

BACKUP MATERIALS INCLUDED WITH AGENDA REQUEST FOR:
City Commission Discussion and Direction Regarding US Recycling

Materials included:

1.Video Link - US Recycling

(page 2)

2. US Recycling Backup Material (page 3)

US Recycling Video Link

<https://vimeo.com/1165795949?share=copy&fl=sv&fe=ci>

Support for US Recycling as a Public Nuisance

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Support for US Recycling as a Public Nuisance

Introduction

For a period exceeding five years, the operations conducted by US Recycling have resulted in material adverse impacts upon the surrounding community. The facility's activities have created health risks from stormwater contamination, groundwater contamination, and spikes of dangerous fugitive concrete dust. Dozens of families have reported health issues symptomatic of exposure to concrete crushing.

Facility management has consistently disregarded municipal ordinances, including but not limited to, unauthorized servicing of industrial vehicles beyond permitted operational hours and the generation of noise levels that substantially interfere with residents' lawful right to quiet and peaceful enjoyment of their property.

Despite multiple citations issued by the relevant governmental authorities for violations of state and federal regulations, management has failed to implement effective corrective measures. The facility's sustained pattern of non-compliance and recidivism demonstrates that existing agency enforcement actions have proven insufficient to remedy the ongoing harm.

The following documentation delineates the extensive record of violations over the relevant period and evidences the persistent unwillingness of US Recycling to bring its operations into compliance with applicable legal standards and to protect public health.

Stormwater contamination

Suncoast Waterkeeper, a non-profit organization focusing on environmental issues, tested stormwater run-off from the US Recycling facility and found contamination in violation of the Federal Water Pollution Control Act, also known as the “Clean Water Act”.

On Oct 3, 2025 Suncoast Waterkeeper sent US Recycling a “Notice of Violations and Intent to File Suit.”¹

Activities causing the violations

Below is an excerpt from Waterkeeper’s notice to US Recycling:

“Scrap and waste recycling facilities, especially those with outdoor stockpiling, processing and segregation of materials, have been identified as a major source of storm water contamination. In addition to the storage and processing of various sources of scrap metal and waste materials, such facilities also conduct vehicle operation and maintenance and equipment operation and storage. Fork lifts, trucks, and other vehicles track debris, particulate matter, and other contaminants to areas on and off the premises. Vehicles also expose many other sources of pollution to the elements, including gasoline, diesel fuel, anti-freeze, battery fluids, and hydraulic fluids.”

¹ Suncoast Waterkeeper notice dated Oct 3,2025 ([document](#))

Groundwater contamination

Summary

In 2007, elevated levels of arsenic, cadmium, chromium and lead were found in the groundwater at the site. Florida Department of Environmental Protection (“FDEP”) recommended a site assessment to determine level of contamination. ²

In 2011, US Recycling (Freedom Estates Inc) purchased the property and became the responsible party for testing and remediation. ³ As of October 2025, no remedial action has been undertaken to address the groundwater contamination.

Timeline

December 2007

- FDEP finds contaminated groundwater and issues letter requiring sit assessment to avoid formal enforcement action. ⁴

August 2022

- FDEP required new site assessment since the site has been disturbed in nearly all areas due to the new use by US Recycling. ⁵

The site assessment report performed in March 2022 delineated an arsenic plume that covers much of the southern half of the site and includes the crush concrete stockpile areas and the metals stockpiles. The ERMI plume interpretation indicates that the plume likely extends off the source property to the west. ⁶

March 2023

- FDEP meets with consultants hired by US Recycling to perform site assessment. ⁷

February 2024

- FDEP again requests a site assessment based upon reported contaminant concentrations in soil exceeding Residential Soil Cleanup Target Levels. ⁸

² FDEP letter dated August 29, 2022 ([document](#)), page 2

³ Ibid. ([document](#)), page 3

⁴ FDEP letter dated December 6, 2007 ([document](#))

⁵ FDEP letter dated August 29, 2022, ([document](#)), page 6

⁶ Ibid, ([document](#)), page 7

⁷ FDEP meeting notes ([document](#))

⁸ FDEP letter dated Feb 2, 2024 ([document](#))

Support for US Recycling as a Public Nuisance

March 2024

- US Recycling, through their attorney, writes to the city that they intend to remediate, implying that the contamination remains unrectified.⁹

May 2024

- In meeting with US Recycling engineers FDEP, US Recycling tried to pin the contamination from off-site railroad ties, but FDEP stated off-site materials does not explain the contamination levels. “The possibility of off-site influence (arsenic laden groundwater) from the adjacent railroad property was discussed. This line of evidence, off-site influence, may be considered as part of the overall condition for the site, but does not appear to be a potentially exclusive source of groundwater contamination.”¹⁰

Feb 2025

- US Recycling issues the site assessment report.¹¹

August 2025

- Site assessment was approved. US Recycling has until Nov 4, 2025 to prepare a remedial action plan.¹²

⁹ Icard letter dated March 8, 2024 ([document](#))

¹⁰ FDEP email dated May 23,2024 ([document](#))

¹¹ Iravani Professional Association letter dated Feb 28,2025 ([document](#))

¹² FDEP letter dated Aug 5,2025 ([document](#))

Air Contamination

Through an interlocal agreement with the state, Sarasota County monitors and takes regulatory action regarding air pollution in the county.¹³

Non-compliance issues documented during the past 5 years of inspections have included operating without an approved air permit, record management deficiencies, lack of notifications, and equipment maintenance deficiencies. Dust has been documented on various occasions within the property during facility operations, including crushing and materials stockpiling. The existing air permit is limited in scope and does not regulate effects of fugitive dust caused by trucks leaving the facility.¹⁴

Regulatory action taken

March 2021

- Inspection done as a result of resident complaints by nearby business regarding fugitive dust and sludge. US Recycling had watered down site and road at the time of inspection. The inspection report mentioned that precautions might be insufficient.¹⁵

April 2021

- Inspection done as a result of resident complaints from additional businesses near facility regarding large clouds of dust coming from the site. Owner would not allow inspectors to enter site. Recent heavy rains watered down site and prevented review of fugitive dust.¹⁶

May 2021

- Inspection done as a result of complaint by Billiards by Roberson that they were unable to use outside showroom for spas. Inspection revealed fugitive dust coming from trucks. Rock crusher was not in operation at the time of inspection.¹⁷

¹³ 2024 interlocal agreement ([document](#))

¹⁴ Report to the County Commissioners, dated June 5, 2025 ([document](#))

¹⁵ Pollutant Complaint Inspection Report dated 3/18/21 ([document](#))

¹⁶ Pollutant Complaint Inspection Report dated 4/19/21 ([document](#))

