2015, was to find a site approximately three acres in size that could fit six rail cars on it, that is zoned for heavy industrial, that.., and, and also, that has a, a, an active CSX switch on it. Now, I've been in this business 35 years and I've worked with the CSX, I've worked with the FEC railroads. You know? I checked up and down the area I was told because we, [stammer] Odyssey looked at where their distribution point is.

CHAIRPERSON DAVIS: Sir, please speak...

MR. H. TANGALAKIS: ...and they, and they said it has to be within this area. Not this area, Riviera Beach but from, uh, Indiantown south to Fort Lauderdale. I looked at every site, every possible site. Mr. Allman walked the tracks because he thought I was missing opportunities. I spoke to the people at CSX. There was.., I heard somebody say somewhere we got turned down at West Palm Beach, we got turned down. That was nonsense. So, but the fact is...

CHAIRPERSON DAVIS: [Inaudible].

MR. H. TANGALAKIS: ...is that the reason we're here, is that this is the only location that has the rail, that has an active spur, that they were able to go on. Not only that, I can tell you that the site is bigger than they even wanted to buy. They're, they're stepping up to buy the site only because it's the only one that works. So, you know, I just wanna set the record straight. They never told me to go into a neighborhood, you know, and, and [stammer], honestly, hurt black people and go to a black neighborhood. That wasn't it. You know, it's, it's clearly a matter of finding this piece of property, this is

what came up.

And I just wanted to, you know, pass that along because, um, it's the truth.

CHAIRPERSON DAVIS: Thank you, sir. My next person will be Ms. Leddyon Weathersbee.

MS. L. WEATHERSBEE: Hello. Good evening.

CHAIRPERSON DAVIS: Good evening.

MS. L. WEATHERSBEE: Mayor and the Council Bo'.., Members. My name is Leddyon Weathersbee. I do not live in Riviera Beach but I do receive the City of Riviera Beach water.

I had the opportunity to go to Tampa. I think it was January 27th. I wasn't sure but if anybody knows me, and the ones that do or don't, I'm pretty s'.., I'm, I'm really sad. I'm gonna back it up. I wanna apologize to you all on the panel for the people that.., saying remarks that.., about getting rid of you all. I know the God upstairs. He looks, he looks down, he's.., he knows everything. He will not let it happen if you do what's right. So, don't be threatened about that and I do apologize on behalf of that. And it saddens me to hear us here, fighting, over and over about something. That doesn't make any sense. Let's do the right thing. I went on that trip and I asked a lotta questions, I looked at [stammer] lotta things and, um, I didn't see anything. I.., it was gonna be a replica that's coming here, to the City of Riviera Beach. I'm trying not to cry, I'm sad. Every day we get up, our life is in danger. Hurricanes come, tornadoes done came over here and all these other things that could be damaging, like the young man said about the electric.., electrical. Every day, we don't know if our house, we'll go to sleep at night, we don't know if we're gonna wake up in the morning. We in danger on everything that we go through. Then we sit here and say all of this and then we got so many things are going on in the City of Riviera Beach, in all these cities and you don't come out fighting real hard to get rid of all that. But today, you're all here fighting. Come on now, we gotta do better. And I ho'.., my, my.., I'm sad. I'm really, really sad when we s'.., we s'.., fightin' against each other. And not doing the right thing. And I do apologize to each and every one of you all if someone bullied you and say that. And it's.., if they think that they're gonna get away with it, I'll be out there challenging for you all too. I have family and friends too and I love the Lord, He loves me.

And that's all I have to say. And I'mma approve.., I want [inaudible] approve this. And I don't have no ties with anybody, but the Lord. Thank you.

CHAIRPERSON DAVIS: Thank you for being positive.

[Audience clapping]

CHAIRPERSON DAVIS: Mr. Reverend Burrs. He's gone, right?

CITY ATTORNEY DEGRAFFENREIDT: Reverend Burrs indicated he...

UNK. AUDIENCE: No, he's not. [Inaudible]...

CITY ATTORNEY DEGRAFFENREIDT: ...did not wanna speak.

CHAIRPERSON DAVIS: I wanna make sure 'cause he had, like, three cards. [Chuckle].

UNK. AUDIENCE: Rev, go ahead Rev.

CHAIRPERSON DAVIS: Okay. Ms. Bessie Brown.

UNK: [Inaudible].

CHAIRPERSON DAVIS: Oh, he is coming. I know Mr. Burrs, he..., [inaudible] time, he just spur up.

REV. BURRS: Mr. Chairman, Council and Mayor. Listening to all the comments that the people are concerned about, this project coming to Riviera Beach, I'm sure that the peoples do have some concerns and I, and I would hate to be in your shoes at this particular time.

I was listening at the gentleman giving the presentation and people saying about how, uh, how safe their project is and I was looking at this program here, this Agenda, where you got eight tanks with 40,000 gallons. You're talking about three hundred and twenty some thousand gallons of, of chemical. I'm not a chemist but [stammer]... Someone [inaudible] said that you got to make a decision one way or the other and, uh, the peoples..., it seem like a majority of the peoples don't want it and I guess you got to go with the, with the best decision that gonna please the people. And you can't please everybody.

But, uh, when the..., when you're talkin' about..., people sayin' bleach... I don't know. But they says it's not hazard, why don't they take a sip of it and come prove to me it's not hazard.

[Inaudible audience comments]

REV. BURRS: Now, that's the only way [inaudible] prove to me [inaudible] not hazard, then come take a sip of it and then I know it's not hazard.

But the main concern, we talk about the jobs and not just with this company. Every company that come through this City, they promise jobs to the citizens of Riviera Beach. How do we know they have the citizen of Riviera Beach on the job? Nobody go' around and check 'em to see that they do have these jobs. So, uh, we think that, that, that we need to hold these people..., if, if ya'll are gonna bring 'em here, hold they' feet to the fire to make sure that they got citizens here to do these jobs. They talkin' about \$90,000? I got to see that to believe that part, if they're gonna be payin' that kind of money.

But, uh, act'.., if, if it's not hazard again... 'Cause I was [inaudible] again, I saw the presentation the gentleman was showing about these tankers bringing the chemicals in, I was wondering why is those tanks rusted on the back?

[Inaudible audience comment]

REV. BURRS: Now, I don't know but if those are chemicals that come in those tanks, why they got rusted? Somehow they must be contaminated by the chemicals for the, uh, for bring 'em in. So, if they're gonna bring the chemicals in, on tank and pumpin' in these, the [inaudible], what's sittin' there and then they gotta take it out of those things and either bottle it, however they're gonna get it to the stores, how can they bottle it.., bottle it or put it in the, in the boxes and the bottles over there and then bring it over here [stammer] and contribute it to the locations? I don't know. Maybe they can find some other safe way to do it.

Alright, and I, and I noticed another thing, they said they only takin' about three or four acres. Maybe they can go out west and find maybe some acres out there.

UNK. AUDIENCE: [Inaudible].

REV. BURRS: And, uh, put.., I don't know whether there're any, any suitable places out there or not but not too close to where I live at.

[Chuckles]

REV. BURRS: Anyway, so, uh, but they need to, you know, ya'll gotta, ya'll gotta...

[Inaudible audience comment]

REV. BURRS: ...a hard responsibility tonight. And if you do or if you don't, you know, there's the...

[Beep]

REV. BURRS: ...their side, our side and the right side. So, you have to make the right decision.

CHAIRPERSON DAVIS: Reverend Burrs, so you're saying far out west, not out west where you live at?

REV. BURRS: I beg your pardon?

CHAIRPERSON DAVIS: You said out west. You live out west.

REV. BURRS: I s'.., not [stammer], I said, now find a area out there.

CHAIRPERSON DAVIS: [Chuckle].

REV. BURRS: Somewhere where, you know...

CHAIRPERSON DAVIS: I was teasing, Rev.

MAYOR MASTERS: Not where you live.

REV. BURRS: Not where I live.

MAYOR MASTERS: [Chuckle].

CHAIRPERSON DAVIS: I, I, I was just teasing.

[Audience chuckles and clapping]

CHAIRPERSON DAVIS: Next, we're gonna have Mary Bram.

MS. M. BRAM: I'm not gonna labor here tonight. The question was asked, who was behind this? The paperwork that you all got up there, we went through this with the junkyard. The same tactics. The same schemin' and wheelin' and dealin'. Danny Jones and Cedrick Thomas, he had Cedrick Thomas to push the junkyard. Your letter here, that was written from Michael Brown here, that's in your package there, it has contact Danny Jones. Danny Jones and TD Davis, I describe this deal here, it's like a car dealership. The management being the dealer and the buyer being TD Davis.

UNK. AUDIENCE: Ooo.

MS. M. BRAM: And some other ills. Yeah, you've been shakin' 'em down. We know about it but your recall is on the board, baby.

CHAIRPERSON DAVIS: [Inaudible] talkin' 'bout?

MS. M. BRAM: In your package there, you have this here where it says, '17-91,' look at the pictures there. Every tank there has 17-91, which stands for fire and evacuation. We didn't establish it, it is established through.., the standards are noted from the emergency responder manual used throughout the United States. This is not no ordinary bleach. Stop saying that. This is sodium hydrochloric in its purity form. The plants, when you look at this from West Palm Beach... Read it Tonya. They had the bid order there, through your papers there. He lied. When he said there was twenty.., 20,000 gallons, it's 96,000 gallons. Eight tall tanks will go up into our City here and that equals 320,000 gallons. And they will exceed it because when they was fined, they exceeded that, why, why? Because they.., when EPA fined them, they exceeded what was noted. Yeah. Go ahead on and laugh 'cause it's not funny to us.

Trademark Metal, we established an overlay out west, out there. That's in your package too. We did this, we did this. And for you all to come and do this to us.., it's in your package. It's in your package. Now, if you don't put it out there where Turtle Cay, Lone Pine and all those.., [stammer] all of that community out there, do not do it to us. Don't do this to us. Ms. Bram and other residents, we say no. The wind blows from south and it comes east to west. You can't smell, you can't smell anything when you're dead.

[Chuckles]

MAYOR MASTERS: [Chuckle].

[Beep]

MS. M. BRAM: This is pollutant and we say no. What about the hurricanes?

CHAIRPERSON DAVIS: Thank you for...

MS. M. BRAM: They already...

CHAIRPERSON DAVIS: ... your comment.

MS. M. BRAM: ...said that they was gonna take the tanks back to Tampa. These are shakedown peoples. I got the record from [inaudible] Florida too.

CHAIRPERSON DAVIS: Thank you.

MS. M. BRAM: Yes.

CHAIRPERSON DAVIS: Thank you.

MS. M. BRAM: They.., they are shakedowns.

CHAIRPERSON DAVIS: Thank you for your comment. Your time is up.

MS. M. BRAM: Thank you.

CHAIRPERSON DAVIS: Um, just for the...

MS. M. BRAM: We're tired of this.

CHAIRPERSON DAVIS: ...record. I, I just gotta pause for a minute...

MS. M. BRAM: We're tired of this.

CHAIRPERSON DAVIS: ...because...

MS. M. BRAM: Yes, sir. Go ahead on.

CHAIRPERSON DAVIS: Like I stated earlier...

MS. M. BRAM: Go ahead...

CHAIRPERSON DAVIS: ...we have...

MS. M. BRAM: ...on.

CHAIRPERSON DAVIS: We have order.

MS. M. BRAM: Yes, you did.

CHAIRPERSON DAVIS: And...

[Inaudible background comment]

CHAIRPERSON DAVIS: ...we have our three minutes and, like I stated, whether we agree or disagree, well, no matter who comes to comment, we have to be professional. And we have to respect each other's opinion. But once you come to the microphone and accuse anybody, any of my colleagues...

MS. M. BRAM: [Inaudible].

CHAIRPERSON DAVIS: Excuse me, just for the record, I will ignore you out of respect but we had your three minutes.

MS. M. BRAM: Thank you.

CHAIRPERSON DAVIS: But please, do not accuse any elected official on this Board of being for the taking because I'll take that seriously personal because 4,904 people elected me in office because of my dignity. And if you got something to show that somehow, some crazy moon hit and I lost my mind and took, or did something, I would like to see it and I will step down today. And you can have this seat. Because I will not let you disrespect not me, you're disrespecting my grandmother, my grandfather, my mother, my father and my children because what I do today, I do it for them. So, Ms. Bram, I gave you respect, I let you say what you want but, Ms. Bram, do not disrespect my grandmother, my grandfather, my mother, my father, my children. So, please respect this meeting and the people in this room and I respect all of you, no matter how you feel about your position and I'm gonna treat you as such. But do not disrespect none of my colleagues or myself and accuse anyone of that serious accusation. I cannot allow that to go unchecked. 'Cause my legacy and my family's tied to that, and the City of Riviera Beach is tied to that. Thank you.

Now, we're gonna continue and conduct a professional meeting. Ms. Bessie Brown.

[Inaudible dais and audience background comments]

CHAIRPERSON DAVIS: Don't play with me. I don't play.

UNK: [Inaudible].

CHAIRPERSON DAVIS: [Inaudible].

[Inaudible dais comments]

MS. B. BROWN: Good evening. Bessie Brown.

CHAIRPERSON DAVIS: Good evening, ma'am.

MS. B. BROWN: I missed the, I missed the last meeting at the Planning & Zoning Board but I just had a few quick questions. They're proposing eight silos on our property. How many.., I just would like to know how many silos do they have over in Tampa? And then, um, over time, these, these chemicals can cause cancer. And, and, and they have said for years, that all of those power lines on, on 1st Street, [stammer] everybody's dead. Everybody's dead on 1st Street, that live there by, by those power lines. [Stammer] you, you need to think sometimes and listen to what people say because over time, this is what you, what you can get.

And how long has the plant in Tampa.., how, how many years has the plant been in Tampa? See? Nobo'.., no'.., nobody wants to answer that. Okay. [Chuckle]. And what.., and my question was, what kind of partnership were they gonna, um, do with Mary McLeod Bethune? You know, people come in here and say they're gonna do this and they're gonna do that...

UNK. AUDIENCE: Yeah.

MS. B. BROWN: ...[stammer], no, no, no explanation and nothin'. You know, we have to be bigger than that, and smarter than that. You know?

And the Planning & Zoning Board, I think said not in.., not by Stonybrook and not in the City. So, I was.., it's so surprising that our Council would come up here, with the Resolution and maybe you should start doing things by Ordinance, with first and second reading so that people can have their talk and not have to sit here all night. And you all have to sit here all night, on a, on a, on an issue, you know? You see, that's something, that, that was.., that's the purpose of the Ordinance, so you can have first and second reading and maybe you can come to some kinda decent conclusion. But, we don't want it. We don't want it here and we definitely don't want it by Stonybrook. And you already got the sewer scent down there.

UNK. AUDIENCE: Yeah.

MS. B. BROWN: You got the sewer scent, that's enough certain days of the week.

UNK. AUDIENCE: Yeah.

MS. B. BROWN: [Chuckle]. And the only other thing that I'd like to say is that Dy'.., Dyer Boulevard or Dyer Road is down there and it is.., and the railroad track is down there also but, you know, just.., it just does not necessarily have to be in Riviera Beach. It can be long.., as far as they want to to find it with some more property down there, you know, where the railroad track is but you all, you know... And, and then it's a special exception. You know, uh, this.., I'm lookin' at the s'.., the plan, it says it's zoned residential, um, industrial. First of all, you need to go back, we've had, we've had TMR and now we have Odyssey, you need to go back into these records and change the stuff because we don't want that kind of stuff by Stonybrook. And I will hope that some of those that really was tryin' to make sure that things are better in Stonybrook, vote no.

UNK. AUDIENCE: Yeah.

[Audience clapping]

CHAIRPERSON DAVIS: Thank you, Ms. Brown. Mr..., I'm trying to get this name correct. Mr. Pavol...

MR. P. PECENIK: Pecenik.

CHAIRPERSON DAVIS: Pecenik. I'll get it right the next time.

MR. P. PECENIK: Hello everyone. Thank you for...

CHAIRPERSON DAVIS: Hello. How you doin'?

MR. P. PECENIK: ...time today. My name's Pavol Plasenik. I live in, uh, 51550 NE Avenue, Fort Lauderdale, Florida.

I work for Odyssey company but nobody on the Odyssey team has asked me to come and speak to you today. I'm a chemical engineer trained by University of Florida. I am talking to you today to help you make the right decision. If you look at the formula of bleach, it's NaOCL. You have the sodium, you have the chlorine and you have the oxygen. If you look at your table salt you have at home, that's NaCL. So the only difference between NaCL, your salt at home...

CHAIRPERSON DAVIS: Mm.

MR. P. PECENIK: ...and NaOCL is the oxygen. So, the bleach is a very safe chemical. It's a matter of perspective looking at the fact that 95% of Florida municipalities have converted from chlorine gas to bleach. That says something. Chlorine gas is Cl₂. Chlorine gas in its natural state likes to be a gla'.., gas and float in the air. Chlorine gas is compressed and liquefied and, and put into big cylinders so that it's handled and brought to water and wastewater treatment plants and handled more conveniently and, and so that it can be condensed and put into water and.., so it can disinfect. Chlorine gas, when it's liquefied, by scientists it's referred to as liquid chlorine. It is very easy to confuse liquid bleach and call it liquid chlorine. When you put a explosive to a pressurized chlorine gas, that's, that's into a liquid and then you unpressurize it, then it wants to be free in the air and it will form a chlorine plume, a gas plume that will kill everybody in its path. So, if you put explosive device on a big chlorine tank, it will do that. If you put explosive on bleach, liquid bleach, it'll just spread a bunch of water and bleach everywhere because 10% chlorine.., 10% bleach, I'm sorry...

[Beep]

MR. P. PECENIK: ...is 10% bleach and the rest of the percent, the 90% is water. And that's why it won't catch on fire.

CHAIRPERSON DAVIS: Thank you.

MR. P. PECENIK: And that's why it won't explode.

CHAIRPERSON DAVIS: Thank you, sir.

MR. P. PECENIK: Thank you.

[Audience clapping and inaudible comments]

CHAIRPERSON DAVIS: We're gonna go, Ms., okay. M-I-R-K-A, is the first name. Mirka, is, is that correct?

[Inaudible audience comment]

CHAIRPERSON DAVIS: Last name?

MS. M. SZLEZAK: Szlesak.

CHAIRPERSON DAVIS: Szleneck.

MS. M. SZLEZAK: Szlezak.

CHAIRPERSON DAVIS: Szlezak, okay.

MS. M. SZLEZAK: Alright.

CHAIRPERSON DAVIS: I got that right the third time.

MS. M. SZLEZAK: Oh, thank you. Yeah. I live in [stammer] Riviera Beach and I noticed at 5:00 o'clock we were on the news, the protests against this, uh, environmental hazard which everybody here tells us that no experts..., experts are wrong and that the liquid bleach is safe and it's not hazard product as, as many experts before me said, it's 17-91 product. It is regulated, requires evacuation plan.

Anyhow, uh, nobody can compare one [stammer] you know, many speakers before me said, said so much. I just wonder how, uh, so, they have to show that it will do no harm to community'. I don't think that anybody can show that it will do no harm to community'. It's so clear. Actually, in other civilized countries, and probably in other civilized states, this would be no way that anything like this would be built near residential areas. Period. Not even the garbage dump which is now smelling all over. It's just..., just because we don't have regulations, it doesn't mean that, uh, I guess it puts pressure on our elected officials to watch the interest of the residents. The expert said, the water can be really polluted if there is accident, that's the problem. It's shouldn't be near residential areas. There are actually, in other places, they requirement how far it has to be away from residential areas. I don't think anybody [clears throat]... We were told that this is so safe and we can drink it and whatever. Somebody needs to look up facts and we had here ex'..., experts, ex'..., real experts.

And, I think it's time to.., I just don't know why it was not dead on arrival because like it just... Again, if gentleman would live next to it, I could.., I cannot imagine they would. Of course not. [Chuckle]. It's just.., we will be on the news again, obviously, because we were there at 5:00 o'clock and everybody's watching very closely. Who will win this time? Thank you.

CHAIRPERSON DAVIS: Thank you.

[Audience clapping]

CHAIRPERSON DAVIS: Ms. Wary Leonard. [Pause]. Ms. Wary Leonard. [Pause].

UNK: [Inaudible].

CHAIRPERSON DAVIS: She's coming.

MS. W. LEONARD: Good afternoon. Wary Leonard, 600 West Blue Heron Boulevard.

CHAIRPERSON DAVIS: Good afternoon.

MS. W. LEONARD: I went on the trip and I saw the site and it is well-maintained, well kept, you can see that the environmental issues are well up to date, the inside of their building is up to date, all the workers seem to be knowledgeable, from what we saw. You need.., what I do not think should come here is the bleach making, that should not be in a residential area. We did visit the, the bleach making facility but it was in only [stammer] industrial area. The plant where they store the bleach is in a, uh, a, a designated residential and industrial area but the making of the bleach was all industrial. So, I, I, I don't go along with puttin' the making of the bleach any place else. They have done everything FDOT have asked them to do, they have done everything FP&L have asked them to do, they have done everything that the City has requested them to do. If you do not want industrial next to a residential, you need to change the zoning.

[Inaudible audience comments]

MS. W. LEONARD: This is gonna come up every time someone want' to do something on that property as long as it is slated industrial but our problem not is that it's going to be grandfathered in on this company. So, now we are stuck because of grandfather clause. You could change the zoning but we are still stuck. And you're not.., you need to look also, not only in this area but the total City. While you are redoing the Charter for the City of Riviera Beach, look at all your zoning areas because this would not be the only area that we have this issue but I s'.., I am for the iss'.., I am for the project but I ask you to rezone it so if you don't decide to do it, we don't have this issue again. Thank you.

CHAIRPERSON DAVIS: Thank you.

[Audience clapping]

CHAIRPERSON DAVIS: Mr. Rodney Roberts. [Pause]. Mr. Rodney Roberts. Oh, there he go.

[Inaudible audience chatter]

MR. R. ROBERTS: Good evening.

CHAIRPERSON DAVIS: Good evening.

MR. R. ROBERTS: Rodney Roberts, 1581 West 14th Street, Federal Gardens, Federal Gardens.

Yes, I did go on the trip, you saw my picture, had to say something. I was kinda disappointed that, uh, I didn't see you all go on the trip or I didn't hear about you all going on the trip so I thought that that woulda been great for you all to go on the trip. Also, I don't know if you.., I don't.., I didn't hear of you sending anybody from, from the Riviera, like, from Riviera Beach as far as like officials or people that work for the City of Riviera Beach or, like, with our water or whatever 'cause they plan on selling the product to us, you know, to put inside of our water and selling it to, I guess, all the municipalities 'cause that's, that's their game, that's what they do, they're gonna sell it to the municipalities so that it can help, I guess, clean the water and make sure no bad things are inside the water.

The citizens, like, like the Brother McCray said, you're elected to be the voice of the people and the people have stood up tonight and said no, resoundingly. My only issue with the people that are saying no resoundingly, I think, maybe 98% of them didn't go on the trip either. So, it's kinda like how are you gonna talk about this if you... You can't intelligently talk about it when you didn't go and I'm not trynna offend anybody. I'm just saying, if you woulda went, then I could, you know, we could really talk about this 'cause I did go. I didn't see the dangers. I looked on the, the chemical symbol, I think it was, like, 1-0-0, you know, slightly harmful as far.., and, 0-Fire as far as being [stammer] flammable and whatever the letters stand for but tho'.., that's low as far as being dangerous.

People.., I keep hearing people talk about Stonybrook, Stonybrook, Stonybrook. Where are the people in Stonybrook? Like, do they not care about themselves? Why aren't they pouring in here and, you know, in an uproar about their.., it's gonna be right next to them. Again, I'm not trynna offend anybody, I'm just saying these are just the facts of the matter. Where are they? [Pause]. And, do we want something like this to be what, what Riviera Beach is molding into? Me personally, no. However, if we're not willing.., if, if the people are not s'... Like, where are all these people when it's time to say [stammer] what we wanna shape Riviera Beach into?

CHAIRPERSON DAVIS: Mhmm.

MR. R. ROBERTS: Whe'.., whe'.., where are.., they, they're not here.

CHAIRPERSON DAVIS: Yep.

MR. R. ROBERTS: And that's crazy. Like, why does it always have to be something that's dangerous? Where are your positive, you know, where's your vision?

CHAIRPERSON DAVIS: Mhmm.

MR. R. ROBERTS: 'Cause, apparently you see..., if, if you're disagreeing with this, then you see perishing. And I'm saying that you're perishing, we're perishing 'cause, when it's not something dangerous, ya'll not here, ya'll not speaking up for where we wanna take this City.

Blessings.

[Beep]

CHAIRPERSON DAVIS: Thank you, sir.

[Audience clapping]
CHAIRPERSON DAVIS: Thank you, thank you. The last card will be Ms. Elizabeth Robinson.

MAYOR MASTERS: Mr. Chairman, while he..., while she's coming up, I don't think Rodney was here earlier but we have a very powerful, very strong letter from Stonybrook, representing the residents of Stonybrook from their upper management.

CHAIRPERSON DAVIS: Yeah. But he's...

MAYOR MASTERS: It'll be read in the record so later.

CHAIRPERSON DAVIS: He was talking about the, the actual residents, not the...

MAYOR MASTERS: But it represents...

CHAIRPERSON DAVIS: ...property management.

MAYOR MASTERS: The letter said they're representing the residents.

CHAIRPERSON DAVIS: Yeah.

MAYOR MASTERS: But I'll read it, we'll read it.

CHAIRPERSON DAVIS: You see what they're doing to conditions. Go ahead.

MS. E. ROBINSON: Good evening. Elizabeth Robinson. I won't try and deal with the speakers before me, only I'll say, it's sort of sad when you ask the question and it's answered, you'll negate it if it's not what you want it to be. So. The truth was here, you had professionals that were paid by others to give you their professional opinion and you still said no. You have residents from the immediate area, Stonybrook itself, who came out and said, 'Please, I don't see a problem with it. I made the trip, I saw what happened and it is not a danger.' At some point, we have to stop allowing people

to frighten us to be who we are. We are leaders, we're innovators and we want our City to move forward.

This is a company, from my experience with them, and I took the trip, my experience is, it's a good partner. We have partners in our City who don't stand up, [chuckle], to the, to the test. This is a partner who has said, 'I'll do whatever it is you ask me to do and more.' They've done that. They went out of their way to educate us, which we often ask for. I asked that we educate people and educate ourselves. This company did that. What do you want? What is it that we need from a company that says tell me about you and they do, they gave us the truth. They broke it down for us. Bleach is a product that we all use in our homes. People have made the comparison to exploding this and explo'... How do you explode water? It's salt and water. It, it's salt and water. Look it up because I Googled it. I had questions so I made the Google. I decided I'm not gonna listen to everybody, I'm gonna do some research on my own. So, we talked about what happens if it explodes? It can't. It's not flammable. What happens if it spills? Well, it goes into the water basin. We use bleach to clean with.

We need to stop allowing people to frighten us into doing things that they think we oughta do. It's about time that we get proactive in our City and make some real changes for our residents. It's zoned industrial. Let's pick what we want to go into our City. Do we want good partners or do we want fly by night partners? Do we want partners with good EPA records or do we want partners that you can't find a record or you gotta go through here and there to find it? This company has outstanding records and a reputation. I support it, I support you. You have hard decisions, our residents came out and spoke. There were some who did not come out and speak but rest assure', there are those of us who want this to happen. We trust that you will make the right decision for us. We have people who really need employment.

[Beep]

MS. E. ROBINSON: We have an area that's zoned industrial and we would like to see you make that happen for us. Thank you.

CHAIRPERSON DAVIS: Thank you, Ms. Robinson.

[Audience clapping]

CHAIRPERSON DAVIS: That's, that's the end of public comment but before we go any further, Mr. Gagnon, I noticed there was one question that kept coming up and I just wanna get it out there before I... [Stammer], it is, could you please explain to the public, they kept saying, 'How this keep comin' up.' Explain the application process on how does it start and how does it get to us? 'Cause they're saying it, it shoulda never made it this far. Please explain that pro'.., that procedure for everyone.

ASST. COMMUNITY DEVELOPMENT DIRECTOR GAGNON: Yes, Chair. Also, before I answer that question, I did wanna make note that the City does have an agent authorization form on record. It was provided by Odyssey.

CHAIRPERSON DAVIS: Mhmm.

ASST. COMMUNITY DEVELOPMENT DIRECTOR GAGNON: So, if we don't have one from the current property owner, we will get that document so we'll have it for our file. Additionally, I also want to make note that Mr. Hillfiger is present tonight with ERMI. He helped prepare and author the environmental assessment that was provided, um, so we do have expertise in the audience as well. So, I just wanted to make note of both those things.

So, the, the site plan application process, it begins at a Staff level. There's a uniform land use application that's used by the City. It's a rather generic application that's used by almost any development proposal. That's submitted to Staff, it goes through a Staff review phase. Any sort of questions that are generated are answered by the applicant. Once those questions are answered, the project then will go to the Planning & Zoning Board for further review. The Planning & Zoning Board is an advisory board to the City Council so they are tasked with making a recommendation to Council and once the Planning & Zoning Board reviews the Item, it's presented to City Council for a final determination.

CHAIRPERSON DAVIS: So, once it gets through Planning & Zoning, can we just hold it up?

UNK: Mhmm.

ASST. COMMUNITY DEVELOPMENT DIRECTOR GAGNON: I would say...

CHAIRPERSON DAVIS: [Stammer], 'cause the residents keep stating that it shoulda never made it this far but when someone pay their money and make an application, we must follow our process. That's all I'm tryna find out.

ASST. COMMUNITY DEVELOPMENT DIRECTOR GAGNON: Right. I believe there's a legal process that needs to be followed and the applicant is entitled to a review of the documents as submitted.

CHAIRPERSON DAVIS: Thank you. Alright. Alright. I'mma gonna..., my colleagues got any questions, concerns? Anyone?

COUNCILPERSON PARDO: Comments.

CHAIRPERSON DAVIS: Comments or anything? Councilperson Pardo.

COUNCILPERSON PARDO: Okay. Well, I'll start off. So, I heard from several people who said the Council should have gone on the trip and, honestly, I don't know if any of the Council Members did go on the trip but I decided that I had no interest in going on the trip. I did my own research, I went to the Planning & Zoning meeting in December, the first meeting. I heard their presentation, I heard from the residents and, um, I think besides the Mayor..., well, the Mayor and I have been on this Council the longest, and I remember back in 2008, 2009, when TMR wanted to come into that site,

they purchased the site and they wanted to put a recycling center and the neighbors went wild. They did not want it. Stonybrook didn't want it, the neighbors across the street didn't want it. And the Council decided unanimously to say no and then we did an overlay out west for these recycling plants. I believe there was discussion about trying to do something on that land. Now..., and nothing ever came to fruition on it.

You know, tonight we heard from residents that live across the street in Harmony Heights and we heard from residents around the City and from residents outside of the City. Some residents decided to come and voice their opinion about what was going on here and I respect that. But what we didn't have tonight, we didn't have those little kids that are living in Stonybrook. Alright? And someone needs to stand up for them and I have been fighting locally and in Washington and we're finally getting traction and it is my hope that, one day, Stonybrook will be torn down and everyone that lives there will be relocated and then, turn Stonybrook into industrial whatever and then let something happen with the rest of that land.

I think it is disgraceful that someone from Tampa and, you know, hire someone locally who always preaches that he was born and raised here and how he loves the City and the children, would attempt to put something like this, right? Eight silos, 40,000 gallons, alright, of bleach, right next to Stonybrook in addition to the aggerates that they wanna bring in. And we heard at the Planning & Zoning meeting they would bring rock in by train and then they ha'..., would have equipment to take the rock off and then put it in piles. And then when someone needed the rock, they would come again with these, you know, machinery and then put it back on a machine. So, can you imagine all of the noise there? Now, it is ten..., 9:30 at night so, hopefully, those little children over in Stonybrook are in bed by now. Alright? But can you imagine if this occurs? Most kids should be in bed at 7:00 o'clock, right? And then, they would have to listen to all of this or outside playing. Alright? Bad enough they live over there and there's a wall already, right? They're surrounded by this wall. And now he's telling us, 'Alright. Well, we'll put another wall but we'll put some landscaping around it.' You know, where's the humanity?

UNK. AUDIENCE: [Inaudible].

COUNCILPERSON PARDO: You know, where's the dignity? You know, we talk about trying to raise up the community and [stammer], it starts with the children.

UNK. AUDIENCE: It does.

COUNCILPERSON PARDO: It starts with the children. And, you know, at this point, [stammer], we heard that, if we don't pass it, we may be involved in a lawsuit. Well, the City of Riviera Beach gets, you know, involved in lawsuits all the time. We get threatened...

[Audience applause]

COUNCILPERSON PARDO: No. But we..., we get threatened all the time. And, you know, at this point, I can't put profits in front of people. We, we just can't do that.

UNK. AUDIENCE: Thank you. [Clapping].

COUNCILPERSON PARDO: You know, we are...

[Audience clapping]

COUNCILPERSON PARDO: No. Seriously, I'm.., we just can't do it. We are better than this and if they wanted to go out west, go right ahead.

UNK. AUDIENCE: Yes.

COUNCILPERSON PARDO: But, like someone said, they're not gonna go out west because you know and I know what's gonna happen with Ibis.

UNK. AUDIENCE: That's right.

[Inaudible audience comment]

COUNCILPERSON PARDO: Look what's going on with, you know, they're trying to extend the road out there and they don't want it.

Alright, so, you know, I'm insulted that something like this would come into a community like ours, that has a federally subsidized housing project right next door. That's disgraceful.

UNK. AUDIENCE: Yeah.

COUNCILPERSON PARDO: And then, to have that neighborhood across the street, in addition to the park. Calloway Park is right across the street from there. Alright? The children in Stonybrook don't deserve it. And, they're not here tonight so I am their voice tonight and I am...

[Inaudible audience comments]

COUNCILPERSON PARDO: ...not going to.., I'm all about responsible development and this isn't it. I'm sorry...

[Inaudible audience comment and clapping]

COUNCILPERSON PARDO: ...but I can't do it.

[Audience applause and cheer]

CHAIR PRO TEM MILLER-ANDERSON: Anyone else?

UNK. AUDIENCE: Thank you.

COUNCILPERSON HUBBARD: Madam Chair?

CHAIR PRO TEM MILLER-ANDERSON: Yes.

COUNCILPERSON HUBBARD: The, um, the biggest concern is..., tonight, is the fact, simply, that the people don't want it. To determine how safe it is or unsafe it is for the community, everybody has given their opinion on that the professionals and the..., our people who have done their research and came up with their own ideas. For myself, in representing the community and the people, it's about what the, what the people want and the community, a vast number of the community, are well represented number of the community have simply stated that this isn't what they want and this isn't what they want to see in their community as far as businesses..., safe, safe businesses. I see the Green Party who were looking for more organic businesses, if you will, to, to come to the City of Riviera Beach.

So, that's, that's the big, that's the biggest deal when you are a elected official. You're representing a community, you're representing the desires and the wishes of the people. And if the people aren't comfortable with it, then that's, that's, that's the bottom line, is that the people aren't comfortable with it. So, to debate the toxicity of the, of the plant is not what, I think, we are here or charged with doing this evening.

[Audience applause]

COUNCILPERSON DAVIS JOHNSON: Madam Chair, I first would like to address a statement that was made during the City of Riviera Beach Zoning Board meeting on December 15th. Mr. Allman entered into the conversation a question that I asked with regards to a wall when, when he first came to me with the project and I think that my asking questions was not an indication that I was in full support of it, I was asking questions. And the way that it's intimated in the Minutes, suggests that you made those changes because of a question that I asked. It was simply a question because I did not have all of the factual information as it related to your company and I believe, in our conversation, I said to you, 'Please allow me to do my due diligence.' I did not have any further conversation with you beyond that meeting with the exception of you meeting me in the lobby handing me some additional documentation. So, for the record, I wanted to clarify that my statement, it was more of a question as it related to what the proposal was.

So, I needed to clear that up for the record [inaudible] because, as you..., if you read it in the Minutes, it appears as if, based on the way that you stated it, it was as if I had given the go ahead or had suggested that that wall was the deal breaker for me or, or something of the sort. So, I needed to make sure that that was clear.

Again, and, and then, and then additionally, as it relates to the number of cor'..., of correspondence that I've received either by telephone or email, it has been stated to me... You know, I, I have received emails and calls with regards to support but I've also received a number that outweighs that in..., not in support of it. And being the District representative, one of the questions that I ask Staff was, was there... Because Jeff Gagnon and I had a long conversation on a drive from Belle Glade, for me, with regards to this project. We talked about access to addition'..., acc'..., access to the rail out west.

Do you..., you don't remember having the conversation with me, Jeff?

[Inaudible comment]

COUNCILPERSON DAVIS JOHNSON: Jeff.

[Inaudible background comment]

COUNCILPERSON DAVIS JOHNSON: Jeff Gagnon?

ASST. COMMUNITY DEVELOPMENT DIRECTOR GAGNON: [Inaudible].

COUNCILPERSON DAVIS JOHNSON: You and I had a conversation. I was driving from Belle Glade and I spoke to you on my...

ASST. COMMUNITY DEVELOPMENT DIRECTOR GAGNON: [Inaudible] phone?

COUNCILPERSON DAVIS JOHNSON: Yes. On the phone.

ASST. COMMUNITY DEVELOPMENT DIRECTOR GAGNON: I wasn't...

CHAIRPERSON DAVIS: [Inaudible]...

ASST. COMMUNITY DEVELOPMENT DIRECTOR GAGNON: ...with you.

CHAIRPERSON DAVIS: ...in the car?

COUNCILPERSON DAVIS JOHNSON: No. You were not with me. We were on..., I was on the phone.

[Inaudible background comments]

COUNCILPERSON DAVIS JOHNSON: I said...

[Inaudible background comment]

COUNCILPERSON DAVIS JOHNSON: ...on my drive from Belle Glade.

[Inaudible background comment]

COUNCILPERSON DAVIS JOHNSON: Just to clarify.

ASST. COMMUNITY DEVELOPMENT DIRECTOR GAGNON: [Inaudible].

[Chuckles]

COUNCILPERSON DAVIS JOHNSON: No. You were not with me. [Laughter].

[Inaudible background comment]

MAYOR MASTERS: You did kinda say that.

[Laughter]

COUNCILPERSON DAVIS JOHNSON: Alright. Well [chuckle]...

CHAIRPERSON DAVIS: Hey Jeff, I understand, Jeff. ‘

COUNCILPERSON DAVIS JOHNSON: Okay.

CHAIRPERSON DAVIS: ‘Cause I thought the same thing.

COUNCILPERSON DAVIS JOHNSON: Well, let me say it this way...

[Inaudible background comment]

COUNCILPERSON DAVIS JOHNSON: ...I was on my way from Belle Glade and you and I had a telephone conversation.

[Inaudible background comments]

COUNCILPERSON DAVIS JOHNSON: Does that clear that up for you?

[Inaudible background]

COUNCILPERSON DAVIS JOHNSON: Okay. So, I, I was concerned being I had some questions for you, we talked about environmental racism, we talked about, uh, we talked about any other rail access, I asked about the rail access that goes out Haverhill to the western part of the City. If this were in some other place other than smack dab in the middle of a community, I could better understand but the placement of this particular plant makes the residents, the individuals, the citizens that we represent most uncomfortable. And we have to take that into consideration. And so, in, in, in moving forward, that is a part of the conversation for me with this.., with the constituents, with those that we represent, we have to, and I have always said, is it in the best interest of the City? Is it in the best interest of the citizens? Is it fiscally responsible? And at this particular point, it just does not seem to be for, um, for the benefit of those who have spoken and those in the silent majority that watch at home, that may not come out and voice their concerns. There is a concern about the placement. And if we could identify a spot.., and, and I don’t understand how there is no acreage out to the western part that accesses the rail that could potentially house this project.

But the bottom line here, you know, we’ve gotten information from the parties, we’ve received direction and instruction from the Attorney. You know? But, at what point do we stand in the gap for the people who cannot stand before you and make the decision on their own.

CHAIRPERSON DAVIS: You finished?

COUNCILPERSON DAVIS JOHNSON: I'm done.

CHAIRPERSON DAVIS: Thank you.

UNK. AUDIENCE: Oh yeah.

[Audience clapping]

CHAIRPERSON DAVIS: Any other comments...

CHAIR PRO TEM MILLER-ANDERSON: Yes.

CHAIRPERSON DAVIS: ...from my, from my colleagues? Vice Chair Miller-Anderson.

CHAIR PRO TEM MILLER-ANDERSON: Yes. Mr. Gagnon, can you come up to the mic for a minute? I wanted to ask you a question regarding the agent of record. [Pause]. I know you said that you had one on file from Odyssey but not from TMR. Um, did you know that already or it just kinda came to light tonight?

ASST. COMMUNITY DEVELOPMENT DIRECTOR GAGNON: Um, I received a phone call from a resident, a public records request in regards to the agent authorization form. So, at that point, I did realize that the agent authorization form was completed by Odyssey, naming Mr. Granberry as an agent. In my opinion, it, it was an oversight. I don't think there's anything malicious behind it. The application itself did have Trademark as the property owner of record so I think it was just oversight, unfortunately.

CHAIR PRO TEM MILLER-ANDERSON: Okay. So, the application itself is still valid considering the, um, agent of record was not..., I mean, the authorization form was not from TMR?

ASST. COMMUNITY DEVELOPMENT DIRECTOR GAGNON: At, at this point, my opinion is yes. We did have the legal firm representing the property owner here tonight speaking and...

CHAIR PRO TEM MILLER-ANDERSON: But by ve'..., it was a verbal, um...

ASST. COMMUNITY DEVELOPMENT DIRECTOR GAGNON: Th'..., that's...

CHAIR PRO TEM MILLER-ANDERSON: ...agreement.

ASST. COMMUNITY DEVELOPMENT DIRECTOR GAGNON: ...true. If [sigh]...

CHAIR PRO TEM MILLER-ANDERSON: Is that what we normally do?

ASST. COMMUNITY DEVELOPMENT DIRECTOR GAGNON: I don't wanna take full responsibility but I, I didn't notice that and I...

CHAIR PRO TEM MILLER-ANDERSON: Okay.

ASST. COMMUNITY DEVELOPMENT DIRECTOR GAGNON: ...didn't ask for a revised form. So, I guess I will take responsibility for that.

CHAIR PRO TEM MILLER-ANDERSON: Okay.

ASST. COMMUNITY DEVELOPMENT DIRECTOR GAGNON: Again, I don't think it was malicious...

CHAIR PRO TEM MILLER-ANDERSON: Right.

ASST. COMMUNITY DEVELOPMENT DIRECTOR GAGNON: ...by the applicant.

CHAIR PRO TEM MILLER-ANDERSON: Right, I understand.

ASST. COMMUNITY DEVELOPMENT DIRECTOR GAGNON: I think it was just missed.

CHAIR PRO TEM MILLER-ANDERSON: Okay. And then, um, I'm trying to see what I wrote here. My eyes are gettin' bad on me. I guess I'm over 40 now.

M, Uh oh.

CHAIR PRO TEM MILLER-ANDERSON: What about.., I think that's it for you. Oh, no, no. I'm sorry, here it is. When this was put onto the Agenda, how..., who authorized it to be put on the Agenda? Is it something that you said you wanted on the Agenda or was there someone that asked for it to be put on the Agenda or you come with recommendations? How does that work?

ASST. COMMUNITY DEVELOPMENT DIRECTOR GAGNON: So, so, placement on the Agenda goes through the executive office. There's a final approval in our online system.

CHAIR PRO TEM MILLER-ANDERSON: Mhmm.

ASST. COMMUNITY DEVELOPMENT DIRECTOR GAGNON: As the, the final say so, um..., however, it was kind of a natural flow of progression being that...

CHAIR PRO TEM MILLER-ANDERSON: Who has the final say so? For the A'..., to be placed on the Agenda?

ASST. COMMUNITY DEVELOPMENT DIRECTOR GAGNON: On the actual routing, you can see it goes interdepartmentally.

CHAIR PRO TEM MILLER-ANDERSON: Okay.

ASST. COMMUNITY DEVELOPMENT DIRECTOR GAGNON: So, it would go from the creator, which was Community Development, it goes to..., trying to think of all the,

the entities.

CHAIR PRO TEM MILLER-ANDERSON: Well, I understand.

ASST. COMMUNITY DEVELOPMENT DIRECTOR GAGNON: Um...

CHAIR PRO TEM MILLER-ANDERSON: I know what you're talking about, the accounting...

ASST. COMMUNITY DEVELOPMENT DIRECTOR GAGNON: Yes.

CHAIR PRO TEM MILLER-ANDERSON: ...legal, blah, blah, blah.

ASST. COMMUNITY DEVELOPMENT DIRECTOR GAGNON: Yes, ma'am. Yes.

CHAIR PRO TEM MILLER-ANDERSON: And then, from that point, who does it go to?

ASST. COMMUNITY DEVELOPMENT DIRECTOR GAGNON: It goes from Community Development to..., let me..., I have my sheet right here. Let me...

CHAIRPERSON DAVIS: To legal?

COUNCILPERSON DAVIS JOHNSON: It's here.

COUNCILPERSON PARDO: The Manager.

COUNCILPERSON DAVIS JOHNSON: It's here. You want me [inaudible]?

CHAIR PRO TEM MILLER-ANDERSON: I, I don't even..., that's not even what I need to know. When it gets from those people that's listed on that, that sheet...

ASST. COMMUNITY DEVELOPMENT DIRECTOR GAGNON: Yes, ma'am.

CHAIR PRO TEM MILLER-ANDERSON: ...it gets to the City Manager? You said executive office.

ASST. COMMUNITY DEVELOPMENT DIRECTOR GAGNON: Yeah. So...

CHAIR PRO TEM MILLER-ANDERSON: The City Manager?

ASST. COMMUNITY DEVELOPMENT DIRECTOR GAGNON: So, the, the routing was Community Development, Purchasing, Finance, Attorney, City Clerk, City Manager.

CHAIR PRO TEM MILLER-ANDERSON: Okay. So then it gets to the City Manager and then how does it get on the Agenda from there, Mr. Jones?

INTERIM CITY MANAGER JONES: Depending on the Item itself, it's placed on the Agenda in a certain category.

CHAIR PRO TEM MILLER-ANDERSON: Mhmm.

INTERIM CITY MANAGER JONES: But the information is reviewed and after it's been reviewed and approved, it's assigned to the Agenda and discussed with the Chair, prior to the Agenda being published.

CHAIR PRO TEM MILLER-ANDERSON: Okay. So, you're not allowed to just put anything on the Agenda, it has to be approved by the Chair?