¹⁷ Pollutant Complaint Inspection Report activity dated 5/4/21 ([document](#))

Support for US Recycling as a Public Nuisance

July 2021

- Warning letter issued for several violations including obtaining a permit to operate crushing equipment and maintaining log regarding measures to control fugitive dust.¹⁸
- September enforcement meeting had \$13,250 in penalties for violations.¹⁹
- County settles case in October for \$6,500.²⁰

May 2022

- Inspection done as a result of resident complaints of concrete dust. The inspection found particulate matter was being transported through vehicles exiting the location. The facility was found to be out of compliance because not enough precautions were taken to minimize fugitive dust.²¹
- In July, US Recycling's attorney replied to violations cited in the inspection. Their position was the firm was not obligated to take additional measures since the recommended actions were not explicitly required in their general permit nor in Florida Administrative Code.²²

October 2022

- Inspection done as a result of resident complaints of concrete dust. The facility was deemed not in compliance for failing to demonstrate that records were maintained on site and up to date for monthly inspections of the crusher's spray nozzles.²³

¹⁸ Warning letter dated July 28, 2021 ([document](#))

¹⁹ Enforcement meeting notes dated 9/7/2021 ([document](#))

²⁰ County letter dated Oct 6, 2021 ([document](#))

²¹ Compliance inspection dated 5/20/2022 ([document](#))

²² Attorney letter dated June 20, 2022 ([document](#))

²³ Compliance inspection dated 10/17/2022 ([document](#))

Support for US Recycling as a Public Nuisance

November 2022

- County meets with representatives for US Recycling to discuss non-compliance. Representatives convince county to hold off any citation until the annual inspection where all required logs will be presented. Representatives stated that the facility installed a wheel wash station.²⁴
- The non-compliance issues were deemed resolved on Dec. 20,2022.
- *Note: no wheel wash station exists as of Oct 2025.*

Feb 2023

- Inspection done as a result of resident complaints of concrete dust. The facility was found to be out of compliance because it was not operating its water sprinkler to prevent and control fugitive dust.²⁵
- In June 2023, the county exercised its enforcement discretion and decided not to pursue enforcement.²⁶

March 2024

- Inspection done as a result of resident complaints of concrete dust. The equipment was not running at the time so no fugitive dust emissions were seen at the facility and the access roads were wet from recent rain activity.²⁷

April 2024

- After the inspection in March of 2024, a file review was performed and discovered that the required relocation notice for the crusher had not been filed. An after-the-fact notice was submitted. When the county received the notice, the crusher had left the site.²⁸

July 2025

- Inspection done as a result of resident reporting of unhealthy air quality reading of Purple Air sensor across from US Recycling. County staff checked equipment and

²⁴ Meeting notes dated Nov 9, 2022 ([document](#))

²⁵ Compliance inspection dated 2/22/2023 ([document](#))

²⁶ Compliance assistance resolution letter dated June 2,2023 ([document](#))

²⁷ Compliance inspection dated 3/28/2024 ([document](#))

²⁸ Compliance assistance letter dated April 17, 2024 ([document](#))

Support for US Recycling as a Public Nuisance

confirmed it was operating properly. Owner of the firm confirmed that trucks were not idling next to the sensor (which would cause inaccurate readings).²⁹

Aug 2025

- Inspection done as a result of resident complaints of concrete dust. The facility was not in compliance, including: no spray from spray bar, dust built up around facility causing issues when trucks left the facility. JunkRemoval.com (equipment owner) did not file required notice (on behalf of US Recycling) when transporting equipment onto the premises.³⁰ A warning letter was issued by the county.³¹

Sept 2025

- Following up on the failed Inspection done as a result of resident complaints in August, the site was reinspected 7 days later. No resolution of the violations were performed by US Recycling. A vehicular wheel washing station was recommended to help mitigate the fugitive dust. [*note: this was the same equipment discussed in November 2022*]
- At September meeting between the county and US Recycling representatives, the history of non-compliance violations was discussed, directly mentioning violations on 1/29/2025, 8/20/25 with follow up inspection on 8/28/25.³² The county had to reach out multiple of times with management to remind that the facility is required to respond to the county's violations.³³
- This resulted in the county issuing a Notice of Code Violation and Order to Correct Violation.^{34 35}

Continuous spikes of dangerous air quality

- The Clean Air Act measures contaminants based upon a 24-hour average, which affords US Recycling a loop-hole since their equipment runs intermittently. Over 20% of the time, the air quality around US Recycling is hazardous to sensitive groups.³⁶

²⁹ Compliant inspection dated 7/25/2025 ([document](#))

³⁰ Compliance inspection dated 8/20/2025 ([document](#))

³¹ Warning letter dated Aug 29, 2025 ([document](#))

³² Meeting memo dated Sept 30, 2025 ([document](#))

³³ Phone call notes dated Sept 12, 2025 ([document](#))

³⁴ John Hickey email dated Aug 26, 2025 ([document](#))

³⁵ Notice of Code Violation and Order to Correct Violation dated Sept 11, 2025 ([document](#))

³⁶ Real-time cumulative air quality readings on CCNA website ([website](#))

City Code Compliance

Throughout the years the city has attempted to address countless reports of code violations.

Health concerns

- From 2018 through 2021 there were 8 code complaints from neighbors concerned about the concrete dust emanating from the facility and covering their homes. On each occasion City staff subsequently performed site inspection and found US Recycling staff taking temporary mitigating actions.³⁷

After-hour operations

- From July 13, 2025 through Sept 10, 2025 there were 11 instances of trucks entering US Recycling beyond the permitted hours of operations. City code compliance division could not enforce since the videos did not show the trucks actually loading/unloading.³⁸

Excessive noise

- For years, neighbors have been reporting excessive noise that prevents them from the peaceful enjoyment of their homes. This is an intermittent problem caused when the crushing equipment is in operation. The community is working with the Sarasota Police Department to record and file a report the next time the equipment is in use. Click here for a video example that was recorded on Sept 20,2025 from 1430 15th Street.

³⁷ City case records from 2018 – 2022 ([document](#))

³⁸ YouTube playlist of 11 videos ([playlist](#))

Other Compliance

Commercial vehicle enforcement

- On October 29, Florida Highway Patrol performed a compliance operation on Central Ave near US Recycling. In 3 hours, they inspected 12 vehicles which resulted in 6 citations:
 - 3 trucks operating without required cover over bed,
 - 1 driver without proper license,
 - 1 truck overweight,
 - 1 truck owned by US Recycling removed from service due to dangerous conditions.³⁹

Bad Faith Actor

Management at US Recycling has a history of performing nominal efforts and has failed to honor commitments to substantially reduce the facility's detrimental effect on the community.