INTERIM CITY MANAGER JONES: All Items that are on the Agenda are discussed prior to the Agenda being posted, with the Chair.

CHAIR PRO TEM MILLER-ANDERSON: Okay. Alright. Thank you. Now, what I've noticed is that we've had a lot... Thank you, Mr. Gagnon.

ASST. COMMUNITY DEVELOPMENT DIRECTOR GAGNON: If I...

CHAIR PRO TEM MILLER-ANDERSON: [Inaudible]...

ASST. COMMUNITY DEVELOPMENT DIRECTOR GAGNON: ...also may.

CHAIR PRO TEM MILLER-ANDERSON: Go ahead.

ASST. COMMUNITY DEVELOPMENT DIRECTOR GAGNON: The applicant did ask that the Item be brought before City Council as well.

CHAIR PRO TEM MILLER-ANDERSON: Mhmm.

ASST. COMMUNITY DEVELOPMENT DIRECTOR GAGNON: Um, that was at the previous Planning & Zoning Board meeting.

CHAIR PRO TEM MILLER-ANDERSON: Right.

ASST. COMMUNITY DEVELOPMENT DIRECTOR GAGNON: So the applicant did request for the Item to come before the Council.

CHAIR PRO TEM MILLER-ANDERSON: Okay.

ASST. COMMUNITY DEVELOPMENT DIRECTOR GAGNON: So.

CHAIR PRO TEM MILLER-ANDERSON: And I understand that, that's fine.

ASST. COMMUNITY DEVELOPMENT DIRECTOR GAGNON: Okay. Thank you.

CHAIR PRO TEM MILLER-ANDERSON: You know, I think it's been very clearly stated that.., by many of you in the audience today, that this is not a project that you want to see in your neighborhood. I'm all for bringing in more jobs, I'm all for businesses coming to our City but I think there's a, a time and a place for things and I, I just don't believe that this particular project... What I, let me back up. I do believe that

the, um, City Council, over the years, probably should have corrected this problem some time ago and had that been done, we won't be here in this position at this moment. This is something that should've been taken care of some time ago, especially when, um, I think a little bit was taken care of when the scrap metal tried to come but I don't think they probably foresaw something such as a bleaching company coming because I'm sure the Council that put in place to say, 'We can't have scrap metal come here,' they didn't think, 'Oh, well, we'll probably wanna.., need to put no bleaching company, no explosives.' I, I'm sure if they thought about that, they woulda put all of those components in there. But they didn't. And, because they didn't, it has brought us here to this point. I think this is probably a lesson learned for many of us because we really need to go through all of our Ordinances and zonings and, and correct the things. And we talked about that maybe a few weeks ago and that's why we're gonna have our Charter review. But there are a lot of things that we need to take a look at in our zoning because, you know, we kinda went through this before with our, um, with the dollar stores. You know, there's a lotta things that we don't want, we're saying we don't want it but we're not puttin' it on paper and making sure that we change the laws...

[Audience clapping]

CHAIR PRO TEM MILLER-ANDERSON: ...and the rules so that we can back up what it is that we don't want.

CHAIRPERSON DAVIS: [Inaudible].

CHAIR PRO TEM MILLER-ANDERSON: Now, I, I think Ms. Pardo mentioned about, you know, the threat of being sued. That has been thrown out there numerous times but, as she so well put, we get sued all the time...

UNK. AUDIENCE: Yes.

CHAIR PRO TEM MILLER-ANDERSON: ...and, um, I think this is one time that I would be okay with us being.., gettin' sued because, if we have to pay out money to save lives, I'm good with that. And, um...

[Audience clapping]

CHAIR PRO TEM MILLER-ANDERSON: ...as an educator, I don't think I could live with myself by approving something such as this to go right next to a development that houses many of the students that attend my school.

UNK. AUDIENCE: Yeah.

CHAIR PRO TEM MILLER-ANDERSON: So I can't, I can't agree with this in the manner in which it's being presented. Do I think that they would probably fit well out west somewhere, outside of a neighborhood? Sure. And, and I would be okay with that, probably, if it's not going to impact as many residents as it would sitting right next to a development that houses many kids that already suffer from asthma and other

upper respiratory diseases. We also have Suncoast, Bethune, Lincoln, West Riviera, Atkins. We have a number of schools in that, that, that immediate area and I know we're thinking about the dollar but, at the end of the day, we have to do what is right and I really don't think that putting it in that particular location is okay.

Like I said, if you wanna come back and have a different location that would be far away from our neighborhoods, I will be more than happy to entertain this but, in the way in which it's being presented at this time, I'm, I'm not in favor of voting for yes on this.

[Audience applause]

UNK. AUDIENCE: Yes.

CHAIR PRO TEM MILLER-ANDERSON: Thank you.

[Audience clapping]

CHAIRPERSON DAVIS: I have a...

DEPUTY CITY CLERK BURGESS: Chair? We need to extend the meeting if you...

CHAIRPERSON DAVIS: Okay. Can we extend the meeting for one hour considering the, the, the sensitivity of the next Item behind this?

CHAIR PRO TEM MILLER-ANDERSON: So moved.

COUNCILPERSON DAVIS JOHNSON: Second.

CHAIRPERSON DAVIS: Madam Clerk.

DEPUTY CITY CLERK BURGESS: Councilperson Davis Johnson?

COUNCILPERSON DAVIS JOHNSON: Yes.

DEPUTY CITY CLERK BURGESS: Councilperson Hubbard?

COUNCILPERSON HUBBARD: Yes.

DEPUTY CITY CLERK BURGESS: Councilperson Pardo?

COUNCILPERSON PARDO: Yes.

DEPUTY CITY CLERK BURGESS: Pro Tem Miller-Anderson?

CHAIR PRO TEM MILLER-ANDERSON: Yes.

DEPUTY CITY CLERK BURGESS: Chair Davis?

CHAIRPERSON DAVIS: Yes, ma'am.

DEPUTY CITY CLERK BURGESS: Unanimous vote.

CHAIRPERSON DAVIS: Thank you so much. Um...

MAYOR MASTERS: Mr. Chair?

CHAIRPERSON DAVIS: I'm, I'm gonna get to you, Mayor. Mayor, go ahead. I can wait.

MAYOR MASTERS: Okay. Thank you.

CHAIRPERSON DAVIS: [Inaudible].

MAYOR MASTERS: Let me pass this. We have a letter that needs to be read, probably public comment, Millennium.., from Millennium Housing Management. Ask the City Clerk to read the letter since we had to disclose it earlier and then I'll make my comments and questions.

CHAIRPERSON DAVIS: You didn't wanna read it? [Pause]. Alright.

MAYOR MASTERS: I've asked the Clerk to read it into the record.

CHAIRPERSON DAVIS: Oh...

MAYOR MASTERS: From Stonybrook.

DEPUTY CITY CLERK BURGESS: Dear Mayor Masters and Councilperson Davis Johnson, on February 1, 2017, Millennia Housing Management, Ltd. assumed management of Stonybrook Apartments located at 1555 Dr. Martin Luther King Boulevard in Riviera Beach. Since assuming management, Millennia has been working with the City as Millennia makes strides in improving the property for the benefit of the community. Recently, we learned the Odyssey Manufacturing Company has proposed development of a bleach distribution facility on parcel adjacent to Stonybrook Apartments and we are writing to express concern regarding the property of permitting this facility in such close proximity to hundreds of nearby families.

We have received Odyssey's proposal in addition to the Minutes from the February 9, 2017 Planning and Zoning Board meeting. After reviewing these materials, it is clear that the proposal is likely to have an adverse impact on the community and that the residents do not support the planned distribution facility. Millennia specific concerns relate to the health and safety of the families residing at Stonybrook Apartments. Primarily, Millennia is concerned about the short and long-term health effects related to [stammer] transporting, warehousing and distributing thousands of gallons of chemicals so closely to a residential neighborhood on a daily basis.

Furthermore, the proposed development would dramatically increase the

commercial and rail traffic in an already highly trafficked residential area. Not only would the additional traffic increase the City's maintenance costs for this area, it will present additional safety concerns for motorists and pedestrians along Dr. Martin Luther Kind, Jr. Boulevard. The propos'..., proposed site plan which depict landscape buffering as a bearer, do little to [inaudible] these concerns.

As the City weighs it's decision whether to approve the proposed facility, we respectfully urge you to consider that in the coming year, Millennia intends to begin investing over \$20,000,000 in Stonybrook Apartments between acquisition and rehabilitation. We hope that the City will support Millennia's effort in transforming Stonybrook Apartments into a safe, stable and thriving community. We also hope that the City strongly considers and adopts the unanimous recommendation of the Planning & Zoning Board to deny the permitting necessary for the development of the proposed distribution facility.

In the meantime, if you have any questions regarding Millennia's position on this matter, please contact me directly at 216-236-0441 or via email at jcrossman@mhmltd.com.

Thank you.

Sincerely,

Jeffrey Crossman, Esq.

Associate Counsel

CHAIRPERSON DAVIS: Thank you.

MAYOR MASTERS: Thank you, Madam Chair.

[Clapping]

MAYOR MASTERS: I mean, Madam Clerk.

CHAIRPERSON DAVIS: Do you wanna do your presentation now?

MAYOR MASTERS: Yeah. I... Let me just kinda..., I've got some questions and I have presentation.

CHAIRPERSON DAVIS: I was asking that because I was gonna..., we, we discussed that. I was gonna ask questions then let you get to your presentation. So, you gonna do it that way?

MAYOR MASTERS: Whatever you want... I, I'd rather ask my questions now.

CHAIRPERSON DAVIS: Go ahead.

MAYOR MASTERS: And then we'll do the pres'...

CHAIRPERSON DAVIS: Okay.

MAYOR MASTERS: ...whenever...

CHAIRPERSON DAVIS: Go ahead.

MAYOR MASTERS: ...you say do it.

CHAIRPERSON DAVIS: Okay.

MAYOR MASTERS: I'm old and slow, Mr. Chair. I want to call the expert, the..., what do we call, the ERMI...

[Inaudible audience comment]

MAYOR MASTERS: ...who prepared this document?

[Inaudible dais comments]

MAYOR MASTERS: For the record, would you state your name and the position that you have?

MR. S. HILLFIGER: I'm Steve Hillfiger. I'm President of Environmental Risk Management. I live at 7171 Phillips Creek Court, Fort Myers, Florida.

MAYOR MASTERS: And you have been certified as an expert in this field?

MR. S. HILLFIGER: Yes. I've been certified in 1994, since 1994, testified as an expert to city councils, county commissions.

MAYOR MASTERS: Thank you. And who hired you?

MR. S. HILLFIGER: I was hired by Odyssey.

MAYOR MASTERS: Okay. Um, you testified in court several times?

MR. S. HILLFIGER: I've testified in court once, most depositions, most times...

MAYOR MASTERS: One'...

MR. S. HILLFIGER: ...it closes before it... Yes.

MAYOR MASTERS: But you would agree with me that when there're experts, there's an expert usually pro and con?

MR. S. HILLFIGER: Correct.

MAYOR MASTERS: Okay. So there, there will be an expert that will say just the complete opposite of what you would say?

MR. S. HILLFIGER: I'm sorry. I misunderstood your question. I object'..., I reviewed the report and, um, visited the facility and prepared an objective report.

MAYOR MASTERS: Okay. No. That's not what I'm saying. I'm saying, experts do disagree?

MR. S. HILLFIGER: Sure. Experts disagree.

MAYOR MASTERS: Thank you. I wanna ask you, is this correct, sodium hypochlorite is on the right to know hazardous substance list because it is cited by DOT, IARC and EPA, this chemical is on the special health hazardous substance list. Would you agree with that?

MR. S. HILLFIGER: It's on the right to know list. Yes, sir.

MAYOR MASTERS: Okay. Chemicals on the special health hazardous substance list. I want to ask you some questions based upon your, your report that the, the expert..., you, as the expert has submitted. I would direct your attention to page [pause], Page 7. Site Development Plan. Odyssey has designed the Site Plan to minimize potential impacts to the Stonybrook residents. Based on the ERMI site visit and review of development plans, no bleach loading activities will occur within 300' of the apartment property. Is that true?

MR. S. HILLFIGER: That's correct.

MAYOR MASTERS: And why? The 300'?

MR. S. HILLFIGER: 300' is a significant distance away for sodium hypochl'..., hypochlorite. The product does not generate chlorine gas. Any spill from the operation would be contained inside the containment, it's designed that way. And, in my opinion of the operation, this 300' is a safe distance, uh, in my review of the facility in Tampa and of my review of the facility operations. The conclusion of the report is that there is no risk to the Stonybrook residents or property...

MAYOR MASTERS: So, you consider...

MR. S. HILLFIGER: ...based on...

MAYOR MASTERS: ...that a safe distance, correct?

MR. S. HILLFIGER: Yes, sir.

MAYOR MASTERS: Okay. You also wrote that no bleach orders..., odors were detected during filling operations from the rail or the tanks until within 10' of the pumps. Correct?

MR. S. HILLFIGER: Correct.

MAYOR MASTERS: Okay. The odor detected was extremely faint and it immediately dissipated. The bleach loading pumps created very little noise.., not, it didn't create noise but you described it as very little noise, during the truck loading procedure. Is that correct?

MR. S. HILLFIGER: That's correct.

MAYOR MASTERS: Okay. Let's go to Page 16, No. 24. And you have here, you have at the bottom, alternate wastewater disposal port to the left of the eyewash station. Wastewater disposal piping indicated at the yellow era'.., uh, arrow. What do you mean by that? The, uh dispo'.., to the left of the eyewashing station. What's that for? The eyewashing station?

MR. S. HILLFIGER: The eyewashing station is for site employees. Sodium hypochlorite is a corrosive product and they wear.., and are very well trained. They wear protective equipment, they wear goggles and they.., the washing is in the event that a splash of the corrosive product should hit skin or their.., into their eyes. It would cause damage to their eyes and, therefore, the eyewashing station is there.

MAYOR MASTERS: I wanna take you to Page 17. A blue sensor observed on the top of each tank is a high-level switch which would stop flow into the tank if levels get too high. The orange sensor observed on each tank monitors the bleach level. If levels reduce at a rate that does not correspond to loading activity, it would indicate a potential spill into the containment area that would prompt an alarm. What happens if the, if the lights don't go off, sir? What happens?

MR. S. HILLFIGER: The, the spill would go into the containment area and, um, the telemetry, the monitors, the lights, security, the 24-hour monitoring station, it would be indicated and it would...

MAYOR MASTERS: Possibility...

MR. S. HILLFIGER: ...be identified.

MAYOR MASTERS: ...that the lights may not function, that's possible?

MR. S. HILLFIGER: Pardon me?

MAYOR MASTERS: It's possible that the lights may not function.

MR. S. HILLFIGER: It's possible that the lights may not function, of course.

MAYOR MASTERS: Okay.

MR. S. HILLFIGER: But they are on monitors and they're inspected and the facility is very well managed. I think it's highly unlikely for the lights to not be working when it's

on 24-hour surveillance.

MAYOR MASTERS: Okay. And you also indicated that this chemical could not cause.., it's not flammable. Correct?

MR. S. HILLFIGER:Correct. The National Fire Protection Association defines, in Hazardous Materials Code 400, that the product is not flammable, it's not an oxidizer.

MAYOR MASTERS: Explain...

MR. S. HILLFIGER:It does...

MAYOR MASTERS: ...to me...

MR. S. HILLFIGER:...it does not create chlorine gas. All of that is written in an FPA Code 400, Section G5.

MAYOR MASTERS: If, if that's true, explain to me your comments on Page 20 which you say, 'Additional observations included for workers' safety, wash stations, fire extinguishers, water hoses...

UNK. AUDIENCE: [Inaudible].

MAYOR MASTERS: ...and security cameras.' Why do we have the, do you have the fire extinguishers, extinguishers and the water hoses? What's the purpose of that?

MR. S. HILLFIGER:For safety, safety precautions. They're...

MAYOR MASTERS: Not flammable though, just saying.

MR. S. HILLFIGER:It's not...

MAYOR MASTERS: Okay.

MR. S. HILLFIGER:...it's not flammable.

MAYOR MASTERS: Alright. Okay. On that same page, you indicate, 'All operations were conducted in a controlled and contained manner as documented in the SOP, the Risk Management Plan. Risk Management, severe weather, spill containment, structural design, wastewater spill prevention, noise, odor and safety issues all appear well managed. The operations are not considered to represent a risk to neighbors or property in the site vicinity.' Have you done.., as far as the weather in Riviera Beach, are you knowledgeable?

MR. S. HILLFIGER:In the event of...

MAYOR MASTERS: On any effect of, of the weather here?

MR. S. HILLFIGER:In the event...

MAYOR MASTERS: Wind effect, rain. Go ahead, I'm sorry.

MR. S. HILLFIGER: I've not studied this precise climatology of Riviera Beach. If a tornado, for example, hit the tanks, the tanks would rupture and the product would spill down in containment. Anything that overflows containment, if it did, would, would simply lead to soil impact.

MAYOR MASTERS: Okay. I wanna take you to Page 21. 'Based on the Tampa distribution site visit, neighbors will rarely,' that's the language you use, 'will rarely, if ever, detect bleach odors,' rarely. Okay. Move a little further, 'No evidence,' that's what you use, 'no evidence of environmental impact was observed on the subject property during the site visit.' Now, how many site visits is, is that based upon?

MR. S. HILLFIGER: I went to the subject property in Riviera Beach on January 18th, that was one site visit.

MAYOR MASTERS: One site visit. Okay. Just about through here. No evidence. I, I like how you word these things, 'No evidence of environmental impact was identified in the site visit.' That one visit.

Okay. I wanna ask you this [pause] which really kinda struck me really odd. Excuse me. [Pause]. Okay. You're telling me that Odyssey Riviera Beach Distribution Center is expected to eventually sell 100,000 gallons of bleach per weekday which equates to 25,000 gallon tanker trips per day over a 10-hour period. That's what you are saying. Right?

MR. S. HILLFIGER: Could you please, uh, direct me to the...

MAYOR MASTERS: Page 26 that, that you wrote.

MR. S. HILLFIGER: The math is obviously wrong there if that's what it says.

MAYOR MASTERS: Well, you wanna read it? Or maybe I'm mistaken.

MR. S. HILLFIGER: 20 tanker trips per day.

MAYOR MASTERS: Twenty..., 26, I'm on Page 26.

MR. S. HILLFIGER: Yes. At the top of Page 26, it says, 'The distribution center is expected to eventually sell 100,000 gallons of bleach per day. The trucks are 5,000 gallons...

[Inaudible background comment]

MR. S. HILLFIGER: ...which would indicate 20 tanker trips per day.' The sentence states, 'Is expected to eventually sell 100,000 gallons of bleach per weekday which equates to 25,000 gallon tanker trips. So, the 5,000 gallon reference is into the volume of the tanker. So, it's 20 trips. And it's a distribution center. This is not a manufacturing

center. The [stammer], the facility will not generate chlorine gas, in any way.

I completely respect the comments that all the citizens have stated, I completely respect the comments of the Council. I objectively assessed this facility and do not consider there to be significant environmental risks to the property, um, to the nearby residents. And there're, uh, unfortunately, there are..., there is much misinformation...

MAYOR MASTERS: Sir, I'm just.., I, I need to.., I just need you to answer that.

MR. S. HILLFIGER: Yes, sir.

MAYOR MASTERS: Okay. Almost [inaudible]...

MR. S. HILLFIGER: I'll be happy to answer any questions...

MAYOR MASTERS: Not done, sir...

MR. S. HILLFIGER: ...that you might have.

MAYOR MASTERS: That's what you're doing now.

MR. S. HILLFIGER: Yeah.

MAYOR MASTERS: Page 27, at the end.

MR. S. HILLFIGER: Okay.

MAYOR MASTERS: And we're just about there. This is, this is what kinda, kind of, um, took me back, more than anything. Look what you wrote. [Pause]. 'Based on our review of the documents presented,' presented, 'to ERMI by Odyssey, the ERMI research conducted in this, this assessment and the observations of the properties in Tampa and Riviera, Riviera Beach, as described in this report, ERMI has not identified any significant risk to neighbors or property in the site vicinity.' Now, this is what, this statement here kinda took me way back, 'No human health impacts are anticipated. And in the unlikely event of groundwater impacts that could migrate underground offsite, Odyssey maintains sufficient pollution liability insurance.' So, you got insurance if something happens, right?

MR. S. HILLFIGER: Yes, sir.

UNK: Supposed to.

MAYOR MASTERS: Explain...

MR. S. HILLFIGER: There are...

MAYOR MASTERS: Explain what...

MR. S. HILLFIGER: ...no human...

MAYOR MASTERS: ...that means.

MR. S. HILLFIGER: There are no human health impacts. It's not chlorine gas. The material is not flammable, it would not explode at the subject property. If a bomb was put next to it, again, the facility.., the tanks would rupture and the product would flow out into containment and, your worst case scenario, there would be soil impact.

MAYOR MASTERS: Okay. And last but not least...

MR. S. HILLFIGER: And that's what the liability insurance...

MAYOR MASTERS: Here, here you...

MR. S. HILLFIGER: ...policy is for, in the event that needs to be excavated.

MAYOR MASTERS: I wanna know, do you agree with this and I'm [stammer], this is from the Hazardous Substance Fact Sheet. 'Sodium hypochlorite can affect you when in'.., inhaled, contact, contact can severely irritate and burn the skin and eyes with possible eye damage. Inhaling this, can irritate the nose and throat. Inhaling this can irritate the lungs. Higher exposure may cause a buildup of fluid in the lungs, pulmonary edema, a medical emergency. Exposure to this can cause headache, dizziness, nausea and vomiting.' Now, do you agree with this, sodium hypochlorite is not combustible but it is a strong oxidizer which enhances the combustion of other substance'.., substances.' Is that true?

MR. S. HILLFIGER: The National.., The National Fire Protection Association, in Section, uh, in Hazardous Waste.., sorry, the Hazardous Materials Code 400, Section G5, states very clearly that sodium hypochlorite is not an oxidizer. The NFPA is the leading regulatory agency on hazardous materials and fire safety. It does not consider it to be an oxidizer. I'd like to read the...

MAYOR MASTERS: No, no.

MR. S. HILLFIGER: ...reference.

MAYOR MASTERS: That's okay. You disagree with the, the, the Hazardous Fact Sheet from the other expert. Okay. Just answer this, would you say this is wrong? 'The sodium hypochlorite may ignite combustibles such as wood, paper and oil.' Is that incorrect too?

MR. S. HILLFIGER: It is not an oxidizer and it would not ignite those materials.

MAYOR MASTERS: Okay. So, the fact sheet that we have from [stammer] and Health Department is wrong? Um...

MR. S. HILLFIGER: There are many... May I comment on that, please?

MAYOR MASTERS: Yes. You, you may.

MR. S. HILLFIGER: There, there is much information that you'll find in safety data sheets that's inconsistent. The references that I used are the National Fire Protection Association.

MAYOR MASTERS: Okay. Based upon... I'm, I'm done. Thank you.

Based up'..., on what I have seen and the research that I have conducted, I find that the petitioner, whatever you wanna call yourselves, do not meet any of the stipul'..., of the stipulated criterias that Jeff said, particularly, the one that involves transportation. And I suggest that this Council should hang its hat on the legal grounds and do not grant this and concur with the Planning & Zoning that voted 4-0. Would it not be a beautiful thing that this Council would vote 5-0? Just say no. Let the people speak. Thank you.