- Jan 2022, in order to pass the annual equipment inspection, US Recycling performs many superficial actions to minimize fugitive dust while inspector is present. Actions include watering down site and laying down additional gravel in driveway.⁴⁰
- May 2022, US Recycling owner states to the county his intention to install a wheel wash station to mitigate the fugitive dust from trucks exiting the facility.⁴¹ *No station was installed.*
- September 2025, US Recycling informs Sarasota County Environmental Protection that they are working with the city to install a wheel wash station, in an effort to mitigate air quality issues and avoid regulatory action. *FOIA request and verbal confirmation from city management confirms that no such action is taking place.*⁴²

³⁹ FHP vehicle examination report dated 10/29/2025 ([document](#))

⁴⁰ Inspection report dated Jan 28, 2022 ([document](#)), pg. 8

⁴¹ County assistance letter dated June 7, 2022 ([document](#)), pg. 6

⁴² Storino email dated Sept 18, 2025 ([document](#))

Detrimental Effect on Property Values

The operations have adversely affected property values.

- In Aug 2024, the buyers of a warehouse across the street from US Recycling backed out of the contract to purchase out of health concerns.

Below is an excerpt from the buyers' notice to their real estate agent:

- “We are withdrawing from the contract to purchase the warehouses because of our concern around the dust being generated at the concrete recycling plant directly to the east. The dust became a huge health worry - so much that we were not willing to put the staff or a veterinary clinic on the property.”

City Recourse for US Recycling

Option 1 – Public Nuisance

Florida law recognizes both public and private nuisance actions:

- **Public nuisance:** Activities or conditions that affect the general public's health, safety, or welfare, such as pollution of air, water, or illegal dumping.
- **Private nuisance:** Activities that interfere specifically with the use and enjoyment of an individual's property, like disturbing noise or odors

Pollution that substantially interferes with the use and enjoyment of residential property or harms public health can qualify as a public nuisance in Florida.

Requirements and Steps

1. Identifying the Nuisance

Under Chapter 823 of the Florida Statutes, any nuisance that tends to "annoy the community, injure the health of the citizens in general, or corrupt the public morals" can be declared actionable. Air and water pollution, offensive odors, and environmental hazards often fall under this definition (s. 403.021 – the pollution of the air constitutes a menace to public health and welfare; creates a public nuisance) (s.386.041 considers dangerous waste materials prima facie evidence of a public nuisance. If the concrete being crushed contains hazardous materials like asbestos or lead paint, those materials could be released during the crushing process, creating a hazardous situation).

2. Who Can Take Action?

- **State and Local Authorities:** The Florida Department of Health, Environmental Protection Division, or other local agencies may issue notices, investigate, and directly abate public nuisances (s.386.03 the city, or 3 residents, can request either the state Department of Health or Sarasota County department of health to investigate US Recycling for a sanitary nuisance).
- **Affected Individuals or Groups:** The city, on behalf of its residents or neighborhoods affected by the nuisance, may file a civil lawsuit seeking injunctive relief and/or damages (An example of tort relief is, a construction company operating a construction site next to a coffee shop may cause noise and vibration that interferes with the coffee shop's business operations and affects its

City Recourse for US Recycling

customers' ability to enjoy their coffee. This type of business nuisance could lead to a lawsuit, where the coffee shop may seek injunctive relief, monetary damages, or both to remedy the interference with its business operations. Clearly if that fact-set is actionable, the disruption/harm caused by the concrete crushing on Central Coconut residents would be as well.).

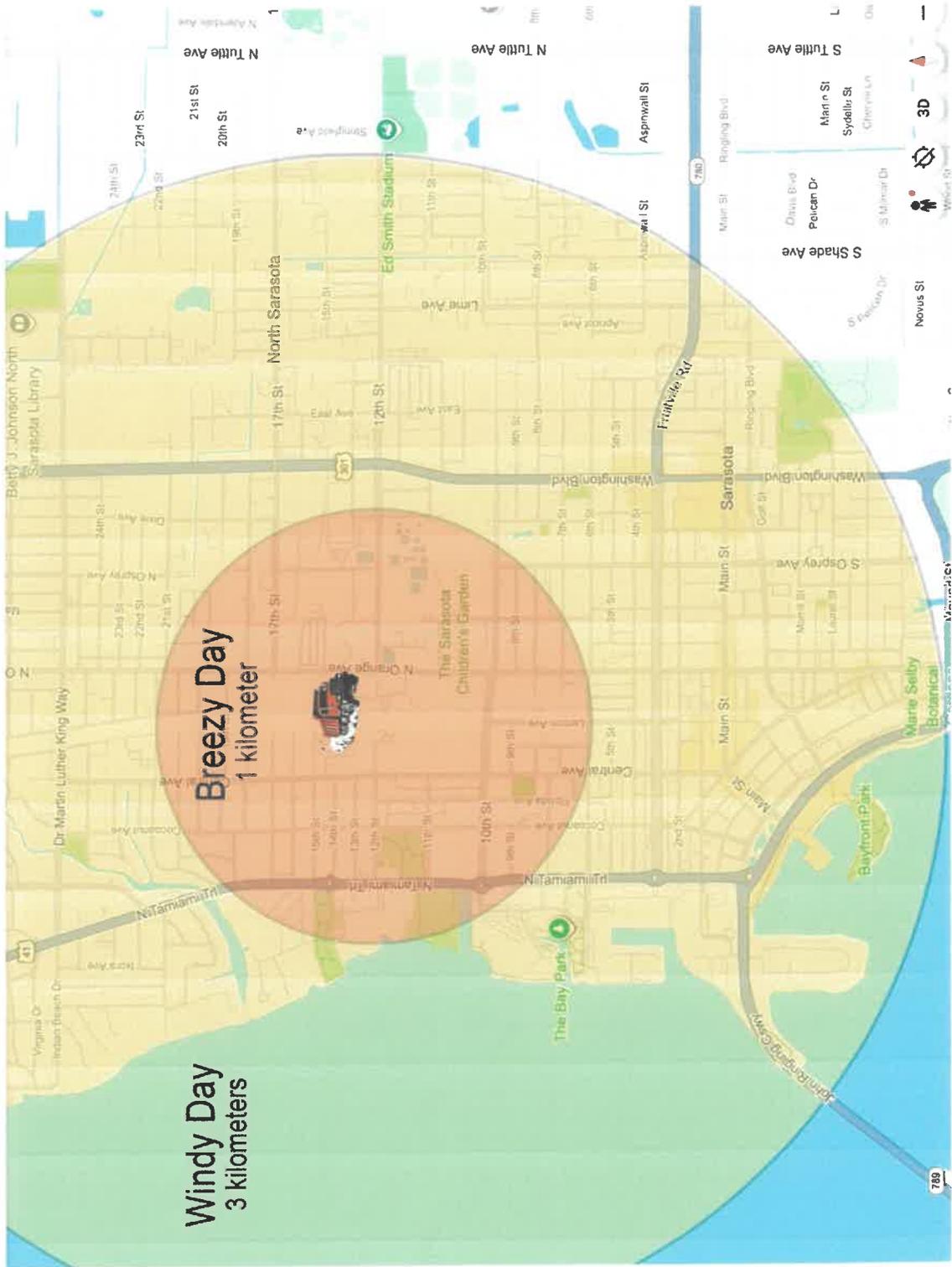
3. Proving a Public Nuisance

A plaintiff (agency or resident) must typically show that:

- The business' activities are unreasonably interfering with the public's health, safety, comfort, or enjoyment. A nuisance is any “annoyance to the community or harm to public health”; therefore, a nuisance may exist even if all environmental statutes are met (*Flo-Sun, Inc. v. Kirk*, 783 So. 2d 1029, 1036-37 (Fla. 2001) (The court further explained: “[A] public nuisance may be classified as something that causes ‘any *annoyance* to the community or harm to public health.’ As a result, something may constitute a public nuisance under chapter 823 although it may technically comply with existing pollution laws.”) (emphasis in original) (internal citations omitted). A key point from the court is “**Compliance with existing pollution control laws does not immunize a party from a common law public nuisance claim**”.)
- The interference is substantial and ongoing (not a one-time event).
- The nuisance affects a broad segment of the community, not just a single homeowner.

Often, evidence such as air or water quality reports, medical complaints, and testimony from experts or affected neighbors is presented to establish the impact and scope.

Distance hazardous concrete dust travels from US Recycling



Health and Environmental Issues Caused by US Recycling

AQI Category	AQI Value (PM2.5)	Health Message
safe	0.0 - 9.0	Air quality is satisfactory, little/no risk
moderate	9.1 - 35.4	Acceptable, but some risk for sensitive groups
Unhealthy for Sensitive Groups	35.5 - 55.4	Sensitive groups may experience health effects
Unhealthy	55.5 - 125.4	Everyone may begin to experience effects
Very Unhealthy	125.5 - 225.4	Health warnings of emergency conditions
Hazardous	225.5+	Serious health effects for everyone

The community-installed air monitors to track pollution from the facility. The results¹ show that more than 25% of the time, local air quality reaches levels that are dangerous for a portion of the community. Dozens of families have reported health issues consistent with exposure to concrete dust from crushing operations.²

Spike Risk Level	Number of Incidents	Total time	% of time
moderate	2,227	850 hours and 36 minutes	18%
Unhealthy for Sensitive Groups	37	315 hours and 28 minutes	7%
Unhealthy	9	34 hours and 51 minutes	1%

Because these particles easily become airborne, the health risks extend across much of the city. On a breezy day, particles can travel up to 1 km, and on a windy day they can travel up to 3 km, covering all of downtown Sarasota.

¹ Real-time monitoring since May 22, 2025.

² CCNA performed informal health survey of nearby residents.

Health Risks from Concrete Dust

Immediate and Short-Term Effects

- **Respiratory Irritation:** Inhalation of concrete dust can cause immediate symptoms such as coughing, throat irritation, and discomfort in the nose and chest. These symptoms may appear even after brief exposure, especially in poorly ventilated environments.
- **Eye and Skin Irritation:** Concrete dust can irritate the eyes, causing redness and possible damage to eye tissues. Skin contact may result in rashes, cracking, ulcers, or even chemical burns due to the alkaline nature of cement components.

Long-Term Health Risks

- **Silicosis:** Prolonged or intense exposure to silica dust in concrete can lead to silicosis, a severe and incurable lung disease characterized by scarring and loss of lung function. Silicosis can present in acute, accelerated, or chronic forms, depending on the level and duration of exposure. Severe cases can be fatal.
- **Chronic Obstructive Pulmonary Disease (COPD):** Regular exposure increases the risk of COPD, which includes chronic bronchitis and emphysema, leading to persistent breathing difficulties and reduced quality of life.
- **Lung Cancer:** Respirable crystalline silica in concrete dust is classified as a human carcinogen. Long-term exposure significantly raises the risk of developing lung cancer.
- **Oral and Mucosal Effects:** Inhalation or oral contact with cement dust can cause inflammation and trauma to the mouth and mucous membranes.

Additional Health Concerns

- **Dermatitis and Allergies:** Prolonged skin contact with cement dust can cause dermatitis, allergic reactions, and thickening or ulceration of the skin. Certain compounds, such as chromium, can trigger severe allergies even at low concentrations.
- **Chemical Burns:** The alkaline compounds in cement, particularly calcium oxide, can cause chemical burns on skin and mucous membranes.



Wind shield
of a car
in Central
Cocacanut
near U.S.R.

16 Feb 2023



US Recycling Timeline – Major Milestones

2011

Nov 30, 2011 – US Recycling purchases property, which at the time was an auto tow yard.

2020

US Recycling begins operating site as a cement crushing facility

2021

July 2021 – Sarasota county as part of FDEP issues warning letter of operating equipment without a permit.

2022

August 8, 2022 – City Commission approve motion to direct staff with talks for purchase and for city attorney to explore legal options.

Fall 2022 – City spent over \$400,000 to improve road surrounding US Recycling.

Oct 17, 2022 – City attorney informs commission that owners of US Recycling is in discussions to sell the property. City attorney recommends postponing city staff efforts, since sale is imminent.

2024

Dec 26, 2024 – US Recycling surrenders FDEP permit to operate crushing equipment.

2025

Jan 14, 2025 – US Recycling uses mobile cement crushing equipment from Tampa-based firm, JunkRemoval.com to continue operations, running under JunkRemoval.com's permit.

May 3, 2025 – CCNA forms Air Quality committee. First initiative is to end harmful operations at US Recycling.

June 13, 2025 – CCNA reaches out to McDowell Partners. They are interested in the project and will reach out to Chris Williams to begin negotiating for the lot.

Summer, 2025 – McDowell agrees to all terms requested by US Recycling, including

US Recycling Timeline – Major Milestones

purchase price. Williams still reluctant to sign any commitment. McDowell sweetens offer to \$5.3 million (excess of the original \$5 million asking price).

Oct 3, 2025 – Suncoast Waterkeeper files formal notice of intent to sue for violations of the Clean Water Act.

Oct 21, 2025 – Chris Williams contacts McDowell, stating concern regarding Suncoast Waterkeeper lawsuit and signs letter of intent as is (no additional changes).