[Audience clapping]

CHAIRPERSON DAVIS: And, and, and... Thank you, Mayor. And for bringing up the legal manner, their legal wanna respond.

MR. M. BROWN: Mr. Chair, I just wanna perfect the record since, as we've pointed out earlier, this is a quasi-judicial process. And so, to perfect our record here, I want to point out a couple of things. One, and I wanna attach it. As you know, I have my court reporter here and I wanna enter it into this record, there was an investigative report that was completed by the Office of Inspector General of Palm Beach County. It's Investigative Report 2012-003, it's dated April 4, 2012. And, it was an investigation that was conducted regarding the elected officials...

[Inaudible dais comment]

MR. M. BROWN: ...who served on the Utility Board and the only one of you all..., none of you all were there except...

COUNCILPERSON PARDO: I was.

MR. M. BROWN: ...Ms. Pardo. And in that report, there was an investigation done and they interviewed Ms. Pardo, and other Members of the Board and I wanna enter in to the record again for these purposes because, according to the report, Ms. Pardo stated that she voted to move forward with the liquid bleach. The issue was whether or not you would convert the Water Department from the chlorine gas, which is very, very dangerous, which exists tonight or a liquid bleach or a bleach processing facility. And that was the subject that was being discussed at the time, that led eventually to the filing of [stammer] a complaint by one of the former Council Members. And, as a result, the Office of the Inspector General of Palm Beach County did a [stammer] investigation and they 'viewed the Council', interviewed the Council Members. And, one of ..., they interviewed was Ms. Pardo and Ms. Pardo stated that she voted to move forward with the liquid bleach method, which is what my client provides, purely..., excuse me, the, the liquid bleach method purely from a safety standpoint. In other words, she told these folks that the bleach was safe. Ms. Pardo explained that according to her own

research, documentation provided with the Agenda Items and news articles from around the country, involving other municipalities, these are her words in this report, that the transportation of new materials for onsite generation of liquid bleach was much safer than the transportation of chlorine gas. Ms. Pardo added that there have been..., already been two leaks at the Utility District which caused concern. Ms. Pardo stated that no final decision have been made, however, if the cost is too great to make the switch from the chlorine gas to the bleach, then Ms. Pardo indicated that she would reconsider supporting the current method with the necessary safety enhancements.

Now, I read that into that into the record and attach in the record because it is consistent with our representation that this product is safe, it is consistent with the industry standard that this product is safe, it is consistent with the fact that the Utility District voted, when Ms. Pardo was there, and you all are in the transformation process right now to convert your existing chlorine gas, which is very, very, very dangerous...

COUNCILPERSON PARDO: [Inaudible].

MR. M. BROWN: ...to the bleach facility that my client provides. Now, why is that relevant? Because, on the one hand there's testimony and statement from a Council Member recognizing that the bleach is safe and in this issue, apparently the decision to vote against this, apparently, she feels that it's unsafe. And that is a part of the record and I wanna include it in there and I want to, um, make sure that the Council understands that it is our position that we meet the criteria, we meet the criteria that Staff laid out, the letter that the Mayor read from the new owner of the property, all of the Items that the new owner listed that it was concerned with, were actually addressed point by point by the Staff. So, the Staff negated all of those points and so that the record is clear on that for future purposes.

Thank you, Mr. Chair.

CHAIRPERSON DAVIS: Um...

COUNCILPERSON PARDO: Mr. Chair?

CHAIRPERSON DAVIS: Before I go, I was gonna... Cou'..., I was just fittin' to come to you. Councilperson Pardo.

COUNCILPERSON PARDO: Thank you. So, since the Attorney and resident, that's working for the company from Tampa, is attempting to put me on trial now...

[Chuckles]

COUNCILPERSON PARDO: ...um, I would suggest that you all pull the Minutes from those meetings. There were multiple meetings about it and what we decided to do was move forward with Onsite Generation so they would be delivering salt to us and you put the salt into the machine and add water and electricity and you have your chlorine. Um, you know, and the other thing is, you don't have a housing project next to

it. We weren't putting aggregates on the land either. And I stand by what I said tonight, I stand by what I said in 2011, '12, whenever it was. And again, it was all about safety, getting rid of the gas coming through this City. And if.., instead of the gas and the bleach, if we could just store salt, that was a helluva lot better than what they're proposing.

So, I stand by it and that's for the record also.

CHAIRPERSON DAVIS: Okay.

COUNCILPERSON PARDO: Thank you.

[Audience applause]

CHAIRPERSON DAVIS: Quick question. The environmentalist. You did the environmental study? I.., I just wanna get more of a overview. Please explain what your study conduct of and what it do. That's what.., I think that's what the public wanna hear. Safety.

[Inaudible audience comments]

CHAIRPERSON DAVIS: People want.., the public wanna hear somebody res'.., the response to the, the, the issue with what's safe and what's not and I just wanna hear from this gentleman. Didn't get a chance to hear anything.

MR. S. HILLFIGER: Thank you. The study that was conducted...

CHAIRPERSON DAVIS: Yeah.

MR. S. HILLFIGER:...as I said, I found no environmental risks to the neighboring properties or.., to the property or to the neighbors and that is based on...

[Chuckle]

MR. S. HILLFIGER:...the facility operations. The facility operations, they bring in the product by rail, it's all very secure, the connections are secure. The worst case scenario is described in the report. I could find the page but I don't wanna take the time, is about 100 gallon discharge if there's a line rupture. If there's a, um, there's emergency switches everywhere. There's.., it's, it's monitored, there's telemetry everywhere to document everything. So, the conclusion is, there's much in'.., misinformation out there, that it's not chlorine gas, it's not manufacturing, it's not flammable, it's not a public health risk. If there's as spill...

CHAIRPERSON DAVIS: Mhmm.

MR. S. HILLFIGER:...worst case scenario, in my view, is that it's a soil impact and it would be regulated by Florida Administrative Code 62.780.

CHAIRPERSON DAVIS: Mhmm.

MR. S. HILLFIGER: And it might require an excavation. But it would not be a vapor risk, it would not be an airborne health issue.

[Inaudible audience background comment]

CHAIRPERSON DAVIS: Really quick. So, the site that you're currently at over in Tampa [stammer] that you studied...

MR. S. HILLFIGER: Yes, sir.

CHAIRPERSON DAVIS: How far away from a neighborhood is it?

MR. S. HILLFIGER: I did not... Well, there's a neighborhood across the street but probably.., nothing in the immediate vicinity of the tanks.

CHAIRPERSON DAVIS: Mm.

MR. S. HILLFIGER: Um, across the street, probably 1,000', 1,500' maybe.

UNK: 800'.

CHAIRPERSON DAVIS: 1,500'?

MR. S. HILLFIGER: 800...

CHAIRPERSON DAVIS: Okay.

MR. S. HILLFIGER: ...feet.

CHAIRPERSON DAVIS: Alright.

MR. S. HILLFIGER: Yeah.

CHAIRPERSON DAVIS: So...

MR. S. HILLFIGER: I didn't measure it on the Tampa facility. The measurements that I did on the Tampa facility that I showed in the PowerPoint presentation on February 9th, were to show you the distance from Martin Luther King...

CHAIRPERSON DAVIS: Mhmm.

MR. S. HILLFIGER: ...um, to what the tanks, um, where the tanks would appear on the subject property.

CHAIRPERSON DAVIS: So...

[Inaudible background comment]

CHAIRPERSON DAVIS: How long they were over in T'... Well, thank you. I'm gonna ask the owner. I'm sorry, thank you.

MR. S. HILLFIGER: Oh, okay.

CHAIRPERSON DAVIS: How long have you all..., were you all over in Tampa? In that resident'..., that residential area? Ms. Bessie Brown was asking that question earlier. I would like to get an answer...

MR. P. ALLMAN: The...

CHAIRPERSON DAVIS: ...to that question.

MR. P. ALLMAN: The bleach distribution facility, which we..., it just..., we, we just finished the construction and are bringing it online now.

CHAIRPERSON DAVIS: Mhmm.

MR. P. ALLMAN: So, it's new. And, the exact answer to your question was, uh, I measured it on Google Earth. The nearest house is 700' from that facility. To put things in perspective, the nearest apartment at Stonybrook would be 500'.

CHAIRPERSON DAVIS: Mhmm.

MR. P. ALLMAN: Dr. Martin Luther King, Jr. Boulevard is 800' from the nearest tank. Over 800' actually.

CHAIRPERSON DAVIS: So, when you went before Tampa, what are some of the things that they asked for you to do to, um, protect their residents?

MR. P. ALLMAN: The fire department and the, the city staff concurred with the safety expert here. They didn't see any risk at all. And so, other than me, the Florida Building Code, we weren't asked to do anything else.

CHAIRPERSON DAVIS: Did you get any kind of report from OSHA?

MR. P. ALLMAN: No. The only thing that we were required to do was, we had to, uh, [stammer], there's a bunch of aspects to the Florida Building Code, they're..., that, that come into play here. There is a section called the above ground storage tank rules.

CHAIRPERSON DAVIS: Mhmm.

MR. P. ALLMAN: We had to design the facility in accordance with those rules. We also had to comply with all the fire department rules. So, if you go to, um, the fire department rules, there's a whole bunch of rules that we were required to comply with. And, and so that, that's pretty much how we're regulated. You have follow-on regulations with the DEP and the EPA because of what we do.

CHAIRPERSON DAVIS: Okay. Thank you. I have a question. [Pause]. Trying to get

all the questions that's been asked by the public as they came up. [Pause]. Were, were there any properties out west available?

MR. P. ALLMAN: No. As both the realtor and myself testified to, our problem was, between Indiantown and Fort Lauderdale, on the entire CSX track, there was only one property for sale that had active rail service and that was this property in question in Riviera Beach.

CHAIRPERSON DAVIS: Mhmm.

MR. P. ALLMAN: That's why we came.

CHAIRPERSON DAVIS: Okay.

MR. P. ALLMAN: If you look at the big picture, the property was zoned industrial, we relied on your zoning, uh, we relied on conversations with the City Staff and that's why we spent all the time, trouble and resources to design a facility there.

CHAIRPERSON DAVIS: Thank you, sir. I ha'.., last question, just for Staff at this point. Mr. Gagnon? [Pause]. As we all sit here and listen to the presentations, I have just very few questions, at this point, for Staff. Have this company met all the requirements to meet Code?

ASST. COMMUNITY DEVELOPMENT DIRECTOR GAGNON: As, as Staff indicated in the presentation before it met the special exception criteria.

CHAIRPERSON DAVIS: So, yes, yes or no? Have they met.., so, there's some requirements they haven't met?

ASST. COMMUNITY DEVELOPMENT DIRECTOR GAGNON: No. It meets the special exception criteria.

CHAIRPERSON DAVIS: Okay. Alright. Legal, so, have they done everything legal? Is there anything legally that we can do to not, not support this? Have they met all the legal requirements?

CITY ATTORNEY DEGRAFFENREIDT: They have met all the provisions in the Code.

UNK: He has to pull the microphone down.

CITY ATTORNEY DEGRAFFENREIDT: The...

CHAIRPERSON DAVIS: [Stammer], Mr. Degraffenreidt, please, um...

CITY ATTORNEY DEGRAFFENREIDT: They've met...

CHAIRPERSON DAVIS: ...the mic.

CITY ATTORNEY DEGRAFFENREIDT: They've met all of the provisions in the Code.

There's always the remainder [inaudible]...

CHAIRPERSON DAVIS: Walter, could you please turn his mic up for him? It's not you, Mr. Degraffenreidt.

CITY ATTORNEY DEGRAFFENREIDT: Can't hear me?

CHAIRPERSON DAVIS: No. We can hear you but...

[Inaudible background comments]

CHAIRPERSON DAVIS: We have to give you, um, maybe a hand mic.

UNK: [Inaudible].

[Inaudible background comments]

[Pause]

CITY ATTORNEY DEGRAFFENREIDT: This is cool. The legal requirements have been met. Special exceptions are permitted uses if they meet all the conditions. In your determinations, as discussed tonight, there's always the open issue of whether the permitted use imposes or creates a public hazard or a detriment to the general welfare. The discussions and evidence presented tonight is what you would balance and weigh on that last remaining issue.

CHAIRPERSON DAVIS: Okay. Well, I received numerous calls from, from residents whether they support it or they don't and, and the one question they all continue to ask is, is there anything to say whether it's safe or is anything to say that it is not safe? So, so my question is, have they provided.., is there anything that provides legally that it's not safe? Any documentation to support that, that it's not safe?

CITY ATTORNEY DEGRAFFENREIDT: That is exactly the controversy that's present here that you decide.

[Inaudible audience background comment]

CHAIRPERSON DAVIS: Right.

CITY ATTORNEY DEGRAFFENREIDT: There, there's conflicting [pause] information...

CHAIRPERSON DAVIS: Mhmm.

CITY ATTORNEY DEGRAFFENREIDT: ...from both sides as to whether or not it's safe. And I think you've heard fairly from the petitioner's experts as well as the opposition with respect to what they're relying on with.., concerning their health issues. [Inaudible]...

CHAIRPERSON DAVIS: Is there any documentation to say that it's not safe? That's been...

[Inaudible background comments]

CITY ATTORNEY DEGRAFFENREIDT: The issue...

CHAIRPERSON DAVIS: Ha'.., have we received anything?

CITY ATTORNEY DEGRAFFENREIDT: The, the current issue is what ya'll [chuckle] determine that question to be.

CHAIRPERSON DAVIS: Okay.

CITY ATTORNEY DEGRAFFENREIDT: The advocates have made their presentations on both sides...

CHAIRPERSON DAVIS: Okay.

CITY ATTORNEY DEGRAFFENREIDT: ...on that issue.

CHAIRPERSON DAVIS: Alright.

CITY ATTORNEY DEGRAFFENREIDT: And...

CHAIRPERSON DAVIS: Thank you.

CITY ATTORNEY DEGRAFFENREIDT: ...the more persuasive argument depends upon what the collective understanding and decision of the body would be.

CHAIRPERSON DAVIS: Okay. [Stammer] here's where I am with this. And, and, like I said, we are obligated, for one, listen to the people and be the voice of the people but also make sure that we get all our documentations and read all the backup and sup'.., understand how we're gonna make an effective decision. I do recall [stammer], I met Mr..., what's your name again?

MR. P. ALLMAN: Allman.

CHAIRPERSON DAVIS: Huh?

MR. P. ALLMAN: Allman.

CHAIRPERSON DAVIS: Mr. Allman passing by one day in the lobby. Just for the record, this is nothing that I went out and searched. This company was.., had made application well before I found out anything about it. And then I asked him when was gonna be the next town hall, then I get a call stating there will be some bus tours. They said ask.., we're gonna ask, you know, did every colleague.., we all got a memo stating that, 'Could you please send two people from your various districts...

MR. P. ALLMAN: That's right.

CHAIRPERSON DAVIS: ...whether they support it or not, to get some information.

And I said thank you. I then walked over to Stonybrooks and knocked and spoke to about nine to ten people and I asked them..., and one or two folks actually came out tonight but they chose not to speak because they felt like the crowd got a little too aggressive. I said, 'I need for you all, because you are the voice of your own community and I wanna hear from you. So please go over there.' So we all..., I don't know who did and who didn't, I just remember the day that it happened. I went and picked my car up, gave two of 'em a ride, the others had their own ride. Um, this Item's coming before us today as a hot Item. I'm here today prepared to deal with the facts. It's obvious that all my colleagues understand [stammer], from what I've heard today, there's numerous issues why they don't wanna support it but I know from hearing the public, it's the neighborhoods and the people. And I can understand that, I can support that. But that's what we have to deal with today. And, and I, I was hoping that, if there's some way, and I hope so, if this voted down, that if there's some property available in the City that's not near a residential area, that would bring jobs to this community, then we can also come back and support this Item later. 'Long as it's not near residential areas. You know? That's my focus. How do we make it a win/win for our people? Yes, we want the jobs, yes we want a clean neighborhood, yes we want safe schools. So, if we got 30% industrial community, if there's any potential spaces for 'em, let's find a way to work with them with Staff and to find second options. If there's no other location being provided, then I can understand that position.

But, um, I was prepared today to make a decision, way..., after reading all the information and there was a lot of people was supposed to come out and speak but they got frightened. I said, 'You should not be frightened to stand up for what you believe in.' I said people get emotional, and that's cool. But [inaudible], that's our human [inaudible] but don't be frightened to stand up for what you truly believe in. I said, 'Yes, they're telling me if you vote this way, we're gonna get you...' I said, 'Listen, these seats gonna come and go but all I care about is how can you feed your children, how can you protect your children,' you know, 'they're medical needs.' I've been involved with Stonybrooks way before I got elected. I'm not there when the cameras are there. I was there before the cameras came. A lot of those folks that came and spoke for that organization, then gentleman, the Green... What's it called?

MAYOR MASTERS: Green Party.

UNK: Green Party.

CHAIRPERSON DAVIS: The Green Party, a lot of your supporters have been there knocking on doors with me since 2010, 2011, in Stonybrooks. When the cameras weren't there. And, and a lot of you..., Mr., Ms. Byrd, and you can attest to that. So I don't need a camera to do right by people but I will do my due, due diligence. And today, you know, obviously the support's not there but beyond this point, I hope that our Staff and even myself, anyone in this room, you know, if you see something or hear about a piece of property, maybe away from a neighborhood, let's find a way to reach back out to this company and make it a win/win for our public but at this time, I think this Item has been clearly stated on which direction it's gonna go even though it's been said that it met all the requirements, it's legal, it's deemed safe but I understand where my

Board's going and I support my team, I support my community.

And that's where I stand with that tonight.

MAYOR MASTERS: Mr. Chair?

[Audience clapping]

UNK: I have a question.

MAYOR MASTERS: Mr....

CHAIRPERSON DAVIS: Madam...

MAYOR MASTERS: ...Chair...

CHAIRPERSON DAVIS: ...Clerk, roll call, please.

MAYOR MASTERS: I do have a question. Mr. Allman, I just have a quick two questions.

CHAIRPERSON DAVIS: Mayor, Mayor. Just, just...

UNK. AUDIENCE: [Inaudible].

CHAIRPERSON DAVIS: Just for the record, we got 20 minutes and we got other items and...

MAYOR MASTERS: I just wanna know why he...

CHAIRPERSON DAVIS: ...and we g'...

MAYOR MASTERS: ...never knocked on the door of Stonybrook. Never, never knocked on the, the door to talk to the people, to the management of Stonybrook and never had any town hall meetings in the neighborhood of Harmony Heights, Parson Heights and Federal Gardens and I don't understand that.

Thank you.

CHAIRPERSON DAVIS: Mayor, Mayor. It's been stated. We don't., we, we wanna make sure that when people come to our community, no matter how we feel about 'em, the question is, we gotta treat 'em as professionals. If they hire engineers, attorneys, from our community, that's what we want to promote. We don't wanna continue hiring professionals and they come before us and then we beat 'em up for not hiring our people.

And I wanna say to Attorney Brown, listen, you're doing your job, you're a licensed attorney. If there's other attorneys, you got Bill [inaudible], you have Corey Smith's of the world, you have Zedrick Barber's of the world. I hope that all you

attorney..., young ladies and young men get all these jobs as professionals coming up here, 'cause you went to college to do something and do your job. But today, this Item has been discussed and deliberated, I'm supporting what the people want, at this time. And I hope that, in the future, that there'll be opportunity or position of this company to be..., come into this community away from the neighborhoods. But I do thank you gentlemen for choosing Riviera Beach because while we do have these wonderful resources there's no, there's not a question whether we're a great City and that's why everybody's coming. And I'm proud to be in this City everybody wanna be a part of and I'm so proud of that.

Madam Clerk, roll call, please.

DEPUTY CITY CLERK BURGESS: Councilperson Davis Johnson?

COUNCILPERSON DAVIS JOHNSON: No.

DEPUTY CITY CLERK BURGESS: Councilperson Hubbard?

COUNCILPERSON HUBBARD: No.

DEPUTY CITY CLERK BURGESS: Councilperson Pardo?

COUNCILPERSON PARDO: No.

DEPUTY CITY CLERK BURGESS: Pro Tem Miller-Anderson?

CHAIR PRO TEM MILLER-ANDERSON: No.

DEPUTY CITY CLERK BURGESS: Chair Davis?

CHAIRPERSON DAVIS: No.

DEPUTY CITY CLERK BURGESS: That motion failed...

MAYOR MASTERS: And I don't vote either, no.

CHAIRPERSON DAVIS: Thank you so much. But thank you, sir, for choosing, like I said, Riviera Beach and thank the residents for coming out.

[Audience applause]

MAYOR MASTERS: That, that's what I asked for. 5-0 [inaudible]...

CHAIRPERSON DAVIS: We're gonna get down. We have 20 minutes left. So, do you wanna go..., let's go to public comment and then go to the Ocean Mall?

DEPUTY CITY CLERK BURGESS: [Inaudible], No. 6.

[Inaudible dais background comment]

CHAIRPERSON DAVIS: Okay. Let's extend it.

[Inaudible audience chatter]

CHAIRPERSON DAVIS: No. You gotta do public comment. We missed the timeframe, 7:30.

[Audience chatter]

CHAIRPERSON DAVIS: Please, please, please keep it down. We're gonna go through public comments. [Inaudible]. Where's my Agenda? My Agenda.

PUBLIC COMMENTS

CHAIRPERSON DAVIS: Public comments. We're gonna go to Mr. John Miller.

[Inaudible comments]

CHAIRPERSON DAVIS: John Miller. Public comments. Please, please, please, please, please keep your voi'... Mayor, Mayor, we need you up here to conduct a meeting. Please keep your coup'..., comment... Let's, let's not get distracted. John Miller, you have, you have three minutes.

MR. J. MILLER: Okay. We talked about jobs. I wanna talk about jobs again. Lynne, you, you did the right thing. You're hammering to try to get [inaudible] contracts come out. Take a ride over to the Ocean Mall. What's going on over there? I think you'..., I think you's know there's a project going on there right now. I stopped there, I took pictures, it's in my phone. I'll show you the pictures. You got a West Palm Beach contractor there. Not one person from Riviera Beach, with Riviera Beach money, taxpayers' money, doing work. How come? I sent, all of ya's, right, a jobs proposal that could put people to work and to train 'em. Anybody care about that? Anybody out here, do you need a job? Speak up. 'Close to a billion dollars worth of work over on Singer Island. Fifty-some high rises over there, did you work on any of 'em? Anybody? Why shouldn't ya? Why don't you get a break on this? You got the opportunity. It's time to start training some people and helping them. Nobody wants to look at me, nobody wants to pay attention, that's fine.

COUNCILPERSON DAVIS JOHNSON: No.

MR. J. MILLER: Maybe somebody out here will. Do the right thing. You got a chance for jobs. Somebody that would run with this is gonna look like a saint. Who's gonna step up?

Thank you.

[Audience clapping]

CHAIRPERSON DAVIS: Thank you. Ms. Margaret Sheppard.

MS. M. SHEPARD: I'm okay.

CHAIRPERSON DAVIS: Okay, Ms. Sheppard. Wil'.., Mr. William McCray.