Oct 24, 2025 – McDowell applies for ResilientSRQ funding from Sarasota County.

Dec 5, 2025 – Suncoast Waterkeeper files complaint in US District Court (case Case 8:25-cv-03340-WFJ-LSG).

2026

Jan 13, 2026 – Sarasota County approves \$3 in grants for McDowell, contingent upon them signing a contract with US Recycling.

Early Feb 2026 – US Recycling refuses to sign agreed upon terms, adding an additional condition that Suncoast Waterkeeper drop lawsuit. Since McDowell has no control over Suncoast Waterkeeper, they discontinue negotiations.

Health and Environmental Issues Caused by US Recycling

Since transforming an auto tow yard into cement-crushing facility in 2020, US Recycling has disrupted the lives of the surrounding residential neighborhood, and generated citywide air and stormwater pollution. Because of regulatory loopholes, ongoing action by city, county, and state governmental agencies have produced little meaningful change.

Dangers of Concrete Dust

Crushing concrete produces fugitive concrete dust, consisting of tiny particles (shards of cement) that easily become airborne. This dust is categorized by the EPA as hazardous material, with exposure causing the following health issues:

Immediate and Short-Term Effects:

- **Respiratory Irritation:** Inhalation of concrete dust can cause immediate symptoms such as coughing, throat irritation, and discomfort in the nose and chest. These symptoms may appear even after brief exposure, especially in poorly-ventilated environments.
- **Eye and Skin Irritation:** Concrete dust can irritate the eyes, causing redness and possible damage to eye tissues. Skin contact may result in rashes, ulcers, or even chemical burns due to the alkaline nature of cement components.

Long-Term Health Risks:

- **Silicosis:** Prolonged or intense exposure to silica dust in concrete can lead to silicosis, a severe and incurable lung disease characterized by scarring and loss of lung function. Silicosis can present in acute, accelerated, or chronic forms, depending on the level and duration of exposure. Severe cases can be fatal.
- **Chronic Obstructive Pulmonary Disease (COPD):** Regular exposure increases the risk of COPD, which includes chronic bronchitis and emphysema, leading to persistent breathing difficulties and reduced quality of life.
- **Lung Cancer:** Respirable crystalline silica in concrete dust is classified as a human carcinogen. Long-term exposure significantly raises the risk of developing lung cancer.
- **Other Respiratory Diseases:** Exposure is linked to occupational asthma, pneumonia, and increased susceptibility to respiratory infections. Cement dust can also contribute to restrictive lung diseases and pneumoconiosis.

Because the material never leaves the body, the health risks from exposure to the dust are cumulative. The EPA created an Air Quality Index ("AQI") to measure the dangerous effects:

Overview

For a \$15 million ResilientSRQ investment, there is once-in-a-generation opportunity to **eliminate harmful pollution** and make a **big dent in Sarasota's affordable housing deficit**.

Ekos Cocoanut, by McDowell Partners, will deliver genuine workforce housing for 158 families in the heart of the city, and permanently replace the dangerous particulate dust produced by US Recycling's cement-crushing operations.

This document supports McDowell's grant application for funding to aid the development of this project from the 2024 Resilient SRQ program.

It is divided into 4 sections:

- **Problem:** For over five years, cement crushing at US Recycling has generated concrete dust. While airborne, the concrete dust can cause serious health risks. When it falls, it has contaminated the stormwater.
- **Solution:** McDowell's project will take advantage of a unique opportunity to build true workforce housing (30% - 70% AMI) within the heart of downtown. This location meets the highest scores from the Sarasota Housing Action Plan 2025.
- **Support:** Contrary to many affording housing projects, Ekos Cocoanut has wide public support, including Sarasota city hall, nearby neighborhoods, and over 250 residents.
- **Financing:** The requested amount aligns with similar allocations made in the 2022 ResilientSRQ program.

City Recourse for US Recycling

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Summary

In 2022 the city recognized the severity of the harmful effects the operations at US Recycling was causing to the community and had instructed the city attorney to look into 4 remedies. In a subsequent meeting, with the rumor of a possible sale of US Recycling, the city attorney abandoned that effort.

This paper investigates each of the options mentioned. Having the cement crushing operations at **US Recycling declared a public nuisance is a very viable solution**, being that the fact-set regarding the facility fits within well-established Florida case law.

This document concludes with 2 additional points:

1. In other Florida jurisdictions, including unincorporated Sarasota County, the cement crushing operations would not be permitted.
2. There have been several recorded incidents of US Recycling operating beyond permitted operating hours.

City Recourse for US Recycling

Missed opportunities by the city

Back on August of 2022 the city commission had an agenda item regarding the harmful activities of US Recycling to the city residents. It was universally agreed among the commissioners that the city should pursue any available legal remedies and they directed the city attorney to investigate all recourses. Unfortunately, at a subsequent meeting the city attorney told the commission he would be abandoning the initiative since there was talk of US Recycling being sold. That transaction never occurred and US Recycling continued to pollute the neighborhood.

Supporting official documentation

08-01-22 City Commission Motion:

Mayor Arroyo called for a vote on the motion to: (1) direct Staff to commence talks with the property owners about acquiring or entering into zoning negotiations for the sale of the US Recycling Facility located at 1404 Industrial Court, (2) for the City Attorney to return back before the Commission with all available options and the chances of success, (3) and to draft a letter to the Florida Department of Environmental Protection (FDEP), State of Florida Attorney General and Governor, and the County outlining the need for intervention and perhaps delegation of enforcement power, along with directing the City Attorney to draft a proposed Resolution to send to the County, which carried by a 5-0 vote.

Items that city attorney should consider:

- Public nuisance
- Require owner to build enclosure for the facility
- Eminent domain
- Incentivize owner to sell land by offering a rezoning

10-17-22 subsequent City Commission meeting, City Attorney Fournier reported

“THE THIRD THING, LAST BUT NOT LEAST, THE CITY MANAGER AND DEPUTY CITY MANAGER AND MYSELF AND STAFF WERE AT A MEETING LAST WEEK WITH THE OWNERS’ REPRESENTATIVES OF THE U.S. RECYCLING PROPERTY.

AND I WANT TO SAY I HAD TRIED TO DO OR STARTED AN EVALUATION OF SOME OF THE LEGAL REMEDIES THAT WOULD BE AVAILABLE BUT I DIDN’T PUT ANYTHING IN WRITING ON THAT BECAUSE THE DISCUSSIONS WERE GOING IN A PRODUCTIVE WAY TOWARD POTENTIALLY RESOLVING THIS IN A MANNER THAT DIDN’T INVOLVE LEGAL REMEDIES.”

City Recourse for US Recycling

Option 1 – Public Nuisance

Florida law recognizes both public and private nuisance actions:

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Requirements and Steps

1. Identifying the Nuisance

Under Chapter 823 of the Florida Statutes, any nuisance that tends to "annoy the community, injure the health of the citizens in general, or corrupt the public morals" can be declared actionable. Air and water pollution, offensive odors, and environmental hazards often fall under this definition (s. 403.021 – the pollution of the air constitutes a menace to public health and welfare; creates a public nuisance) (s.386.041 considers dangerous waste materials prima facie evidence of a public nuisance. If the concrete being crushed contains hazardous materials like asbestos or lead paint, those materials could be released during the crushing process, creating a hazardous situation).

2. Who Can Take Action?

- **State and Local Authorities:** The Florida Department of Health, Environmental Protection Division, or other local agencies may issue notices, investigate, and directly abate public nuisances (s.386.03 the city, or 3 residents, can request either the state Department of Health or Sarasota County department of health to investigate US Recycling for a sanitary nuisance).
- **Affected Individuals or Groups:** The city, on behalf of its residents or neighborhoods affected by the nuisance, may file a civil lawsuit seeking injunctive relief and/or damages (An example of tort relief is, a construction company operating a construction site next to a coffee shop may cause noise and vibration that interferes with the coffee shop's business operations and affects its

City Recourse for US Recycling

customers' ability to enjoy their coffee. This type of business nuisance could lead to a lawsuit, where the coffee shop may seek injunctive relief, monetary damages, or both to remedy the interference with its business operations. Clearly if that fact-set is actionable, the disruption/harm caused by the concrete crushing on Central Coconut residents would be as well.).

3. Proving a Public Nuisance

A plaintiff (agency or resident) must typically show that:

- The business' activities are unreasonably interfering with the public's health, safety, comfort, or enjoyment. A nuisance is any "annoyance to the community or harm to public health"; therefore, a nuisance may exist even if all environmental statutes are met (*Flo-Sun, Inc. v. Kirk*, 783 So. 2d 1029, 1036-37 (Fla. 2001) (The court further explained: "[A] public nuisance may be classified as something that causes 'any *annoyance* to the community or harm to public health.' As a result, something may constitute a public nuisance under chapter 823 although it may technically comply with existing pollution laws.") (emphasis in original) (internal citations omitted). A key point from the court is "**Compliance with existing pollution control laws does not immunize a party from a common law public nuisance claim**".)
- The interference is substantial and ongoing (not a one-time event).
- The nuisance affects a broad segment of the community, not just a single homeowner.

Often, evidence such as air or water quality reports, medical complaints, and testimony from experts or affected neighbors is presented to establish the impact and scope.

City Recourse for US Recycling

Option 2 – Require an enclosure

While most crushing facilities in Florida operate outside, the government **could** require a cement recycling facility (or any construction and demolition debris processing operation) to construct an enclosure for crushing operations under certain circumstances.

Supporting regulations and examples

Florida's Department of Environmental Protection (FDEP) regulates solid waste processing facilities through Florida Administrative Code Rule 62-701.710 requiring solid waste management (recycling) facilities to obtain a permit and to submit construction and operation plans. These plans must describe how design and operational requirements—such as the control of dust, litter, and other fugitive particulates—will be met. The rule also requires compliance with best management practices to address vectors, odors, and other environmental concerns, which can include enclosures or barriers around crushing and processing operations, especially if open-air activity could negatively impact air quality or the local environment.

The city could review the permit to see if it includes the mandatory dust control specifications. Due to the ongoing health risks, the city could challenge that due to the proximity of residential neighborhood and history of ongoing health risks that the existing controls are insufficient.

Permits issued by the FDEP often include site-specific conditions or requirements based on the facility design, nearby land uses, and environmental risk. These may explicitly mandate building features such as enclosures, dust suppression equipment, or other structural controls.

Additional facility improvements

The EPA has several recommended “best practices” to control fugitive dust. Among those recommendations are a number of measures currently missing at US Recycling, including:

- Installing wind breaks and barriers around the storage piles,
- Covering piles (if not frequently accessed),
- Installing dust curtains,
- Enclosing conveyor belts,
- Vacuuming street,
- Installing wheel wash stations near every vehicle exist

(<https://www.epa.gov/system/files/documents/2022-02/fugitive-dust-control-best-practices.pdf>).

City Recourse for US Recycling

Option 3 – Purchasing property through eminent domain

Unlikely to prevail since in Florida, for a business to qualify as a “direct public danger”—which is a necessary threshold for some emergency uses of eminent domain or extraordinary government intervention—the business’s activities or presence must pose an active, significant risk to public health or safety. The direct public danger standard in Florida requires demonstrable, substantial, and current threats to the health or safety of the community, not just general annoyance or lower-level code violations.

Regulatory framework

House Bill 1567 (passed in 2006) requires localities to wait 10 years before transferring land taken by eminent domain from one owner to another—effectively eliminating condemnations for private commercial development. It also forbids the use of eminent domain to eliminate so-called blight, instead requiring municipalities to use their police powers to address individual properties that actually pose a danger to public health or safety.

City Recourse for US Recycling

Option 4- Incentivize owner through rezone option to stop operations

Many Florida cities have adopted “incentive zoning” programs, where a municipality offers increased development entitlements (such as greater density, height, or permitted uses) in exchange for the landowner or developer providing a public benefit. Examples of public benefits used to justify such incentives include:

- Provision of affordable or workforce housing
- Environmental preservation or restoration
- Dedication of public spaces or infrastructure improvements
- Economic development initiatives, such as creating jobs or attracting targeted business sectors.

Current zoning

The property’s existing zoning district Industrial (“I”) is not an implemented district in the property’s current land-use classification “Multiple Family-Moderate Density” -- which allows for residential densities up to 13 units per acre.

Nearby zoning and land use: It is abutting several other zones, including:

- RMF-2 (residential multiple family) to the north
- ILW (Industrial light warehousing) to the east
- RSF-4 (residential single family) and RMF-3 (residential multiple family) to the west

There are several abutting future land uses including:

- Single family (low density) to the north and west
- Community office/institutional to the east
- Urban Mixed Use to the south

Opportunity zone: The lot is within opportunity zone tract 2, which gives investors the following benefits:

- Capital Gains Tax Deferral: Investors can defer federal taxes on prior capital gains if those gains are reinvested into a Qualified Opportunity Fund (QOF) allocated to the tract. The latest laws extend this deferral benefits for investments made after December 31, 2026, with a rolling five-year deferral period.
- Step-Up in Basis: For standard QOF investments (such as in Tract 2), there is a 10% step-up in the basis of any deferred gain after five years. This means that if you hold your investment in the Opportunity Zone for at least five years, you’ll only be taxed on 90% of the original gain.