MR. W. MCCRAY: William McCray. I'm pleased that the Council did the right thing and made the right decision and voted no on this. I spoke earlier about sellouts. The former Mayor, Mr. Brown, if we can go back in time, woulda been one of the people who woulda put us in chains and sold us on the ships and sold us into slavery. To fight for a project that is environmentally racist is ridiculous. The realtor said the only place he could find a railroad tracks to do this was right there, in Rivera Beach because they put the railroad tracks in black neighborhoods. Environmental racism. It's disrespectful and I'm very happy with Councilwoman Pardo for saying that. It's disrespectful to keep disrespecting black people and environmentally.., environmental degradation in our communities with black children and black people and low income communities. We're tired of it, it needs to stop and I hope you guys won't entertain this kind of foolishness, environmental racism in our communities anymore after this.

Jobs, we need jobs. Find some good ones. These aren't good ones. Anything [stammer] dealing with racism, whether its economic, environmental or otherwise, should not be entertained by nobody. It is ridiculous, it needs to stop, its 2016. I hear people complain about Trump, Trump tryinna get us jobs but you're trying to allow environmental racism to continue in our neighborhoods and it needs to stop, don't let it happen again, don't entertain these people, they don't care about us, they don't care about our community. They only wanna come in and extract wealth and enrich themselves and make us look like.., just, put us to shame, just like they did in the slave days. It's disrespectful. It's a shame and it needs to stop. Don't ever come back here with that foolishness. And please, as a Commission, don't ever entertain it agai'.., anymore.

Thank you.

[Audience clapping]

CHAIRPERSON DAVIS: Rod James.

MR. R. JAMES: [Inaudible].

CHAIRPERSON DAVIS: You're good?

MR. R. JAMES: [Inaudible].

CHAIRPERSON DAVIS: Okay, Mr. James. Sharon.., Ms. Sharon.., is that Ward? Ward? [Pause]. No? Okay. Bonnie Larson. I know she's.., there she go.

COUNCILPERSON PARDO: [Chuckle]. And she's still awake.

CHAIRPERSON DAVIS: Ms. Larson. Still hangin'?

MS. B. LARSON: Yeah.

CHAIRPERSON DAVIS: Alright. Want me to start your clock now? [Chuckle].

MS. B. LARSON: You're not losing me. We're still trying to improve Riviera Beach and I heard tonight, um, I think it was the Mayor.., or, it was Mr. Jones said that he had a letter from the new City Manager saying he'd like to put off the Ocean Mall for 30 days. At least, he wants to talk about it, 30 days. What is that. We have not heard about the Ocean Mall in a long, long time so what's 30 days, ya know?

I had three police issues recently so I went over to get the report on 'em. I wanna know what's going on, I wanna know how it's written down and what the supposed resolution is. I challenge any one of you, if I show you those papers to tell me what I reported and what the answer was. You cannot tell what I reported. So, if they say police crime is down in Riviera Beach, let me tell you, reports are not being made. I called about someone destroying our property. 45 minutes to get there. And they said, 'Well, we have to prioritize our calls.' Sure. If you figure, in 45 minutes, the person's not gonna be there. So, no report, no nothing. I pointed out something else, and he went, 'Hm.' I said, 'I got it all on film.' So he says, 'Show my your camera.' No, you're not taking my camera. I got it on film but he would not write it. He just said, 'Ah, well.' And that's why, things are not being reported, things are not being written up. So, how do you know how much crime goes on in Riviera Beach?

Two weeks ago, Saturday, I was outside about 12:30 putting out some garbage and I.., and all of a sudden there were police running in our backyard which means they had to jump the fence. They turned out to be police, I didn't know that 'cause it didn't say police on the back. They were determined someone was in our yard, they ran all over the place, flashli'.., scared the bejeebers out of me. I didn't know they were police at first.

[Chuckle]

MS. B. LARSON: Well, it's not so funny when it's you standing outside and all of a sudden poli'.., people are running in your backyard. I'm gonna tell ya though, that young guy, the one, uh, the main one there, he was good. He was very agile, he ran, he jumped up and down. He looked everywhere. He was determined to find whoever was in our yard. Did that every get repo'... I asked what happened with that, no answer. Couple other things, I have those reports, three reports. You cannot tell what I reported so you don't know how much crime there is in Riviera Beach. You just don't know and that's wrong. That is wrong, that should be all written up. And you should be able to understand it.

The P&Z meeting on the situation with Odyssey. I asked for public request record because we're not.., at the P&Z we're not, any longer, seeing the recommendations from various departments. They just say, 'Everything's okay.' No, I wanna see the police report on that, I wanna see the fire report on that, what they think about a project like that. I went over and as late as 5:00 o'clock today, 'Report

unavailable.' So, it wasn't given to the P&Z and I requested it a week ago, still unavailable. Still unavailable. I'm tired so I'm not gonna do the rest of it. Thank you.

[Audience clapping]

[Beep]

CHAIRPERSON DAVIS: Ms. Roseanne Brown. [Chuckle]. Ms. Larson, I never heard you get tired before.

MS. B. LARSON: It's almost 11 o'clock.

COUNCILPERSON PARDO: We're breaking...

CHAIRPERSON DAVIS: I can't believe it.

COUNCILPERSON PARDO: ...night.

CHAIRPERSON DAVIS: I've never seen you get tired.

MS. R. BROWN: Good evening.

COUNCILPERSON PARDO: Good evening.

MS. R. BROWN: I've sat outside and I heard you being accused of all kinds of things this evening. I betcha when you left home you didn't know you were guilty of all of that.

CHAIRPERSON DAVIS: Mhmm.

MS. R. BROWN: But I heard the accusations so I figured I better make some accusations too. So, I'm here to accuse you of something too. I'm here to accuse you of loving and caring about children and we thank you for that. I'm here to tell you that the application period for the 20-year anniversary of the Rivera Beach Scholarship Program opens on Monday, March 6th. The deadline is Friday, April 28th. It will be online on this Monday so, hopefully, we will have lots of people applying. We thank you. You appropriated an additional \$1,000 this year so instead of \$19., \$19,000 there's \$20,000 and we thank you for that. On behalf of the children, we thank you for that because that's who benefits because every dime that goes into this program goes to a child and I am going to encourage you [stammer]. First, I encourage all of these great folk who wanna do business in the City and they bring their law firms and all that kind of stuff, please, help me challenge them to each sponsor a scholarship for one child, that each of them will make a \$1,000 donation to the City of Riviera Beach earmark for scholarships so that we can have more young people be all that they can be and leave this City and yearn to come back because they know that the help that they got came from their City.

So, I thank you and it is a pleasure to accuse you of loving and caring for children. I also want to thank, personally, Council Pro Tem KaShamba Miller. She has

been work'...

[Inaudible background comment]

MS. R. BROWN: Miller-Anderson. Did he hear me?

UNK: [Inaudible].

MS. R. BROWN: Oh, he heard me, didn't he? Okay. Excuse me, sir.

[Chuckles]

MS. R. BROWN: Council Pro Tem KaShamba Miller-Anderson, who I've been working with and we look forward to see what's gonna come out of her revamping of the Education Advisory Committee so that we can do even more for the young people in in this community.

Thank you all. Have a good evening.

CHAIRPERSON DAVIS: Thank you, Ms. Brown.

COUNCILPERSON PARDO: Thank you.

[Audience clapping]

CHAIRPERSON DAVIS: Mr. Anthony Thompson. Anthony Thompson.

UNK: He's gone.

CHAIRPERSON DAVIS: Reverend Burrs said he's gone. [Pause]. Oh, Mr. Thompson, right? Yeah. [Pause]. Good evening, sir.

MR. A. THOMPSON: How's everybody?

CHAIRPERSON DAVIS: Doing well.

COUNCILPERSON DAVIS JOHNSON: Good evening.

MR. A. THOMPSON: Thank you.

CHAIRPERSON DAVIS: [Chuckle].

MR. A. THOMPSON: [Chuckle]. I'd first like to, I would like to thank you for giving me this opportunity to talk and what I wanted to talk about was, um, my purpose is actually to, um, to see if anybody in here has heard about the obstacle course fitness challenge that we're having at Wells Recreation Center across the street?

[Inaudible dais comment]

CHAIRPERSON DAVIS: No.

MR. A. THOMPSON: Anybody?

COUNCILPERSON DAVIS JOHNSON: We got it. [Inaudible].

MR. A. THOMPSON: Anybody?

CHAIRPERSON DAVIS: I ain't heard about it.

COUNCILPERSON DAVIS JOHNSON: It came from Parks & Recreation.

CHAIRPERSON DAVIS: Let's talk about it, yeah.

MR. A. THOMPSON: [Chuckle].

CHAIRPERSON DAVIS: When is it.

MR. A. THOMPSON: It's actually gonna be April 29th. April 29th and, um...

CHAIRPERSON DAVIS: That's a Friday?

MR. A. THOMPSON: What it is...

CHAIRPERSON DAVIS: Is that a Friday or Saturday?

MR. A. THOMPSON: That's a Saturday.

CHAIRPERSON DAVIS: Okay. Go ahead, sir. I'm sorry.

MR. A. THOMPSON: Alright. It, it's actually, it's, it's a fitness challenge and we're partnering with Parks & Recreation Department. And, with the Parks & Recreation Department, what we're trying to do is collectively.., collectively we will, uh, we will only.., we're actually trynna put together this fitness to help bring out more activities for the kids in, in Riviera Beach and some of the proceeds coming from that, from that event will go towards that. [Clears throat]. Excuse me. The collaboration we will ha'.., the collaboration will have an incredible impact on the community. Together we will give citizens the opportunity to begin living their dreams, creating new jobs for Riviera Beach, one of the essential key factors in, in the economic growth of the City. The creation of the new jobs for the families in Riviera Beach by the BFC will, will be put out.., we'll be putting our state closer to becoming the small business capital of the world, which is what the Governor of Florida wants us to become.

We know already that the HR Department always has a yearly, uh, fitness program so what we can do is collaborate with the HR Department with this event because Mr..., Mr. Blankenship, Mr. Blankenship wants this event to go on once or twice a year. So, we told him that we, we can do that as long as we, uh, have the opportunity [inaudible] we can do it with no problem. And, we know that in Riviera Beach, you know, the.., in our City, what we're trying to do is bring some positivity to it

'cause we know there's a negative connotation connected to it.

But, uh, in conclusion, we, at the BFC, would like the Parks & Recreation Department, along with the City of Riviera Beach, to receive the Governor's Business Ambassador medal and ribbon. So, what we're gonna try to do is try to put this on yearly, as much as we can and what we need is to let the Council know so that we can get the word out and we can make this successful. We're also gonna be tryna create jobs for the community 'cause we're gonna need people to work as a year-round thing.

[Beep]

MR. A. THOMPSON: So that's gonna be our main focus as well.

CHAIRPERSON DAVIS: Are these, like, personal fitness jobs?

MR. A. THOMPSON: Yes. It's gonna be personal training jobs.

CHAIRPERSON DAVIS: Personal training, I meant?

MR. A. THOMPSON: We're gonna be, um, promoting jobs.

CHAIRPERSON DAVIS: Mhmm.

MR. A. THOMPSON: Volunteer coordinators.

CHAIRPERSON DAVIS: Yeah.

MR. A. THOMPSON: Things of that nature.

CHAIRPERSON DAVIS: Okay. [Stammer] can you say a number if someone wanna reach you at home? A phone number?

MR. A. THOMPSON: Yes.

CHAIRPERSON DAVIS: Say it into the record, just, somebody might wanna give you a call [inaudible]...

MR. A. THOMPSON: Alright. 561-209-3282.

CHAIRPERSON DAVIS: Thank you, sir.

MR. A. THOMPSON: Alright.

CHAIRPERSON DAVIS: Alright.

MR. A. THOMPSON: Thank you for your time. I appreciate it.

CHAIRPERSON DAVIS: Alright.

MAYOR MASTERS: Thank you.

CHAIRPERSON DAVIS: M'.., oh, before we getting we got five minutes, let's entertain a motion to extend the meeting to 11:30?

[Inaudible background comment]

CHAIRPERSON DAVIS: 'Cause we still got a, a quite a few public comment cards. Still got.., we got the Ocean Mall representatives here and we wanna definitely have time to address this.

COUNCILPERSON PARDO: Yeah. And, wait, Mr. Chair?

CHAIRPERSON DAVIS: Yes, ma'am.

COUNCILPERSON PARDO: Alright. So, if we do that, are we gonna try to get through the rest of the Agenda? We do have the conversion Item coming up...

CHAIRPERSON DAVIS: Is it...

COUNCILPERSON PARDO: ...next. And then...

CHAIRPERSON DAVIS: Is it time sensitive? We can just, if you all don't mind...

COUNCILPERSON HUBBARD: [Inaudible].

COUNCILPERSON PARDO: Yeah. I don't think there's anything to discuss.

CHAIRPERSON DAVIS: Okay.

COUNCILPERSON PARDO: Is there anything to discuss with them?

CHAIRPERSON DAVIS: Okay. Well, let's, let's get a motion to, to extend the min'.., meeting 30 minutes.

COUNCILPERSON DAVIS JOHNSON: Motion to extend.

CHAIRPERSON DAVIS: To 11:30.

COUNCILPERSON DAVIS JOHNSON: Motion to extend until 11:30.

CHAIRPERSON DAVIS: 11:30.

COUNCILPERSON HUBBARD: Second

CHAIRPERSON DAVIS: Sexton?

COUNCILPERSON DAVIS JOHNSON: Second.

CHAIRPERSON DAVIS: Oh, thought you said sexton.

[Chuckles]

CHAIRPERSON DAVIS: I need to get me some food. [Chuckle]. I thought I heard that. I said, 'What?'

[Inaudible dais background comments]

DEPUTY CITY CLERK BURGESS: Councilperson...

COUNCILPERSON DAVIS JOHNSON: Oh, Madam Clerk.

DEPUTY CITY CLERK BURGESS: ...Davis Johnson?

COUNCILPERSON DAVIS JOHNSON: Yes.

DEPUTY CITY CLERK BURGESS: Councilperson Hubbard?

COUNCILPERSON HUBBARD: Yes.

DEPUTY CITY CLERK BURGESS: Councilperson Pardo?

COUNCILPERSON PARDO: Yes.

DEPUTY CITY CLERK BURGESS: Pro Tem Miller-Anderson?

CHAIR PRO TEM MILLER-ANDERSON: No.

DEPUTY CITY CLERK BURGESS: Chair Davis?

CHAIRPERSON DAVIS: Yes.

DEPUTY CITY CLERK BURGESS: That motion passed with Pro Tem Miller-Anderson dissenting.

CHAIRPERSON DAVIS: Okay. Mr. Frederick, this is Nature's Own Solutions. Is that the guy who said [inaudible]? Frederick Ritter. Oh, so, he said he'll come back. Okay. Ms. Ponder?

CHAIR PRO TEM MILLER-ANDERSON: She's gone, I think.

CHAIRPERSON DAVIS: Gone? Okay. Well, let's keep rolling. Ms. Byrd? Gonna go again. And I know Mr. Byrd is right behind you so we're just putting cards together.

MAYOR MASTERS: Mm.

CHAIRPERSON DAVIS: Okay.

MS. M. BYRD: Yes. I would just like to know what can, we as residents, do to try to rezone this general industrial area where the site was supposed to be? What can we do to help rezone that so that this doesn't come up again for everybody?

CHAIRPERSON DAVIS: Well, just make sure you leave co'.., uh, we have your phone contact. We'll make sure Staff reach out to you so the next time when we address this in our rezoning.., we already got a plan to discuss all these different codes. And we can, at least, get you involved in, in that process. I'm sure we will, we definitely need to have a town hall to address the zoning.

MS. M. BYRD: That sounds...

CHAIRPERSON DAVIS: [Inaudible]...

MS. M. BYRD: ...great.

CHAIRPERSON DAVIS: ...City.

MS. M. BYRD: 'Cause I'd like to...

CHAIRPERSON DAVIS: We, we already...

MS. M. BYRD: I'd like to help...

CHAIRPERSON DAVIS: ...discussed that...

MS. M. BYRD: ...with that.

CHAIRPERSON DAVIS: ...in a, in a public.., in our retreat, correct? [Pause]. Yes. Thank you. I definitely have your number, so.

MS. M. BYRD: We would like to help.

CHAIRPERSON DAVIS: Alright.

MS. M. BYRD: So, I speak for both of us.

CHAIRPERSON DAVIS: Okay.

MS. M. BYRD: Thank you. So, Mr. Byrd, Ms. Byrd got you? Okay. Rafael? Is gone. Lloyd Brown.

UNK. AUDIENCE: Gone.

MAYOR MASTERS: [Inaudible].

CHAIRPERSON DAVIS: Tina White.

UNK: Gone.

CHAIRPERSON DAVIS: Ms. Gordon, I see she's gone and the last one's Mary Bram.

[Inaudible dais background comments]

MS. M. BRAM: Good evening. Ms. Mary Bram, Riviera Beach. In the EPA report, what they gave here in Section 3-13, they were fined for toxic chemicals known by the owner or operator to be manufactured, processed or otherwise used in quantities exceeding the established threshold quantity during preceding calendar year. All the paperworks that I gave you all tonight, that is in there. A special exception is something that is unusual, out of the ordinary. It is not given. A special exception is something that the City owns by its..., giving its permission. So, when someone comes in here and do this bully pulpit... The bully pulpit, that's what we call it. It's not grantable. We went through this. As, as this District Commissioner Johnson, we want you to make sure. All of this is your District. That, uh, chart back there, all of this stuff would've impacted or entire community, our schools, our daycares, the residential properties. We've had enough of this. We never, never wants to come back here again. When we went through this before and gathered up the harvest of the City, we said no then. So, we're asking for this to be done.

Ms. Bram..., my husband had a backset because of all of this here that he has been taken through but I told him let me finish this journey here because this was worth it. Every bit of it was worth it.

MAYOR MASTERS: Yes.

MS. M. BRAM: For my children and you all as leaders, I want you all to be great. Ms. Bram have every registered voter here. There's close to three..., 5,000 peoples here, that the rest of the community has worked for this same purpose here because we want a new in here. I believe that this Board can do better, I've said that.

I want to reads a little poem that I wrote in this Chambers here. It's called the Blacks and the Browns because I think some of the Members wasn't there when I sat back there at the CRA Board Mem'..., night and wrote it. "Life most urgent question is, 'What are you doing for others?' Dr. Martin Luther King. We should strive to make each day a better day as we travel the unknown journey. Stop the jealousy, the enviousness, the divis'..., divisiveness and crafted greed. Seek the hidden treasures and [inaudible] that all has been bestowed and given to all. Apply to...

[Beep]

MS. M. BRAM: ...be better to each other, brother, sister, boy or girl. Say a kind word of encouragement to each other. We can do better. We will do better. Forge to come and bond for our social disparities, alcoholism, drug addiction, education, violence, homelessness, unemployment, housing, healthcare. We, we are painted with the same brush, splashing on the beautiful blacks and browns to make that masterpiece. In the words of Dr. Maya Angelou, her words should resonate with all of us. 'You see my brothers and sisters, we are more alike than we are unlike. We are more alike than we are unlike. Forward together, Ms. KaShamba Miller-Anderson.

Thank you for having the patience, the love and the time to invest in our children's education. You have dedicated a life of service. Tonya Davis Johnson, in the minority business world and in your profession, you are faced with many obstacles and challenges. For when much is given, much is required. Lynne Hubbard, she is a fighter for the jobs of her people. Job seekers rise to the occasion, apply, prepare, brush up on your skillsets. Nothing will be given, you must meet the challenges. Dawn Pardo, yes, we are one, forward together. Darlene Hatchett, Anita Jenkins, thank you for your service. Terence Davis, TD, Mayor, Bishop Masters, Scott Evans, you have extended your hands. We are marching to the beat of the drum, marching forward, marching forward.

I wore this shirt tonight because this is just what it is and it says love. Love as high as the moon, I can't give ya nothin' else but my love for you and I love my community. So, I thank you all tonight for doing the right thing. Let us rest in peace and pray for my husband's strength and pray for my strength and we will do the same for you. God bless you all.

Thank you.

COUNCILPERSON PARDO: Thank you, Ms. Bram.

[Audience clapping]

CHAIRPERSON DAVIS: Now, we're gonna end public comment. We're gonna go to Item No. 7.

MAYOR MASTERS: We don't wanna rest in peace though.

CHAIRPERSON DAVIS: 6?

[Audience chuckle]

MAYOR MASTERS: [Chuckle]

6. ITEM NO. 6

CHAIRPERSON DAVIS: Item 6.

[Chuckles]

MAYOR MASTERS: That's not good.

DEPUTY CITY CLERK BURGESS: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA PROHIBITING THE PRACTICE OF CONVERSION THERAPY ON PATIENTS WHO ARE MINORS, PROVIDING FOR CODIFICATION PURSUANT TO §1-8 OF THE CITY'S CODE OF ORDINANCES, PROVIDING FOR CONFLICT, SEVERABILITY AND FOR OTHER PURPOSES AND PROVIDING AN EFFECTIVE DATE.

COUNCILPERSON PARDO: So moved.

COUNCILPERSON DAVIS JOHNSON: Second.

CHAIRPERSON DAVIS: Madam Clerk.

UNK. AUDIENCE: [Inaudible] card.

CHAIRPERSON DAVIS: You have a public comment for this Item?

CHAIR PRO TEM MILLER-ANDERSON: Somebody's doing a presentation.

[Inaudible dais comment]

CHAIRPERSON DAVIS: Oh, I'm sorry. You wanna wait 'til the presentation, correct?

UNK: Yes.

CHAIRPERSON DAVIS: [Inaudible] presentation.

CHAIR PRO TEM MILLER-ANDERSON: Is she [inaudible].

CHAIRPERSON DAVIS: You wanna wait 'til the presentation?

UNK: Who's doing it?

CHAIRPERSON DAVIS: Okay. After that..., go ahead. What's your name?

DR. R. NEEDLE: Okay. My name is Dr. Rachel Needle.

CHAIRPERSON DAVIS: Okay. I gottcha right here.

DR. R. NEEDLE: Got it?

CHAIRPERSON DAVIS: Go ahead, Doc.

DR. R. NEEDLE: Alright.

CHAIRPERSON DAVIS: Go ahead.

DR. R. NEEDLE: Good evening, Mayor and Commissioners. My name is Dr. Rachel Needle. I'm a licensed psychologist and a certified sex therapist and I train people around the world in this specialization.

MAYOR MASTERS: [Inaudible].

DR. R. NEEDLE: As a sexuality expert, I hope that I can lend some support to you in

understanding the dangers of so-called conversion therapy. The practice of conversion therapy is based on two false premises. First, it's based on the falsehood that being gay, lesbian, bisexual or transgender is a mental disorder or defect that needs to be cured. And secondly, it's based on the presumption that being LGBTQ is something that can actually be changed through therapy. Sexual orientation and gender identity are not mental disorders or diseases and, therefore, any technique that claims to cure, suppress or change that is inherently invalid. Efforts to cure an LGBTQ person are based on theories with questionable scientific validity. As the American Psychiatric Association has noted, so-called conversion therapists have not produced any rigorous scientific evidence to substantiate their plans of a cure. In fact, I can provide to you 11 abstracts of highly regarded academic studies which empirically conclude that conversion therapy is, at best, ineffective and, at worst, extremely harmful. Any ethical mental health practitioner should not attempt to cure or repair gender or sexual orientation through these scientifically invalid methods.

Research has found that so-called [stammer], so-called therapies, aimed at changing ones gender orientation, gender identity or sexual orientation can lead to a number of mental health issues that include shame, guilt, depression, decreased self-esteem, increased self-hatred, feelings of anger and betrayal, loss of friends, social withdrawal, problems in sexual and emotional intimacy, hostility and blame towards parents, high risk behaviors, confusion, self-harm, substance abuse and suicidal ideation. Attempting to change ones' sexual orientation or gender identity can have a devastating impact on a minor. These change efforts are guided by people's bias and judgment and these biases can negatively infect the mental health of people who identify as LGBTQ. A number of Associations have issued statements against the practice of conversion therapy or reparative therapy including but not limited to the American Psychiatric Association, American Psychological Association, American Academy of Pediatrics, American Academy of Child and adolescent Psychiatry, among others and I have them all with me if you'd like me to submit them.

Many LGBTQ youth in our society still grow up believing that there's something wrong with them. Passage of this Ordinance will send an important message to LGBTQ youth in our City, there's nothing wrong with your sexual orientation or your gender identity. I strongly believe that the Commission should enact this Ordinance to protect children and adolescents from a practice that is far outside the bounds of any ethical psychological treatment plan. The Ordinance is narrowly tailored to prevent well'.., a well-documented risk of harm to minors and to address the serious threat to the wellbeing of LGBTQ youth. So-call conversion therapy is proven to be ineffective...

[Beep]

DR. R. NEEDLE: ...and extremely damaging.

Thank you very much.

CHAIRPERSON DAVIS: Excuse me.

[Audience clapping]

DR. R. NEEDLE: And I'm happy to answer questions.

CHAIRPERSON DAVIS: Yes. Someone called me today and told me you'd be here 'cause I told him I have never heard of this. I was...

MAYOR MASTERS: Me either.

CHAIRPERSON DAVIS: ...told there was some torture, some electrical, some...

DR. R. NEEDLE: So, there's a combination. That, that's the thing, there's no set [stammer] set of techniques because it's not been researched, or, researched or validated so people go rogue. Right. They use..., they can use techniques, such as that, that are very harmful physically as well.

CHAIRPERSON DAVIS: Are there any proof of anyone actually... That's happening in the State of Florida, folks getting electrocuted?

DR. R. NEEDLE: So, that's one thing that's an extreme form that people have used, yes.

CHAIRPERSON DAVIS: That, that's really happening? Like...

DR. R. NEEDLE: Yeah.

CHAIRPERSON DAVIS: What cities?

DR. R. NEEDLE: Well, I, I usually end up with the adults in my office telling me the stories about when they were children 'cause I don't see children right now.

CHAIRPERSON DAVIS: Okay.

DR. R. NEEDLE: But, um, there have been many children that, you know, have reported to my colleagues in my office that they've been through that but usually the trauma, you know, sustains through adulthood and that's when they report it.

CHAIRPERSON DAVIS: So the'..., so there's therapists that are shocking children?

DR. R. NEEDLE: There are some that are doing that or other methods that are harmful, both psychologically and physically.

CHAIRPERSON DAVIS: Okay. I don't believe in abusing nobody for any...

DR. R. NEEDLE: What?

CHAIRPERSON DAVIS: ...reason. I said, I don't believe in abusing nobody for no reason, as much sometime people make me upset but...

DR. R. NEEDLE: Most are psychological abuse but...

CHAIRPERSON DAVIS: Right.

DR. R. NEEDLE: ...you know.

CHAIRPERSON DAVIS: I know. 'Cause...

COUNCILPERSON PARDO: Right.

CHAIRPERSON DAVIS: You know, this was, um, I was just trynna get more information on it.

COUNCILPERSON PARDO: Yep.

CHAIRPERSON DAVIS: And I support...

DR. R. NEEDLE: I'm happy to answer questions now or later.

CHAIRPERSON DAVIS: Senator Clemens office gave me a call and we talked about it a little bit and he said that you would be here...

DR. R. NEEDLE: Okay.

COUNCILPERSON PARDO: Yeah.

CHAIRPERSON DAVIS: ...[inaudible].

COUNCILPERSON PARDO: And also, Mr. Chair?

CHAIRPERSON DAVIS: Yes.

COUNCILPERSON PARDO: This came before us at the Palm Beach County League of Cities and we passed it unanimously.

CHAIRPERSON DAVIS: Alright.

DR. R. NEEDLE: Thank you.

CHAIRPERSON DAVIS: Ms. Floyd? Mr. Floyd, I'm sorry. Oh, Hutch.

MR. H. FLOYD: Yes, sir.

CHAIRPERSON DAVIS: I'm sorry.

MR. H. FLOYD: Ah, no. No problem. Starsky and...

[Chuckles]

MR. H. FLOYD: Good evening. Thank you very much. I'm very honored to be in front of this esteemed dais. My name is Hutch Floyd. I sit on the Board of Directors for the Palm Beach County Human Rights Council and I'm here on their behalf.

We are very grateful to the City Council for considering PBCHRC's request to take action to protect LGBTQ youth by enacting a ban to prohibit conversion therapy on minors within City limits. Conv'., conversion therapy is usually forced on minors by parents who find it impossible to accept the fact that their children identify as gay, lesbian or transgender. This so-called treatment is extremely harmful. The bans only apply to licensed mental health providers and not to members of the clergy. Additionally, the bans do not prevent mental health providers from talking to minors about issues they may be having concerning sexuality. It only prohibits mental health providers from telling kids, and their parents, that they can change their sexuality through therapy. As Dr. [stammer], as Dr. Needle explained, that's simply untrue. Although there has been several court challenges to the constitu'., constitutionality of banning.., of laws banning conversion therapy for minors, on three occasions, the U.S. Supreme Court has declined to hear challenges to the constitutionality laws of banning.., excuse me. Throughout the state, similar ordinances ha'., have also been enacted, in Miami, Wilton Manors, Miami Beach, Bay Harbor Islands, El Portal and Key West. The Tampa City Council is in the process of considering a similar ban at its meeting on March 2nd. Across the nation, in California, Illinois, New Jersey, Oregon, Vermont, the District of Columbia, Cincinnati, Seattle, Pittsburg and Toledo, laws have been enacted to prevent licensed mental health providers from offering conversion therapy to minors. More locally, these bans have been enacted unanimously in the municipalities throughout the county including West Palm Beach, unanimously in Lake Worth and unanimously in Boynton Beach.

Tonight, I'm here to repeat PBCRHRC's request that you do the same and pass this Ordinance protecting LGBTQ youth, who are our children, members of this community and our future.

And thank you very much.

CHAIRPERSON DAVIS: Thank you, sir.

COUNCILPERSON PARDO: Thank you.

CHAIRPERSON DAVIS: [Inaudible].

MR. H. FLOYD: And I'm..., if you have any questions, I'm also glad to respond.

CHAIRPERSON DAVIS: Um, I'll get your contact. I just wanna..., I got a lot of questions.

MR. H. FLOYD: Thank you, Mr. Davis.

CHAIRPERSON DAVIS: You left your number on the card, right?

MR. H. FLOYD: Yes, sir.

CHAIRPERSON DAVIS: I'll just give you a call. Okay?

MR. H. FLOYD: Yes, please.

CHAIRPERSON DAVIS: Thank you.

MR. H. FLOYD: Thank you.

CHAIRPERSON DAVIS: Alright. Any other questions by the Board? [Pause].
Madam Clerk.

[Inaudible dais comment]

CHAIRPERSON DAVIS: Nah, he's the Item..., that's for Item No. 8. On 6, Willis Williams.

INTERIM CITY MANAGER JONES: Item 6.

[Inaudible dais comment]

CHAIRPERSON DAVIS: He's gone already. [Inaudible].

DEPUTY CITY CLERK BURGESS: Councilperson Davis Johnson?

COUNCILPERSON DAVIS JOHNSON: Yes.

DEPUTY CITY CLERK BURGESS: Councilperson Hubbard?

COUNCILPERSON HUBBARD: Yes.

DEPUTY CITY CLERK BURGESS: Councilperson Pardo?

COUNCILPERSON PARDO: Yes.

DEPUTY CITY CLERK BURGESS: Pro Tem Miller-Anderson?

CHAIR PRO TEM MILLER-ANDERSON: Yes.

DEPUTY CITY CLERK BURGESS: Chair Davis?

CHAIRPERSON DAVIS: Yes.

DEPUTY CITY CLERK BURGESS: Unanimous vote.

7. ITEM NO. 7

CHAIRPERSON DAVIS: So, we're on Item No...

DEPUTY CITY CLERK BURGESS: 7.

CHAIRPERSON DAVIS: Can we...

INTERIM CITY MANAGER JONES: Item No. 7.

CHAIRPERSON DAVIS: Okay. Go ahead. [Inaudible].

DEPUTY CITY CLERK BURGESS: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA COMMEMORATING THE FLORIDA ASSOCIATION OF CITY CLERKS FACC 45TH ANNIVERSARY AND PROVIDING AN EFFECTIVE DATE.

COUNCILPERSON PARDO: So moved.

COUNCILPERSON DAVIS JOHNSON: Second.

CHAIRPERSON DAVIS: Properly moved and second. Any questions? Concerns?

COUNCILPERSON HUBBARD: None.

CHAIRPERSON DAVIS: Any statements from the Clerk?

DEPUTY CITY CLERK BURGESS: No, sir.

INTERIM CITY MANAGER JONES: Mr. Chair? I'd like to just point out that our Clerk currently has a designation of Certified Municipal Clerk.

CHAIRPERSON DAVIS: Mhmm.

INTERIM CITY MANAGER JONES: She is in the process of obtaining the MCC level which is Master Municipal Clerk and our Deputy is currently in the process of becoming a Certified Municipal Clerk.

CHAIRPERSON DAVIS: [Inaudible]. Alright.

UNK: [Inaudible].

CHAIRPERSON DAVIS: Good news. I like that. How's that experience?

DEPUTY CITY CLERK BURGESS: Thank you. Gettin' there. [Chuckle].

CHAIRPERSON DAVIS: Excuse me?

DEPUTY CITY CLERK BURGESS: It's gettin' there, yes.

CHAIRPERSON DAVIS: Alright.

INTERIM CITY MANAGER JONES: Although she's not with the City, I'd like to just also acknowledge Ms. Darlene Hatcher who is also a Certified Municipal Clerk.

CHAIRPERSON DAVIS: With the CRA.

INTERIM CITY MANAGER JONES: For the CRA.

CHAIRPERSON DAVIS: Yes, yes. She's been excited. Okay. So, Madam Clerk.

DEPUTY CITY CLERK BURGESS: Councilperson Davis Johnson?

COUNCILPERSON DAVIS JOHNSON: Yes.

DEPUTY CITY CLERK BURGESS: Councilperson Hubbard?

COUNCILPERSON HUBBARD: Yes.

DEPUTY CITY CLERK BURGESS: Councilperson Pardo?

COUNCILPERSON PARDO: Yes.

DEPUTY CITY CLERK BURGESS: Pro Tem Miller-Anderson?

CHAIR PRO TEM MILLER-ANDERSON: Yes.

DEPUTY CITY CLERK BURGESS: Chair Davis?

CHAIRPERSON DAVIS: Yes.

DEPUTY CITY CLERK BURGESS: Unanimous vote.

8. ITEM NO. 8

DEPUTY CITY CLERK BURGESS: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA APPROVING GSF, FLORIDA RETAIL, LLC THE CURRENT LESEE OF THE OCEAN MALL TO TRANSFER GSF'S LEASEHOLD INTEREST IN THE OCEAN MALL TO RH 2401 OCEAN, LLC AND AUTHORIZING EXECUTION OF THE AMENDMENT OF MEMORANDUM OF LEASE TO REFLECT THE PROPERTY DESCRIPTION AND PROVIDING AN EFFECTIVE DATE.

COUNCILPERSON PARDO: So moved.

COUNCILPERSON DAVIS JOHNSON: Second for discussion.

CHAIRPERSON DAVIS: Properly moved and second.

INTERIM CITY MANAGER JONES: Mr. Chair?

CHAIRPERSON DAVIS: Yes.

INTERIM CITY MANAGER JONES: What you have before you is an Item to consider the consent to the transfer of GSF's leasehold interest in the Ocean Mall. On or about February 3rd, the City received a letter...

[Inaudible background comment]

INTERIM CITY MANAGER JONES: ...from the counsel for GSF, Mr. Wayne Richards requesting the permission from the City to make the transfer. Mr. Degraffenreidt noticed the Council on February 3rd of this request and I think we have representatives here tonight from GSF, as well as Mr. Richards who would like to make a presentation before a decision is made.

MR. W. RICHARDS: May I p'..., may I proceed?

CHAIRPERSON DAVIS: Yes, sir.

MR. W. RICHARDS: Good, good evening. Wayne Richards on behalf of GSF.

COUNCILPERSON PARDO: Good evening.

MR. W. RICHARDS: Mr. Counc'..., Mr. Chairman, Madam Vice Chair, Council, City Attorney and Staff, it's a pleasure to be here this evening.

I am here on behalf of GSF, the current leaseholder. I have a very brief presentation. With me though, are Shane Hillsley, the proposed transferee, Shane and Mark King, part of our team here and, and they both will speak briefly.

Let's talk about the Ocean Mall. There is a lease in place and, as I mentioned to one of your colleagues, the lease is approximately 10 years old. It is a living, breathing, uh, thing. And the lease says, if the tenant sells, assigns or transfers this lease, collectively an assignment to any not affiliated person, then the tenant must obtain the City's consent and that's why we're here. They must obtain the City's consent and the City agrees that, two things, one, such consent shall not be unreasonably withheld or delayed. Two, if the City has not responded within 30 days of such..., a receipt of such a request, then such consent shall automatically, immediately and irrevocably be deemed given on the 31st day following the delivery of tenant's request for such consent. So, once again, this is a l'..., this is a living, breathing, existing lease. It has been there for 10 years. We made our first req'..., our, our first request to the City, which was received on October 12, 2016. And, quite frankly, the proposed acquirer, Mr. Hillsley, thought he was closing on November 11th. But that did not happen. The second request, was received by the City on February 1st. Now, who, who are we talking about? Who is the current lessee? I am the attorney for the current lessee. That is GSF, [inaudible] Garrison. Garrison, they're the money guy, the money people. They're, they're in New York City on 6th Avenue and they acquired the Ocean Mall lease in a pool of assets and

they are what we call an opportunistic investor. They acquired this lease at the Palm Beach County foreclosure sale on April 24, 2013. So, Garrison has been around for a little over three and a half years. As an opportunistic investor, and this is from their website. If you googled Garrison Investments, it says they are a leading middle market credit and asset based investor who focuses on deploying capital and opportunities. They take..., they look for opportunities. Well, since 2013, what has GSF done? They have paid to the City of Riviera Beach, and I think you ought to hear this, they paid eight hundred..., a total, \$858,000, I had to update it, \$807. They have spent almost \$1.2M of hard dollars on capital improvements when they demolished Building B, that was the Building B, the old 7-Eleven, and they constructed the new Building B. And, as of a few days ago, they completed a \$432,000 improvement for paving to the south parking lot.

Now, you're gonna hear in a few moments about tenant improvements. Whenever you try to bring a new tenant here, the..., you, you, you generally have to contribute significant monies to build out the raw space and they've spent \$201,000 in tenant improvements. So, GSF, the money guys out of New York City, have spent a little over \$2.67M since they have acquired it. But once again, they're not operators and, and that's what you need. Hence, we have Shane Hillsley and Tom Duncan, the proposed [stammer] buyers. They are what we call a value-added investor. The good news is this, Council, they've owned and have operated over \$750,000,000 of retail, residential and mix use holdings. There's a very similar project, and most of you have heard of this, called Downtown Dadeland, Miami Dade County, in Miami-Dade. There are 127,000 sq. ft. of retail. Well, when they acquired it, it was 50% occupied. Very similar to the Ocean Mall and, quite frankly, they acquired it from Goldman Sachs. GSF acquired this from the foreclosure..., through foreclosure. Well, they acquired Downtown Dadeland from Goldman Sachs. These both are or were distressed properties. Well, they came in and they have taken it from 50% to over 91% occupied and you're gonna hear, it's, it's thriving. It's a destination place.

Another phenomenal and recent development in South Florida, Biscayne, 55,000 sq. ft. of retail. They had one tenant, they had a CVS. It was lonely, it was quiet and dark. They took it from the one tenant up to a 90% occupancy in two years. So, we're going..., we're proposing to go from the money guys in New York, that simply acquired this asset to actual local, Palm Beach county, Boca Raton based, entity that operates these. [Stammer], and I'm gonna call Mark. Mark, would you explain... Mark, how did you find Duncan Hillsley, please?

MR. M. KING: Sure. I've been marketing this property, I'm a commercial real estate broker and I've been marketing this property for almost a year.

MAYOR MASTERS: Get closer to the mic, sir.

MR. M. KING: I've been marketing this property for almost a year.

CHAIRPERSON DAVIS: Please state your name for the record, sir.

MR. M. KING: Mark King.

CHAIRPERSON DAVIS: Yes, sir.

MR. M. KING: From Sperry Van Ness. So, over the course of the last eight months, we've been interviewing different buyers and knowing that, ultimately, we were gonna be standing here and, and the Council would be scrutinizing, you know, the qualifications of the buyer. So, it was with great satisfaction that I came upon Shane Hillsley and, and got to know Duncan Hillsley and their experience, their track record.

Um, [pause], if I can take just a second and talk about the [stammer], I've done a fair amount of work in, in failed commercial developments and there's a cycle of maturation for failed development. First you've got a lender, they take on development risk. If they fail, the lender takes over, the lender doesn't wanna hold the asset, they don't put any money into it. Then along comes an opportunistic investor, buys at a low number, there are no other buyers out in the marketplace, such as twelve'.., 2012, 2013. They, they really.., they manage the property but they don't really improve it, they don't put a lot of money into it. The final stage is a value add operator. They invest capital, they solve problems and they create value. The other buyers that we interviewed include international people, include people that have industrial properties but no retail properties. They include high net worth individuals that may have property in Singer Island but really don't own retail and are not specialists. Shane and his group are specialists in retail and more, more importantly, specialists in turnaround. So, it's my opinion that the Ocean Mall can flourish, it needs the r'.., it needs the right owner/operator and I believe that Shane and his group are the right owner/operator to achieve that goal.

MR. W. RICHARDS: [Inaudible] briefly.

MR. M. KING: Which part?

MR. W. RICHARDS: That the, the owner/operators bring money in and they're [inaudible].

MR. M. KING: Sure. Sure. So, the final stage where the capital expenditures, operations and aesthetics, lighting, art, proactive management and a smart tenant mix. These are common strategies implemented by value add operators. If you look at Downtown Dadeland, all of those things have been achieved. They're not in the planning process, they're not thinking about it, they've done it. It took 'em two years and they're in excess of 90%. It's, it's been a huge success.

MR W. RICHARDS: You wanna have Shane talk about Downtown Dadeland.

MR. M. KING: Sure. I think that'd be a good idea. One, thing to say though, [stammer], it needs to be the right owner/operator and, and these guys are the ones that are the right owner/operator. If you don't accept these guys, you're back to the s'.., you're back to the status quo. And we know what the status quo is, it's unacceptable.

CHAIRPERSON DAVIS: Um...

MR. M. KING: It's frustrating and it's not really what you want. So, I think it only makes sense to move forward with this buyer.

CHAIRPERSON DAVIS: Excuse me, Mr., Attorney Richards. I wanna extend this.., ask to extend this meeting to 11:45. Hopefully we can be done by then. But I don't want this meeting to turn off in the middle of this Item. Do we have a motion to extend the meeting to 11:45?

COUNCILPERSON HUBBARD: So moved.

COUNCILPERSON PARDO: Second.

CHAIRPERSON DAVIS: With intent to finish it before. [Chuckle]. Madam Clerk.

DEPUTY CITY CLERK BURGESS: Councilperson Davis Johnson?

COUNCILPERSON DAVIS JOHNSON: Yes.

DEPUTY CITY CLERK BURGESS: Councilperson Hubbard?

COUNCILPERSON HUBBARD: Yes.

DEPUTY CITY CLERK BURGESS: Councilperson Pardo?

COUNCILPERSON PARDO: Yes.

DEPUTY CITY CLERK BURGESS: Pro Tem Miller-Anderson?

CHAIR PRO TEM MILLER-ANDERSON: No.

DEPUTY CITY CLERK BURGESS: Chair Davis?

CHAIRPERSON DAVIS: Yes.

DEPUTY CITY CLERK BURGESS: That motion passed with Pro Tem Miller-Anderson dissenting.

MR. W. RICHARDS: Thank you, Mr. Chair and thank you Council. I want to introduce Shane Hillsley. Shane, would you kindly introduce yourself and, and, and share with us what you.., what did you see at Downtown Dadeland and how's it similar to here, please?

MR. S. HILLSLEY: Mhmm. Absolutely. Good evening. Shane Hillsley with Duncan Hillsley Capital.

Our Downtown Dadeland project had many similarities to this in that it was developed, came right into the recession, never got finished. The lender ended up taking it back. They were in a position where they weren't operators. They didn't really know what to do with it nor had they a lot of interest in, in repositioning it. So, we ended

up taking over that project at 50% occupancy, ironically, the same place that Ocean Mall is now. And it had no brand, no presence in the market. It, it had been out for a number of years but at 50% occupancy. So people lost faith in it. And they stopped coming to it and it, it really didn't have the drivers that were necessary for a successful project. What we did is, came in and, and determined first, how to get tenants to come to the project. And that's a lot of education and a lot of, um, helping people to understand what the project will be and could be and the reasons that they need to be there. And, we were able to bring in a lot of local chef driven restaurants into the area, a lot of fitness concepts. We viewed this very much as being a lifestyle and health and wellness destination, very similar to what we believe Ocean Mall should be. And have been able to do that. We brought in six local chef driven restaurants. If you google Downtown Dadeland, you'll see a lot of the articles about how this area and our project is now becoming the new restaurant destination for South Miami, uh, 'have gotten a lot of press and a lot of notoriety and people are very, very excited about it. And the, the key for us is, as I think Mr. Richards said previously, you know, we look at this as a partnership and when we bring in tenants, we're supporting them, financially and otherwise. And, and actually, you'll see one article from a chef, Niven Pattel who was the head chef at Michael's Genuine, who is a, you know, a very [stammer] noteworthy restaurant in Miami, said, 'You know, there's a lot of places that you can go. There are so many different areas in Miami that you can go. Why did you choose Downtown Dadeland?' And he said, 'Well, it's because of the landlord and we think that they're committed to us and we think that they're gonna be in it for the long haul and they're gonna do the right thing and that's why we came here.' So, we were able to bring that synergy that was successful in, in making that project a success and we think we'll be able to do the same thing here.

Anything else?

MR. W. RICHARDS: No, that's good. So, once again, Council Members and Mayor, you have.., currently GSF has spent \$3,000,000 but they're not operators. They're up on 6th Avenue in New York City. This is one of many assets and they hired a local leasing agent that does their best but they're not that good. They're out of town, they're out of state.

[Inaudible background comment]

MR. W. RICHARDS: These, these guys are the top.., the cream of the crop, they're Palm Beach County based and they're ready, willing and able. And, when we went over the lease, the lawyer said, 'Well, gee, after 31 days it's automatic. We made the request back in October. They said, 'We don't car. We want this Council to bless us, we want this.., we want to meet this Council, we wanna partner with this Council and we wanna be there with them,' and that's why we're here tonight. But clearly, they thought they were closing in November so we [stammer], it, it's now. I don't wanna say never but it's.., the time is now.

So, we, we, we hope that you will support this. There, there's, there's no down side for the City to say, 'Let GSF stay in [chuckle] New York City and go with the local

guys with a proven track record.' And that's why we're here.