City Recourse for US Recycling

- Exclusion of New Gains: If the investment is held for more than 10 years, any new appreciation (i.e., gains accrued while the investment is held in the zone) can be realized tax-free.

Possible alternatives

Existing land use classification is implemented with the following zones:

- RMF-1
- RMF-2
- RMF-3

The most intensive district, RMF-3, allows for:

- density: 13 DU per acre
- max height: 35 feet
- max coverage: 25%

Urban Mixed-Use, the land classification to the south of US Recycling has the following implementing zones:

- MU-1
- MU-2

The most intensive district, MU-2, allows for:

- density: 25 DU per acre (75 DU with attainable housing)
- max height: 4 stories which at 14 feet per story totals 48 feet (attainable housing allows for 70-foot maximum)
- max coverage: 10%

City Recourse for US Recycling

US Recycling site would be prohibited in other jurisdictions

Several Florida jurisdictions do not allow such a facility to operate in proximity to residential neighborhoods.

Supporting examples

1) Sarasota County rejects business license for similar operation

On June 3, 2025 the county commission rejected a business permit for Alexis Properties to operate a metal recycling facility adjacent to a residential neighborhood. (BUSE-24-000239, item 45 in the agenda). The rejection noted that a special exception would be necessary to issue a permit since:

It is important to note that if the property owner proposes a Recycling Facility (including Stockpiling), UDC Section 124-143 requires a minimum of 10 acres of land is needed. The subject property does not meet this standard. Alternatively, the property owner may propose to not stockpile, but transfer the scrap (waste) to another facility where it will be recycled, which does not have an acreage requirement. Both of these scenarios require a Special Exception.

Interpretation: Since US Recycling occupies less than 10 acres, it would not be allowed in unincorporated Sarasota County.

2) Orange County prevents operation in close proximity to residential neighborhood

Orange County also adopted more stringent local standards than used by Sarasota. For example, Orange County's Zoning Code requires that "...use or operation that will have equipment or machines, including a crusher, stockpiles, or loading/unloading activity...shall be at least one thousand (1,000) feet from the nearest property line of any residential zoned district, residential use, or school."

Interpretation: These stringent standards would have prevented U.S. Recycling from crushing concrete within the Central Coconut neighborhood.

City Recourse for US Recycling

Operating hours – US Recycling operating beyond permitted times

The operating hours for US Recycling are based upon the city's sound regulations. They are prohibited from operating between 9:00 p.m. and 6:00 a.m. on weekdays or between 9:00 p.m. and 9:00 a.m. on weekends or holidays.

Through a video directed at Industrial Court (a public street), there have been several recorded incidents of US Recycling operating beyond permitted hours. A complaint by the committee, on behalf of the neighborhood, has been filed with City Code Compliance.

Supporting regulatory framework

Chapter 20 – Sound Regulations

(https://library.municode.com/fl/sarasota/codes/code_of_ordinances?nodeId=PTIITHCO_CH20SORE_S20-4UNSOPR)

Sec. 20-3 - Definitions

The definition of construction means any activity incidental to the erection, demolition, assembling, altering, installing or equipping of buildings, public or private highways, roads, premises parks, utility lanes or other property, including, but not limited to, related activities such as land clearing, grading, earthmoving, excavation, blasting, filling and landscaping but not including agriculture.

Interpretation: Crushing cement from construction is an activity incidental to the demolition of buildings, public or private highways.

Sec. 20-4 – Unreasonable sound prohibited

Construction *and* demolition. Engaging in construction, drilling, repair, alteration, demolition, land clearing or landfilling operations between the hours of **9:00 p.m. and 6:00 a.m. on weekdays** or **between 9:00 p.m. and 9:00 a.m. on weekends** or holidays except for emergency work by a public service utility or by other permit approved by the city.

Interpretation: US Recycling cannot accept trucks nor run crushing machinery between **9:00 p.m. and 6:00 a.m. on weekdays** or **between 9:00 p.m. and 9:00 a.m. on weekends or holidays**.



Summary of hazardous readings

EXPORT

Spike Risk Level	Number of Incidents	Total time	% of time	EPA Warning
Unhealthy for Sensitive Groups	61	495 hours and 12 minutes	8%	Sensitive groups may experience health effects
Unhealthy	18	149 hours and 31 minutes	2%	Everyone may begin to experience effects
Very unhealthy	1	20 hours and 36 minutes	less than 1%	Health warnings of emergency conditions
Hazardous	1	14 hours and 42 minutes	less than 1%	Serious health effects for everyone

Incident reporting began on May 22, 2025 -- (Monitoring was suspended for maintenance between July 29 and August 1)