Thank you very much.

CHAIRPERSON DAVIS: Thank you.

MR. W. RICHARDS: We're here for questions.

CHAIRPERSON DAVIS: Any questions by the Council?

COUNCILPERSON PARDO: No. I just have a comment. You know, this is a long time coming. I've been dealing with you, Mr. Richards for quite a while and the same with GSF. I, you know, I had meetings with them, conference calls. The Ocean Mall is a disgrace and you know that, I know that. When I met with these gentlemen today, you know, before they, they wanted to sit down and give me the spiel and I said, 'No. Give me your 90-day plan.' And, I was very happy to hear it because a lot of the things that they said were things that I was thinking. I asked him about, you know, what he thought about the place, what needed to be done? He was able to.., you know, it's obviously he walked around that place several times. You know, he was able to see the footmarks on the walls and how the filthy the pavers are and the trash and how the restaurants aren't really taking care of the, the outside like they should. And, and then he started talking about activities and, you know just different things, the retail mix that we should have in there. And we all get emails constantly from residents asking, 'What's going on at the Ocean Mall?' Right? It's been.., when did Catalfumo.., when did Catalfumo lose the lease? Six years ago? Right? So we've been dealing with this ever since. And the leasing company that you spoke about, or the management company that's over there, we've had issues with them since the beginning. They don't do anything. Nothing. And then after you get on GFS, then, you know, the leasing company does something.

So, I think at this point, you know, something just needs to be done. And you have a proven track record right now and it's not gonna cost us anything. If anything, you know, now we'll be able to get a little more of what we should be getting but the one thing that we all need to remember, when, you know, the previous Council and Mayor signed this lease, the proceeds from any parking was going to be split between the City and between whoever had the lease and now, we get all of that revenue. And, as you all know, you know, we did a...

CHAIRPERSON DAVIS: Yeah.

COUNCILPERSON PARDO: ...study and, you know, it looks like we could, at a minimum, make about \$400,00 grand a year, just on the parking. So, we'd receive that, we'd received \$800,000 because of the, you know, the timeframes that weren't met or the goals that weren't met and, you know, I am so anxious to get something moving over there. And, it's not just me. I think everyone, everyone, the entire community because it's, you know, the Ocean Mall is very popular with the City of Riviera Beach. Our residents are there, we're all there. The Mayor's there singing on Sundays. You know, and I just think it's time, it's time to move on. This is just a no-brainer. And it's in the contract. So...

CHAIRPERSON DAVIS: And, and to piggyback off that, the contract is very clear. They gave us...

COUNCILPERSON PARDO: Clear.

CHAIRPERSON DAVIS: ...notice, back in the fall, I think it was December or January?

MR. W. RICHARDS: October.

CHAIRPERSON DAVIS: October?

MR. W. RICHARDS: Mhmm.

CHAIRPERSON DAVIS: And, at that time, you know, they didn't have to agree to an extension. We're at a point now with what's reasonable and what's not reasonable. Right now, it would be unrea'.., it would be reasonable... They're asking for a reasonable request because there's nothing being changed to the existing contract. If they was to do any material changes like we discussed in the retreat, then I would have a very serious issue with this item but there's nothing to be, uh, any material change as it is now. They're gonna take it as is and they wanna actually put some...

COUNCILPERSON PARDO: Money.

CHAIRPERSON DAVIS: ...active tenants into the place so that that area's not dead at 7:00 o'clock in the evening like it is now. And, the more people you have, the more lights, the more energy, the better safety and, you know, the more jobs, once again.

MR. M. KING: And, Mr....

CHAIRPERSON DAVIS: Yes, sir.

MR. S. HILLSLEY: Chairman. I just wanted to add, we're also investing a very significant amount of money. You know, to start something like this and to bring the right tenants...

CHAIRPERSON DAVIS: Mhmm.

MR. S. HILLSLEY: ...we have to financially commit a lot to that.

[Inaudible background comment]

MR. S. HILLSLEY: So, we're gonna be spending two, two and a half million dollars, above and beyond what we're buying the project for in order to do that.

CHAIRPERSON DAVIS: Correct.

MR. S. HILLSLEY: And be committed to it.

CHAIRPERSON DAVIS: But like [stammer], I'm here to just deal with the, the legality of it.

MR. S. HILLSLEY: Absolutely.

COUNCILPERSON PARDO: Okay.

CHAIRPERSON DAVIS: If there woulda been something that you was trynna do un'..., unreasonable, like change the contract, then we'd have a whole 'nother issue. But you're taking it as is.

MR. S. HILLSLEY: Correct.

CHAIRPERSON DAVIS: [Stammer] if there's any other concern, I think that's something to be dea'..., dealt with at a later date and I'm sure you probably wanna come..., have some concerns and address this at a later date, I'm not sure and we haven't had that discussion.

MR. S. HILLSLEY: Sure.

CHAIRPERSON DAVIS: But, right now, we have a deadline and I think this contract..., I think, is it, is it Friday?

COUNCILPERSON PARDO: Friday.

INTERIM CITY MANAGER JONES: Yeah. March 3rd we have to...

CHAIRPERSON DAVIS: March 3rd. So.

INTERIM CITY MANAGER JONES: ...provide a response by March 3rd...

CHAIRPERSON DAVIS: Provide a response by March 3rd and it has to be unreasonable... I mean, to..., I mean, they haven't made anything unreasonable, any unreasonable request, like, stated before. So, I, I'll just stop talking at time 'cause I'm sure my colleagues trynna..., gotta say what they have to say...

MAYOR MASTERS: Mr. Chair?

CHAIRPERSON DAVIS: ... and I respect that. No, I think Councilperson Hubbard then I'll come to you, Mayor.

MAYOR MASTERS: Okay.

COUNCILPERSON HUBBARD: Okay. We're talking about reasonable and unreasonable and, as I said, I met with Mr. Richards and, and, and the team earlier today. It's not so much that, um, what's unreasonable on its face is the fact that we're, we're only getting \$5,000 a month from the Ocean Mall waterfront property and where else in the continental U.S.A. do they..., does that happen? That's unreasonable on its face. No, we cannot..., we're not here to renegotiate that contract but what we are here

is to negotiate in, in a better position. Every deal that we do in the City of Riviera Beach seems to put us at a disadvantage and we have, and we have some of the most viable resources that, that's ever... No, we cannot..., no, we're not here to try to, to sit..., and yes, I see him standing up, Mr. Mark, he said the same thing to me today, that this only a *de facto* situation and that they, you know, don't really have to be here before us.

Now, some of the things that I talked about with them earlier [stammer], were contracts for the subs, the contractors, things like that. They're, they're, they're not any..., even in a position right now for that to..., for us to discuss that or to get that into writing. All I'm saying is that with the new City Manager coming on, with his request for us to put this off so that he can weigh in on this discussion and give us some input, I don't see anything, anything wrong, anything wrong with that. We haven't had a, you know, we haven't had a good, decent sit down with Staff presenting to us, what are your one, two, three options. We asked for that at our retreat. We owe it to the public to contin'..., to stop..., to continually giving away everything that can improve the quality of life. For..., yes, they're gonna have places to go, places to spend their money but they don't have any real ownership in anything because everything that the Council is put in control of, we give it away as opposed to parlayin' it into cash for, um, cash opportunities such as business opportunities, jobs for the residents. It's as if we don't know how to do anything with anything that we have, we always have to give it away and we don't take advantage of any kind of leverage that we may, or may not have because of what others have done.

The other thing to that end is this, if we... Okay. I said a long time ago, if we start to put in pay parking, that will hurt the buildup of the, of the Ocean Mall. They agree that that will hurt the buildup of the Ocean Mall and to get it leased and to give people a viable time to, um, to come in and shop, buy food, eat and everything over there. So, every'..., the, the only thing that we have, the only card we have to play right now, is one that's gonna be detrimental to the project. I think what we have is what we need. We nee'..., we have..., we need to take the time to let the, let the new City Manager weigh in on this, give us some time to see what else that..., is it that, that we, that we can o'..., do. A response is a response is a response. Now, anybody can say, 'Hey, we didn't like the response,' but if we give a response, we met that criteria for the, for the, for the evening.

I just think that moving forward and as reckless as, as Councils have been with the property of the City..., look what happened at the Marina, look what happened..., and, and now to do this at the Ocean Mall, I think that's what's irreprehensible, that's what's derelict in our, in, in our duty. [Stammer] we won't have anything to improve this City if we keep moving in the, uh, in the, in the, in the pace that we're doing and in the directions that we're doing right now. And that's, that's all I'm s'..., that's all that, that I'm sayin'. I know I met with the gentlemen. They, you know, they were cooperative, yes, to a certain point but certain things that are gonna make us richer, gonna create wealth in this community, that's going to stop us from being just spenders and consumers, is not something that we can make happen tonight.

COUNCILPERSON PARDO: Mr. Chair? Can I...

CHAIRPERSON DAVIS: Um, Pa'...

COUNCILPERSON PARDO: ...ask..., can I ask Mr. Jones a question? So, when did we receive...

CHAIR PRO TEM MILLER-ANDERSON: The Mayor was next.

COUNCILPERSON PARDO: ...notice that the City, the new City Manager wanted us to postpone this?

INTERIM CITY MANAGER JONES: I received a call this afternoon around 5:00, 5:15.

CHAIRPERSON DAVIS: Why'd he wait 'til then?

COUNCILPERSON PARDO: You know, so that's a disservice to us. He, I'm sure he looked at the Agenda just like everyone else did.

CHAIRPERSON DAVIS: Mhmm.

COUNCILPERSON PARDO: And, you know, my problem with that, you know, with him asking you to ask us to postpone it, there was another Item that went on for five hours that was so controversial, you had people from all around the community and you would think he would want to have had the time to weigh in on that [pause], instead of, you know, something like this where no one has any comment.

CHAIRPERSON DAVIS: [Chuckle].

COUNCILPERSON PARDO: You know, I just.., I don't understand that part of it. You know, so, you know, if you want to weigh in, if you're telling us you're not gonna be here until March 20th, then, you know, he should've asked us to put off the entire Agenda.

COUNCILPERSON HUBBARD: Mr. Chair?

COUNCILPERSON PARDO: You know, not just, you know...

CHAIRPERSON DAVIS: I would like to have a motion...

COUNCILPERSON PARDO: ...the sexy part.

CHAIRPERSON DAVIS: I'd like to entertain a motion to extend the me'..., meeting 'til 12:00 o'clock because this meeting is gonna expire..., well, 'til 11:55.

COUNCILPERSON PARDO: So moved.

CHAIRPERSON DAVIS: 'Cause we have to...

COUNCILPERSON HUBBARD: Second.

CHAIRPERSON DAVIS: ...keep the time in mind as we start talking.

COUNCILPERSON HUBBARD: Second.

CHAIRPERSON DAVIS: I mean, if you're gonna keep doing this until we start shortenin' up our conversations.

COUNCILPERSON HUBBARD: Second.

CHAIRPERSON DAVIS: Madam Clerk.

DEPUTY CITY CLERK BURGESS: Councilperson Davis Johnson?

CHAIRPERSON DAVIS: Need to get to the Mayor.

COUNCILPERSON DAVIS JOHNSON: Yes.

DEPUTY CITY CLERK BURGESS: Councilperson Hubbard?

COUNCILPERSON HUBBARD: Yes.

DEPUTY CITY CLERK BURGESS: Councilperson Pardo?

COUNCILPERSON PARDO: Yes.

DEPUTY CITY CLERK BURGESS: Pro Tem Miller-Anderson?

CHAIR PRO TEM MILLER-ANDERSON: No.

DEPUTY CITY CLERK BURGESS: Chair Davis?

CHAIRPERSON DAVIS: Yes. M'...

DEPUTY CITY CLERK BURGESS: Motion passed...

CHAIRPERSON DAVIS: Mayor Masters.

MAYOR MASTERS: Yeah. Just quickly. I understand the new City Manager want, um, this ref'.., deferred but I, I do support the project, in all respect to the Councils on my right. However, there may be some concerns or questions but I would like to see the Ocean Mall move forward and hopefully we can work [stammer] everything else out.

CHAIRPERSON DAVIS: I, I...

COUNCILPERSON HUBBARD: Mr. Chair?

CHAIRPERSON DAVIS: I have a question. Did he call anyone else?

CHAIR PRO TEM MILLER-ANDERSON: That's...

COUNCILPERSON HUBBARD: That's, that's not the point, whether...

CHAIRPERSON DAVIS: Oh. Hold on, hold on.

CHAIR PRO TEM MILLER-ANDERSON: I don't, why...

CHAIRPERSON DAVIS: I just asked...

CHAIR PRO TEM MILLER-ANDERSON: ...we going there?

CHAIRPERSON DAVIS: ...a simple question. No...

COUNCILPERSON HUBBARD: Well, I...

CHAIRPERSON DAVIS: ...reason to...

CHAIR PRO TEM MILLER-ANDERSON: But it's irrelevant.

CHAIRPERSON DAVIS: ...get all hostile. I...

COUNCILPERSON HUBBARD: Okay.

CHAIRPERSON DAVIS: ...just asked a...

COUNCILPERSON HUBBARD: I don't wanna...

CHAIRPERSON DAVIS: ...simple question.

CHAIR PRO TEM MILLER-ANDERSON: It's irrelevant.

COUNCILPERSON HUBBARD: ...get hostile either but I do wanna...

CHAIRPERSON DAVIS: Asked a simple question.

COUNCILPERSON HUBBARD: ...make a point to what Ms. Pardo was saying.

That's..., to..., it doesn't, it doesn't m'..., it, it..., the point isn't that he called and asked us to hold [stammer], to..., that he wants to weigh in, it has nothing to do with what I'm saying that we're wa'..., that we, that I want him..., I wanna hold this up so that he just can weigh in. It..., yeah, it's, it's, um, it's sad that the residents aren't here to weigh in on something of this magnitude, this economic engine that's given to them as..., to be able to create wealth in this community to take people from being just shoppers to owners of shops. But whether he called to ask us to let him weigh in on this, is ir'..., is, is irrelevant. That's the least of the, least of the concerns. The most important part of the concern is how can we look at this situation that we're in and how can it best benefit the residents of Riviera Beach other than that they're gonna have a nice place to shop, to go out and hang out and spend money and take their families.

CHAIRPERSON DAVIS: [Stammer].

COUNCILPERSON HUBBARD: Its more to life than that.

CHAIRPERSON DAVIS: I understand that...

COUNCILPERSON PARDO: But they're...

CHAIRPERSON DAVIS: ...but here...

COUNCILPERSON PARDO: ...always asking...

CHAIRPERSON DAVIS: Yeah. But here's my concern and when I made that comment, he could of asked the City Attorney, he coulda asked anybody from this Board. I wasn't making comment just [stammer]...

COUNCILPERSON HUBBARD: No, no, no. I, I...

CHAIRPERSON DAVIS: So, when I...

COUNCILPERSON HUBBARD: I told you [inaudible]...

CHAIRPERSON DAVIS: ...asked that question...

COUNCILPERSON HUBBARD: I told you...

CHAIRPERSON DAVIS: Right.

COUNCILPERSON HUBBARD: ...I was waiting [inaudible]...

CHAIRPERSON DAVIS: So, my question is, if it was that important, why did he c'..., I'm gonna say for the record, he hasn't called me.

COUNCILPERSON PARDO: Me either.

CHAIRPERSON DAVIS: Did he call you Councilperson Pardo?

COUNCILPERSON PARDO: No.

CHAIRPERSON DAVIS: Did he call the rest of you?

COUNCILPERSON HUBBARD: He called the City Manager.

CHAIRPERSON DAVIS: Did he call the rest of you? My question is...

COUNCILPERSON HUBBARD: He called the City Manager.

CHAIRPERSON DAVIS: ...if he gonna call the City Manager, if it's that important, he should've called all of us.

UNK: Uh-uh.

CHAIRPERSON DAVIS: First of all, he's...

[Inaudible dais comment]

CHAIRPERSON DAVIS: ...not active until March 24th. So, let's be clear. So, we gotta run a City here.

COUNCILPERSON PARDO: Exactly.

CHAIRPERSON DAVIS: We have an Item... Now, I could see if there was a change.

COUNCILPERSON HUBBARD: It's the...

CHAIRPERSON DAVIS: He still can address his same concerns under the s'.., under the new owner, the contract doesn't change.

MR. W. RICHARDS: Mr. Chairman?

CHAIRPERSON DAVIS: Does the terms on the contract change?

MR. W. RICHARDS: No. That's...

CHAIRPERSON DAVIS: The, the years?

MR. W. RICHARDS: No. That's what...

COUNCILPERSON PARDO: Can't.

MR. W. RICHARDS: ...I wanted to say

CHAIRPERSON DAVIS: As is.

MR. W. RICHARDS: This is a, this, this contract is 10 years...

[Inaudible dais comment]

MR. W. RICHARDS: ...old. It's existing, the contract...

CHAIRPERSON DAVIS: [Inaudible].

MR. W. RICHARDS: ...is very clear, it says the tenant may assign it. The City is supposed to give consent and it may not be unreasonably withheld and if you don't do it by day 31, it's automatic. These guys said, 'We don't want the automatic. We want, we want the love and support of this Board.' They want the Mayor, they want the Council to say, "Yes, we want you." And that's all that.., we're here for that. That's it. It's a 10-year contract and it says they can sell it. And I think.., and if you say no, you get to keep the current guys in New York City who don't do this but you have the best people here who do it locally. So, please don't get overly [pause]...

[Inaudible comment]

COUNCILPERSON PARDO: Mr. Chair?

MR. W. RICHARDS: I can't say that.

CHAIRPERSON DAVIS: Councilperson Pardo.

COUNCILPERSON PARDO: So, Mr. Richards, can you ask, you know, the new owner, or I'll ask you, are you thinking about a plan to reach out to local businesses...

[Inaudible comment]

COUNCILPERSON PARDO: ...to see if they have a pl'...

[Inaudible comment]

COUNCILPERSON PARDO: ...if they would like to come in? Are you going to reach out to the locals to see if they're looking for a job? Because...

MR. S. HILLSLEY: Sure.

COUNCILPERSON PARDO: ...we do have a lot of local people already working over at the mall.

MR. S. HILLSLEY: [Stammer] absolutely. I mean, this is a local community center and there are going to be a lot of local tenants here and we, we support that and we want that to happen. And one of the things that we talked about today was even giving a benefit to local Riviera Beach companies...

COUNCILPERSON PARDO: Right.

MR. S. HILLSLEY: ...and giving them two months free rent, uh, only for Riviera Beach companies to further support that.

COUNCILPERSON PARDO: Correct.

MR. S. HILLSLEY: We think that the lease [inaudible] will probably generate 150 to 200 jobs, you know, with, with just what we're going to be doing there. We're, we're very much in support of the community and that's what will make this successful.

CHAIRPERSON DAVIS: [Stammer] with the sensitivity, and thank you, sir, for your comments. We have seven minutes here.

CHAIR PRO TEM MILLER-ANDERSON: I have not...

CHAIRPERSON DAVIS: [Stammer]...

CHAIR PRO TEM MILLER-ANDERSON: ...spoken yet.

CHAIRPERSON DAVIS: No, no. I'm not... I haven't moved..., I'm just...

COUNCILPERSON PARDO: Alright. I'm sorry.

CHAIRPERSON DAVIS: ...trying to get him...

COUNCILPERSON PARDO: I won't ask anymore.

CHAIRPERSON DAVIS: ...to go so I can go to the rest of you guys. I'm just making sure that we understand we have seven minutes so I can go to the rest of my colleagues.

COUNCILPERSON PARDO: Right. I'm, I [inaudible].

CHAIRPERSON DAVIS: That was gonna be my statement. Vice Chair.

CHAIR PRO TEM MILLER-ANDERSON: Thank you. Now, with this contract being 10 years old, at any point, had we discussed how we could possibly get more money for it in the, in the contract?

MR. W. RICHARDS: Yes. And you are getting more money. Correct.

CHAIR PRO TEM MILLER-ANDERSON: Okay. The 5250?

MR. W. RICHARDS: I'll, I'll..., let me answer the question...

CHAIR PRO TEM MILLER-ANDERSON: Okay.

MR. W. RICHARDS: ...please. The contract that was signed before..., way, way before yourself, way before I was here, it provided that the City shall receive 5% of the net revenues.

CHAIR PRO TEM MILLER-ANDERSON: Mhmm.

MR. W. RICHARDS: Because you have a New York based financial..., the money guys from New York...

CHAIR PRO TEM MILLER-ANDERSON: Mhmm.

MR. W. RICHARDS: ...they don't do this. They don't do this and they're not experts at this. So, they got the place 30, 40% leased but 5% of net was getting you \$30,000 a year. So, the Council, a year and a half ago, said, 'We're not happy with that. If you want something from us, you gotta do better there.' And, and quite frankly, that's [puts on glasses], I, I need these..., that's how you received, you received \$858,000. So, and, you also got a doubling..., you said forget about the net. We, we don't wanna get into your books. So, you were getting \$30,000, now you're getting \$63,000. A doubling. It's been doubled and you've got a \$858,000. That, that, that's a significant amount of money. And quite frankly, we're, we're short on time but he, he's, he's jumping up to tell you...

CHAIR PRO TEM MILLER-ANDERSON: Sure. Go ahead.

MR. M. KING: Just to talk about market value...

MR. W. RICHARDS: [Inaudible].

MR. M. KING: ...there were buyers that felt that was too much, to pay.

CHAIR PRO TEM MILLER-ANDERSON: Okay. Okay.

MR. W. RICHARDS: So, so when you talk to people who are experts, this is not, by any means, low.

CHAIR PRO TEM MILLER-ANDERSON: Mhmm.

MR. W. RICHARDS: I, I'm trying to be brief.

CHAIR PRO TEM MILLER-ANDERSON: No. If you, if you need more time, that's fine.

MR. W. RICHARDS: Okay. Well you..., you'll vote yes?

CHAIR PRO TEM MILLER-ANDERSON: No.

MR. W. RICHARDS: On the more time.

CHAIR PRO TEM MILLER-ANDERSON: We can't go beyond 12:00 anyway.

MR. W. RICHARDS: On the more time.

CHAIR PRO TEM MILLER-ANDERSON: We can't go beyond 12:00 anyway.

MR. W. RICHARDS: Okay.

CHAIR PRO TEM MILLER-ANDERSON: Here's the other thing, why, why's this just co'..., and, a lot of times we get put in these positions where we have to make these rash decisions and we're at the deadline and we gotta do it. Why, why are we here today with it being two days before?

INTERIM CITY MANAGER JONES: Well, because the timing of the letter and the timing of getting on the Council meeting. This was the earliest we coulda possibly gotten it on...

CHAIR PRO TEM MILLER-ANDERSON: Based on what?

INTERIM CITY MANAGER JONES: Based on, just the simple timing. We received a letter on February 3rd, so the meeting...

CHAIR PRO TEM MILLER-ANDERSON: From who?

INTERIM CITY MANAGER JONES: From Mr. Richards.

CHAIR PRO TEM MILLER-ANDERSON: So, we weren't.., he wasn't a'.., you weren't able to send it before then?

MR. W. RICHARDS: Well, I sent it October 12th. October 12th...

CHAIR PRO TEM MILLER-ANDERSON: Okay.

MR. W. RICHARDS: ...I sent it. It's dated...

CHAIR PRO TEM MILLER-ANDERSON: And then?

MR. W. RICHARDS: I, I have, I have...

INTERIM CITY MANAGER JONES: Well...

MR. W. RICHARDS: ...I have it stamped [inaudible]...

INTERIM CITY MANAGER JONES: Let's, let's be clear on that...

MR. W. RICHARDS: [Inaudible comment].

INTERIM CITY MANAGER JONES: ...Mr. Richards. In your October 12th memo, you.., letter, you were asking for a fifth amendment.

MR. W. RICHARDS: Correct. And that's...

INTERIM CITY MANAGER JONES: Which was a change...

MR. W. RICHARDS: Right. Yes...

INTERIM CITY MANAGER JONES: ...to the lease agreement...

MR. W. RICHARDS: [Inaudible]...

INTERIM CITY MANAGER JONES: ...which will require additional time and greater detailed discussion with the Board.

MR. W. RICHARDS: He, he is correct. And, and...

CHAIR PRO TEM MILLER-ANDERSON: So, this is not the original contract?

COUNCILPERSON HUBBARD: This is not the original request.

INTERIM CITY MANAGER JONES: No. This is...

COUNCILPERSON HUBBARD: [Inaudible].

INTERIM CITY MANAGER JONES: This is the original contract without a request...

MR. W. RICHARDS: No [inaudible].

INTERIM CITY MANAGER JONES: ...for additional...

MR. W. RICHARDS: Clean.

INTERIM CITY MANAGER JONES: ...amendments.

COUNCILPERSON PARDO: Clean.

INTERIM CITY MANAGER JONES: It's as is.

MR. W. RICHARDS: Clean.

CHAIR PRO TEM MILLER-ANDERSON: What you just said?

INTERIM CITY MANAGER JONES: Yes.

CHAIR PRO TEM MILLER-ANDERSON: Okay.

MR. W. RICHARDS: And he's...

INTERIM CITY MANAGER JONES: [Inaudible]...

MR. W. RICHARDS: ...100% correct, 100%...

INTERIM CITY MANAGER JONES: Yeah.

MR. W. RICHARDS: ...correct.

CHAIR PRO TEM MILLER-ANDERSON: Okay. So, you said it came in October.

INTERIM CITY MANAGER JONES: Initially, and we requested 60 days additional time to work through all the issues for the fifth amendment and to provide the information and to have the retreat. We discussed this item at the retreat, it was one of the main topics and we provided him with feedback from that, which basically...

CHAIR PRO TEM MILLER-ANDERSON: And the retreat was the end of January?

INTERIM CITY MANAGER JONES: January the 19th. It was supposed to be on the second meeting in January.

MR. W. RICHARDS: [Stammer]...

INTERIM CITY MANAGER JONES: ...and we requested a three-day extension for...

MR. W. RICHARDS: Yeah.

INTERIM CITY MANAGER JONES: ...for a meeting and they provided that. But, the Item never met the Agenda because, at the retreat, it wasn't, uh, the consensus wasn't favorable at that time because they were asking for...

CHAIRPERSON DAVIS: A change.

INTERIM CITY MANAGER JONES: ...an amendment.

CHAIR PRO TEM MILLER-ANDERSON: Okay.

COUNCILPERSON HUBBARD: Fifth amendment.

CHAIR PRO TEM MILLER-ANDERSON: Okay.

INTERIM CITY MANAGER JONES: Now, they resubmitted a request on February 3rd, as is, from the City.

CHAIR PRO TEM MILLER-ANDERSON: What was the delay between us meeting at the retreat and the February 3rd, getting it to, getting it here?

MR. W. RICHARDS: I don't, I don't understand...

INTERIM CITY MANAGER JONES: Your delay in sending us an additional notice. Anytime the notice will be sent, it will put us on the 30-day clock.

MR. W. RICHARDS: Correct.

INTERIM CITY MANAGER JONES: As outlined in the fourth amendment provision. We have 30 days to...

CHAIR PRO TEM MILLER-ANDERSON: So...

INTERIM CITY MANAGER JONES: ...respond.

CHAIR PRO TEM MILLER-ANDERSON: ...the..., he..., the clock was used to their advantage?

COUNCILPERSON HUBBARD: Yes.

INTERIM CITY MANAGER JONES: The clock..., the amen'..., that particular [pause] Item, in the agreement, was something prior to me. I'm not sure how that was negotiated.

MR. W. RICHARDS: I...

INTERIM CITY MANAGER JONES: But...

MR. W. RICHARDS: If I may?

INTERIM CITY MANAGER JONES: Yeah. Go ahead.

MR. W. RICHARDS: That, that, that's from 10 years ago, the 30 days and that's why I put it on there. The 30 days was in the original lease agreement with Catalfumo that when, when this, this thing was born 10 years ago...

CHAIR PRO TEM MILLER-ANDERSON: I get that part but why..., what was the delay because, see, I don't want it., on one hand we're saying, 'Hey,' you know, 'we gotta get this done.' But then, at the same time, we're, we're...

COUNCILPERSON HUBBARD: [Inaudible].

CHAIR PRO TEM MILLER-ANDERSON: ...using the clock...

[Inaudible dais background comment]

CHAIR PRO TEM MILLER-ANDERSON: ...to our advantage...

CHAIRPERSON DAVIS: Huh?

CHAIR PRO TEM MILLER-ANDERSON: ...to force a yes vote tonight because we only have two more days before we go into it being expired.

MR. W. RICHARDS: If I may? At...

CHAIRPERSON DAVIS: Excuse me, Attorney Richards, we got two minutes left. We can extend the meeting 'til 11:59. Can I have a motion to extend the meeting to 11:59...

COUNCILPERSON PARDO: So moved.

CHAIRPERSON DAVIS: ...'cause that's as far as we can go.

COUNCILPERSON PARDO: So moved.

CHAIRPERSON DAVIS: Do we have a second?

COUNCILPERSON DAVIS JOHNSON: Second.

CHAIRPERSON DAVIS: Second. Madam Clerk.

DEPUTY CITY CLERK BURGESS: Councilperson Davis Johnson?

COUNCILPERSON DAVIS JOHNSON: Yes.

DEPUTY CITY CLERK BURGESS: Councilperson Hubbard?

COUNCILPERSON HUBBARD: Yes.

DEPUTY CITY CLERK BURGESS: Councilperson Pardo?

COUNCILPERSON PARDO: Yes.

DEPUTY CITY CLERK BURGESS: Pro Tem Miller-Anderson?

CHAIR PRO TEM MILLER-ANDERSON: Yes.

DEPUTY CITY CLERK BURGESS: Chair Davis?

CHAIRPERSON DAVIS: Yes.

MR. W. RICHARDS: Thank you. May I answer?

CHAIRPERSON DAVIS: Vice Chair.

CHAIR PRO TEM MILLER-ANDERSON: Mhmm.

MR. W. RICHARDS: Ms. Miller-Anderson, this thing called a 10-year lease has a 30-day clock on it, at birth. So, at any time, at any time we find somebody, there's a 30-day clock. They actually had a closing scheduled for November 11th and they were sh'...

CHAIR PRO TEM MILLER-ANDERSON: So, how did they get passed that?

CITY ATTORNEY DEGRAFFENREIDT: [Inaudible]...

CHAIR PRO TEM MILLER-ANDERSON: What happened?

COUNCILPERSON HUBBARD: They wanted to...

MR. W. RICHARDS: Yes, please. Quickly, please.

COUNCILPERSON HUBBARD: They just didn't want the fifth amendment.

CITY ATTORNEY DEGRAFFENREIDT: Back in October, when the request was made to transfer, there was the transfer and an amendment to substantial parts of the agreement. During the negotiation process that we agreed to, outside that 30-day time period, there was not a meeting of the minds.

MR. W. RICHARDS: So...

CITY ATTORNEY DEGRAFFENREIDT: For.., on that fifth amendment. So, they dropped that and they came back...

MR. W. RICHARDS: Clean.

CITY ATTORNEY DEGRAFFENREIDT: and asked purely...

MR. W. RICHARDS: Clean.

CITY ATTORNEY DEGRAFFENREIDT: ...just give us what's already there.

MR. W. RICHARDS: That's it.

CITY ATTORNEY DEGRAFFENREIDT: That what we want you to transfer.

MR. W. RICHARDS: Nothing more. They don't want...

CITY ATTORNEY DEGRAFFENREIDT: The time period...

MR. W. RICHARDS: ...anything more.

CITY ATTORNEY DEGRAFFENREIDT: ...that was spent from October to January was dealing with something totally ...

MR. W. RICHARDS: Okay.

CITY ATTORNEY DEGRAFFENREIDT: ...different than they're asking you tonight.

CHAIR PRO TEM MILLER-ANDERSON: Okay.

MR. W. RICHARDS: Well stated.

CHAIR PRO TEM MILLER-ANDERSON: I, I appreciate you representing them well, Mr. Degraffenreidt.

[Inaudible background comments]

CITY ATTORNEY DEGRAFFENREIDT: I was just stating...

CHAIR PRO TEM MILLER-ANDERSON: Because it sounds...

CITY ATTORNEY DEGRAFFENREIDT: ...what the facts were.

CHAIR PRO TEM MILLER-ANDERSON: ...like you're trying...

CITY ATTORNEY DEGRAFFENREIDT: I wasn't...

CHAIR PRO TEM MILLER-ANDERSON: ...make me...

CITY ATTORNEY DEGRAFFENREIDT: ...representing him.

CHAIR PRO TEM MILLER-ANDERSON: ...understand his point versus...

CITY ATTORNEY DEGRAFFENREIDT: No, but that's...

CHAIR PRO TEM MILLER-ANDERSON: ...the situation. You know? I mean,

you're gettin' a little too worked up over there over this.

CITY ATTORNEY DEGRAFFENREIDT: No, ma'am.

CHAIR PRO TEM MILLER-ANDERSON: Okay. So, back to what I'm saying. The clock appeared to have been utilized in your favor. I mean, and I'm gonna stick with that and because of that, I'm gonna say postpone it. I'm making a motion to postpone it until our next meeting.

COUNCILPERSON HUBBARD: Second.

CHAIRPERSON DAVIS: Questions? [Pause]. Madam Clerk.

DEPUTY CITY CLERK BURGESS: Councilperson Davis Johnson?

[Pause]

COUNCILPERSON DAVIS JOHNSON: Oh, I'm sorry.

CHAIRPERSON DAVIS: [Inaudible].

DEPUTY CITY CLERK BURGESS: Postpone 'til the next meeting.

CHAIRPERSON DAVIS: [Inaudible].

COUNCILPERSON DAVIS JOHNSON: Yeah.

CHAIRPERSON DAVIS: She have a question on it.

COUNCILPERSON DAVIS JOHNSON: Just real quick. So, Mr. Degraffenreidt, the, the language in the assignment. In postponing that now, how does this affect us?

MR. W. RICHARDS: It goes away.

CITY ATTORNEY DEGRAFFENREIDT: I'm sorry?

MR. W. RICHARDS: It goes away.

CITY ATTORNEY DEGRAFFENREIDT: No. [Chuckle]. They're position is that the deal is scuttled and that they're going to quit, uh, pursuing it, if I'm understanding you...

MR. W. RICHARDS: Correct.

CITY ATTORNEY DEGRAFFENREIDT: ...correctly. Since you asked my opinion, I'll see it a little differently.

[Inaudible background comment]

CITY ATTORNEY DEGRAFFENREIDT: What is being asked at this point, is that the

Council [pause] consider a transfer as in'.., as indicated earlier, of what already exists. The contract says that if that is not done within a 30-day time period, it's going to presume that that has been granted and that would be Friday. The only time period for delay, or justification for the delay, would be to investigate the process and do due diligence in terms of the agreement's transfer. The only difference between the agreement transfer today and what was discussed back in October are there are no additional terms. The question in my mind that is unclear, is whether, given that there's no require of due diligence and substance, there may not be anything for the new City Manager to weigh in 'cause the due diligence has been done whether the presumption of transfer will already be there. I don't know the answer to that question. But that's something that needs to be considered as part of this decision making.

COUNCILPERSON DAVIS JOHNSON: So, really quickly. Then, postponing may be negated by the fact, by the mere fact of what this language states what happens on the 31st day.

CITY ATTORNEY DEGRAFFENREIDT: That's exactly correct.

COUNCILPERSON PARDO: Exactly.

COUNCILPERSON HUBBARD: Mr. Chair?

CHAIR PRO TEM MILLER-ANDERSON: But, we allowed ourselves to get in this position.

CHAIRPERSON DAVIS: Hold on. She has the floor.

COUNCILPERSON DAVIS JOHNSON: I'm good. I'm, I'm done.

CHAIRPERSON DAVIS: You wanna call the question?

CHAIR PRO TEM MILLER-ANDERSON: Yeah. [Inaudible].

COUNCILPERSON HUBBARD: I wanna make a comment...

CHAIRPERSON DAVIS: Hold on. We...

COUNCILPERSON HUBBARD: Three minutes.

CHAIRPERSON DAVIS: All due respect, we have three minutes. I, I have to be stern [stammer] 'cause there's no more extending. Councilperson Davis Johnson, do you have anything else you wanna...

COUNCILPERSON DAVIS JOHNSON: Is there then an opportunity to.., for us to renegotiate the rate?

CITY ATTORNEY DEGRAFFENREIDT: That is not what's being...

COUNCILPERSON DAVIS JOHNSON: I understand...

CITY ATTORNEY DEGRAFFENREIDT: No. That...

COUNCILPERSON DAVIS JOHNSON: ...that.

CITY ATTORNEY DEGRAFFENREIDT: ...has not been... That has not been part of the process, no.

[Inaudible background comments]

CHAIRPERSON DAVIS: 'Cause if we negotiate the rate, we gotta throw it back out again.

COUNCILPERSON HUBBARD: [Inaudible].

CITY ATTORNEY DEGRAFFENREIDT: The question was, has there been an opportunity to discuss as related to the monthly rate of rental. If I'm understanding correctly.

COUNCILPERSON DAVIS JOHNSON: Right.

CITY ATTORNEY DEGRAFFENREIDT: And I don't think we've done that.

MR. W. RICHARDS: There, there have been requests...

UNK: [Inaudible].

MR. W. RICHARDS: There have been requests made over the, over the years. The, the current tenant says it's a 10 year, it's a 10-year-old girl, you can't change the height or the weight or... It is what it is.

CHAIRPERSON DAVIS: Okay. I have one minute left. So...

COUNCILPERSON DAVIS JOHNSON: [Inaudible].

CHAIRPERSON DAVIS: ...there's a motion on the floor. Would you all like to postpone this and call a special meeting?

CHAIR PRO TEM MILLER-ANDERSON: As long as it's not before 5:00 o'clock.

CHAIRPERSON DAVIS: Next Thursday?

COUNCILPERSON HUBBARD: Next Thursday?

CHAIRPERSON DAVIS: Yeah.

CHAIR PRO TEM MILLER-ANDERSON: What's next Thursday?

[Inaudible background comments]

MR. W. RICHARDS: [Inaudible] be gone.

COUNCILPERSON PARDO: [Inaudible] Tallahassee.

CHAIRPERSON DAVIS: We'll be back by then.

MR. W. RICHARDS: They're gone. Don't waste your time.

COUNCILPERSON DAVIS JOHNSON: No, we won't be. Wednesday, Thursday.

MR. W. RICHARDS: Don't waste your time.

CHAIR PRO TEM MILLER-ANDERSON: Can we...

COUNCILPERSON HUBBARD: [Inaudible].

CHAIR PRO TEM MILLER-ANDERSON: Well, this sounds like a threat. I mean, are you all...

MR. W. RICHARDS: Mr. Chair, don't...

CHAIR PRO TEM MILLER-ANDERSON: ...threatening to walk...

MR. W. RICHARDS: ...waste your time

CHAIR PRO TEM MILLER-ANDERSON: ...away because...

MR. W. RICHARDS: They, they've been here for four months. They are gone.

CHAIRPERSON DAVIS: Well...

MR. W. RICHARDS: And, and we have GSF.

[Inaudible background comment]

CHAIRPERSON DAVIS: Time is expired.

COUNCILPERSON PARDO: You know, and we went through this already. We already lost...

MR. W. RICHARDS: SPE.

COUNCILPERSON PARDO: ...SPE.

MR. W. RICHARDS: From Boca.

CHAIR PRO TEM MILLER-ANDERSON: Well, if they really wanna come, they

would come and they would understand that we're tryna make a decision, not be rushed into one.

CHAIRPERSON DAVIS: The meeting's adjourned. The time is expired.

MAYOR MASTERS: 11:58.

MR. W. RICHARDS: Wow.

CHAIR PRO TEM MILLER-ANDERSON: 11:58? It's 11:58.

DEPUTY CITY CLERK BURGESS: One minute.

MAYOR MASTERS: 11:58, Mr. Chair.

CHAIRPERSON DAVIS: [Inaudible].

CHAIR PRO TEM MILLER-ANDERSON: It's...

DEPUTY CITY CLERK BURGESS: One minute.

CHAIR PRO TEM MILLER-ANDERSON: ...11:58.

CHAIRPERSON DAVIS: Is it?

CHAIR PRO TEM MILLER-ANDERSON: Yep. 11:58.

MAYOR MASTERS: The meeting is unadjourned. [Chuckle]. You got two minutes.

COUNCILPERSON DAVIS JOHNSON: We're in a quagmire.

CHAIRPERSON DAVIS: So, what you all wanna do.

CHAIR PRO TEM MILLER-ANDERSON: There's a motion on the floor. Vote it up or down.

COUNCILPERSON HUBBARD: The word response is what I was saying that we had some, we had some wiggle room. If we respond and we respond...

CHAIR PRO TEM MILLER-ANDERSON: The mic.

COUNCILPERSON HUBBARD: ...to it... We're, we're responding. What we're saying is we needed more time. So, I think we have met it legally by saying that we, uh, that..., and this is a response. Whether it's a response that somebody likes or not, it's a response.

CHAIRPERSON DAVIS: And I respect that but here's my issue, if you all are talking to Mr. Evans and we have a dead'.., we have...

CHAIR PRO TEM MILLER-ANDERSON: I have not...

CHAIRPERSON DAVIS: Hold on, hold on. You had the floor.

CHAIR PRO TEM MILLER-ANDERSON: I haven't talked to Mr. Evans.

CHAIRPERSON DAVIS: With all due respect, I ain't say your name. I said you all...

CHAIR PRO TEM MILLER-ANDERSON: Okay.

CHAIRPERSON DAVIS: ...to whoever that may be...

CHAIR PRO TEM MILLER-ANDERSON: You said, ya'll.

CHAIRPERSON DAVIS: ...if you're responded to it, and I'm not saying everybody. For those that that may have, and I've asked the question.

COUNCILPERSON HUBBARD: Mr. Jones...

CHAIRPERSON DAVIS: Now, we're trying to address this Item and the meeting has expired. And we had a whole week to discuss this.

COUNCILPERSON HUBBARD: Yeah.

CHAIRPERSON DAVIS: ...with Staff. [Inaudible] time, man.

MAYOR MASTERS: 12:00 o'clock.

COUNCILPERSON HUBBARD: Well, it...

CHAIRPERSON DAVIS: It's done, Mayor. It's done.

COUNCILPERSON HUBBARD: There it is.

CHAIRPERSON DAVIS: It's done.

CHAIR PRO TEM MILLER-ANDERSON: Well, what are we upset about?

INTERIM CITY MANAGER JONES: Time expired...

[End of video]

City Employees, Public Comment Speakers and Others

DEPUTY CITY CLERK JACQUELINE BURGESS.....DEPUTY CITY CLERK
.....BURGESS

FIREFIGHTER AJ O’LAUGHLIN.....MR. AJ O’LAUGHLIN

TRADRICK MCCOY.....MR. T. MCCOY

ASSISTANT DIRECTOR OF COMMUNITY DEVELOPMENT JEFF GAGNON
ASST. COMMUNITY DEVELOPMENT DIRECTOR GAGNON

ODYSSEY PATRICK ALLMANMR. P. ALLMAN

MICHAEL BROWN, ESQ.MR. M. BROWN

ERNESTINE GORDON.....MS. E. GORDON

MS. GAYMS. GAY

DOROTHY BULLARDMS. D. BULLARD

JOHN MILLERMR. J. MILLER

MARGARET SHEPPARDMS. M. SHEPPARD

LLOYD BROWN.....MR. L. BROWN

JAMES CROWLEY, ESQ.....MR. J. CROWLEY

CARMEN WILDGOOSE.....MS. C. WILDGOOSE

TONY FERRISMR. T. FERRIS

GLORIA HILLMS. G. HILL

MICHAEL TORIBIO.....MR. M. TORIBIO

AUDIE WILSONMR. A. WILSON

WILLIAM MCCRAYMR. W. MCCRAY

ROD JAMESMR. R. JAMES

JIM BENGOLDMR. J. BENGOLD

WEENDELL ESTHEMAMR. W. ESTEMA

PATRICIA EDMONSON.....MS. P. EDMONSON

WESLEY SHULER.....	MR. W. SHULER
MARIA ZWICVER	MS. M. ZWICVER
SAMPSON	SAMPSON
RAFAEL TYBURAN	MR. R. TYBURAN
ANDREW BYRD	MR. A. BYRD
MARINA BYRD	MS. M. BYRD
ANTHONY WILLIAMS.....	MR. A. WILLIAMS
CARLENE PONDER.....	MS. C. PONDER
SARAH STEINER	MS. S. STEINER
BONNIE LARSON.....	MS. B. LARSON
TINA WHITE	MS. T. WHITE
EDWARD STRICK.....	MR. E. STRICK
CAROL STRICK.....	MS. C. STRICK
ISAAC SEARCY.....	MR. I. S.
TERRANCE COLEMAN.....	MR. T. COLEMAN
HARRY TANGALAKIS	MR. H. TANGALAKIS
LIDIAN WEATHERSBY.....	MS. L. WEATHERSBY
REVEREND BURRS.....	REV. BURRS
MARY BRAM	MS. M. BRAM
BESSIE BROWN.....	MS. B. BROWN
PAVOL PLASENTIK.....	MR. P. PLASENIK
MIRKA SZLEZAK.....	MR. M. SZLEZAK
WARY LEONARD	MS. W. LEONARD
RODNEY ROBERTS.....	MR. R. ROBERTS
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STEVE HILLFIGER.....MR. S. HILLFIGER
ROSEANNE BROWNMS. R. BROWN
ANTHONY THOMPSONMR. A. THOMPSON
DR. RACHEL NEEDLEDR. R. NEEDLE
HUTCH FLOYD.....MR. H. FLOYD
GSF - WAYNE RICHARDS, ESQ.MR. W. RICHARDS
SPERRY VAN NESS - MARK KINGMR. M. KING
DUNCAN HILLSLEY CAPITAL - SHANE HILLSLEY ...MR. S. HILLSLEY

APPROVED:

THOMAS A. MASTERS
MAYOR

TERENCE D. DAVIS
CHAIRPERSON

ATTEST:

CLAUDENE L. ANTHONY
CERTIFIED MUNICIPAL CLERK
CITY CLERK

KaSHAMBA L. MILLER-ANDERSON
CHAIR PRO TEM

LYNNE L. HUBBARD
COUNCILPERSON

TONYA DAVIS JOHNSON
COUNCILPERSON

DAWN S. PARDO
COUNCILPERSON

MOTIONED BY: _____

SECONDED BY: _____

L. HUBBARD _____

K. MILLER-ANDERSON _____

T. DAVIS JOHNSON _____

D. PARDO _____

T. DAVIS _____

DATE APPROVED: APRIL 19, 2017