Beginning on

Wednesday, September 10, 2025 at 5:00 PM

Spike Risk Level

Unhealthy for Sensitive Groups

Duration

6 minutes

US Recycling

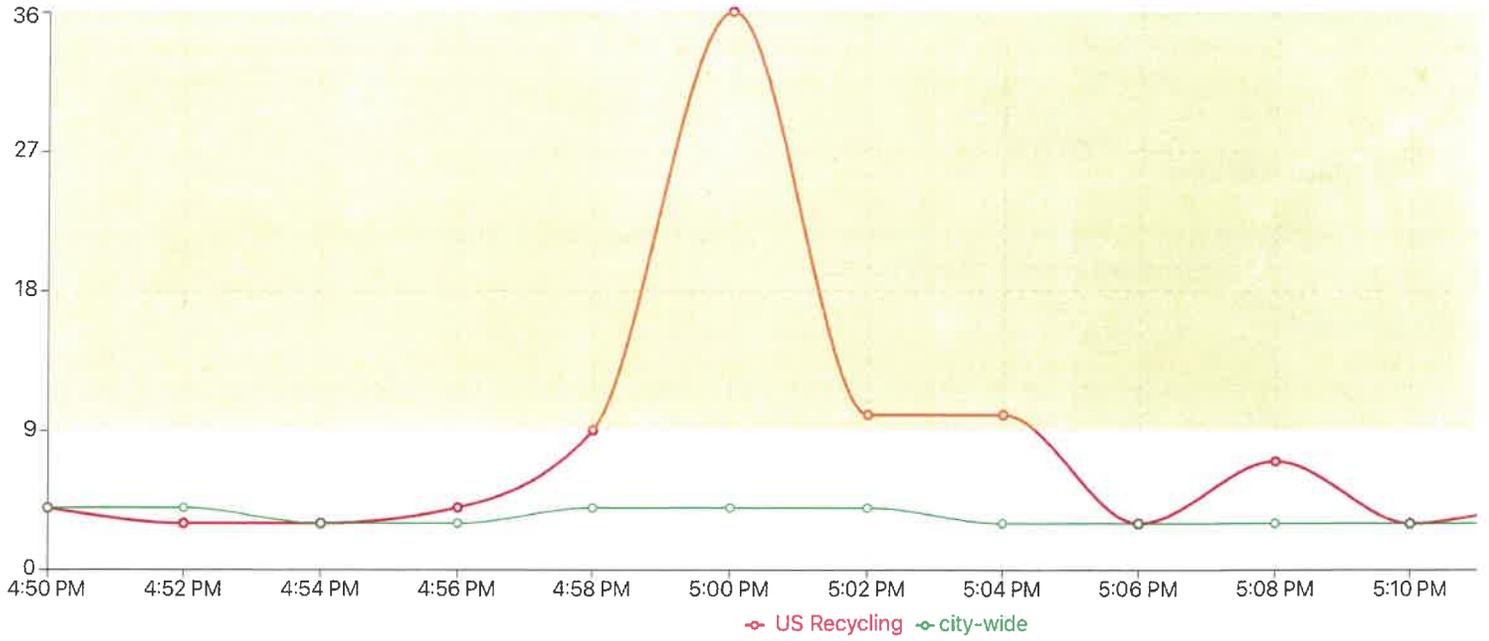
36

City-wide

4

US Recycling

Billiards NE2



Beginning on

Wednesday, September 10, 2025 at 4:40 PM

Spike Risk Level

Unhealthy

Duration

8 minutes

US Recycling

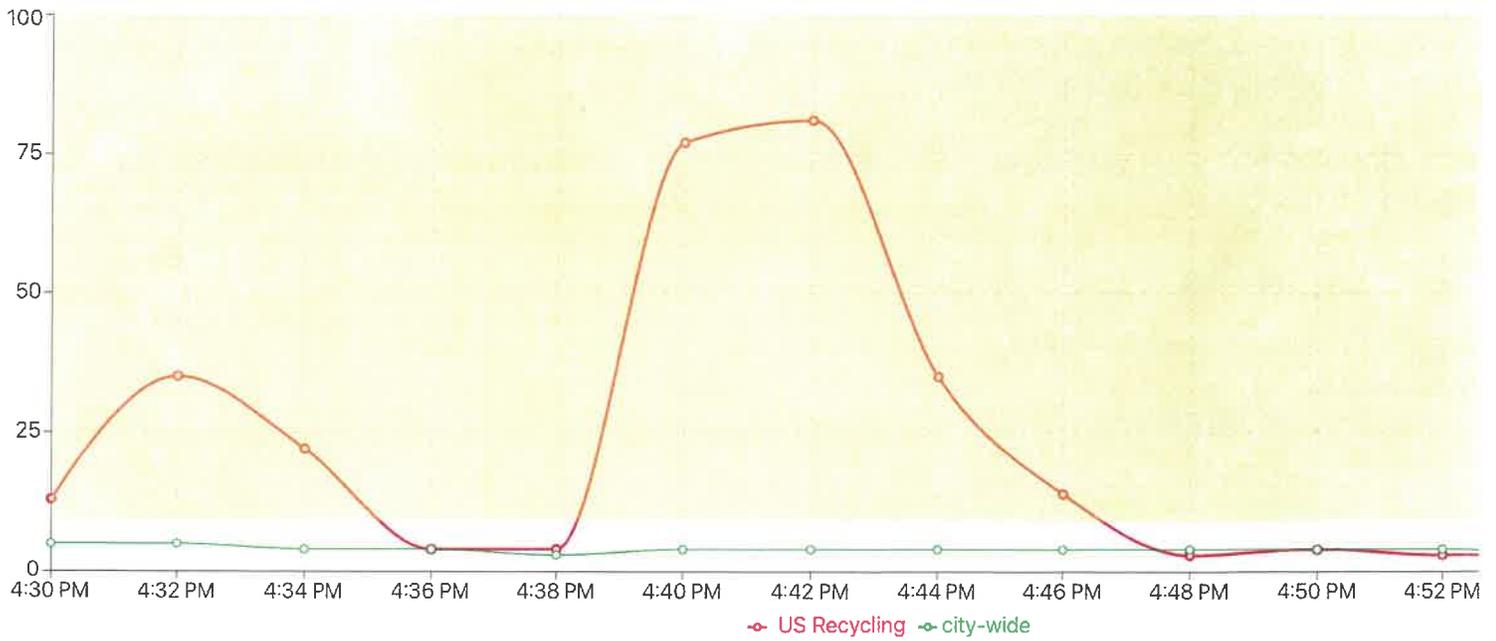
81

City-wide

5

US Recycling Sensor

Billiards NE2



Environmental update for US Recycling and an update on ongoing efforts

Air Quality CCNA

John Hickey

, Matthew Dodd

, Anne McCarthy

Central Association

, Mark Smith

, County Commissioner Tom Knight

, County

Commissioner Dr. Joe Neunder

, County Commissioner Ron Cutsinger

, County Commissioner Teresa Mast

, Matthew Osterhoudt

, Brad Johnson

, Jen Ahearn-Koch

, Liz Alpert

, Debbie Trice

, Katherine Kelley Ohlrich

, Kyle Battie

, David Bullock

, Pat Robinson

, Kelly Brown

Thu, 18 Sep 2025, 09:40

Caution: This email originated from outside the City's email system. Be Suspicious of Attachments, Links and Requests for Login Information. Verify requester via phone call before exchanging sensitive information. **Think B4U Click!**

Good morning John,

As before, I want to first thank you and your team for working closely with the community to protect the quality of life. We do appreciate the recent inspection and resulting warning letter that your department issued against US Recycling on August 26.

I'm sending this update from our on-going monitoring since the residents continue to suffer from the operations at US Recycling. Below are 3 incidents from just one day last week.

Due to the regulatory landscape, US Recycling falls through many loopholes. It is taking a concerted effort by community organizations, such as CCNA, working with many governmental agencies, to address this harmful facility. For example:

- Recent water samples obtained by an independent organization indicate run-off from US Recycling has **contaminated the storm water infrastructure**. We are researching the process to initiate action based upon the Clean Water Act.
- Video from neighboring property has recorded US Recycling **operating beyond permitted hours**. We are working with the City's code compliance division to generate the precise evidence needed in order to pursue a code compliance citation.
- Since their cement crushing fit all the legal requirements to be declared **a public health hazard**, we have begun working with the city attorney's office to confirm the process needed to pursue legal action.

Your department is playing an important role in curbing the abuses at US Recycling. We look forward to continuing to collaborate with your team in helping to make Sarasota County safe.

Best regards,

- Ron Kashden

RONALD KASHDEN

Chairman, CCNA Air Quality Committee

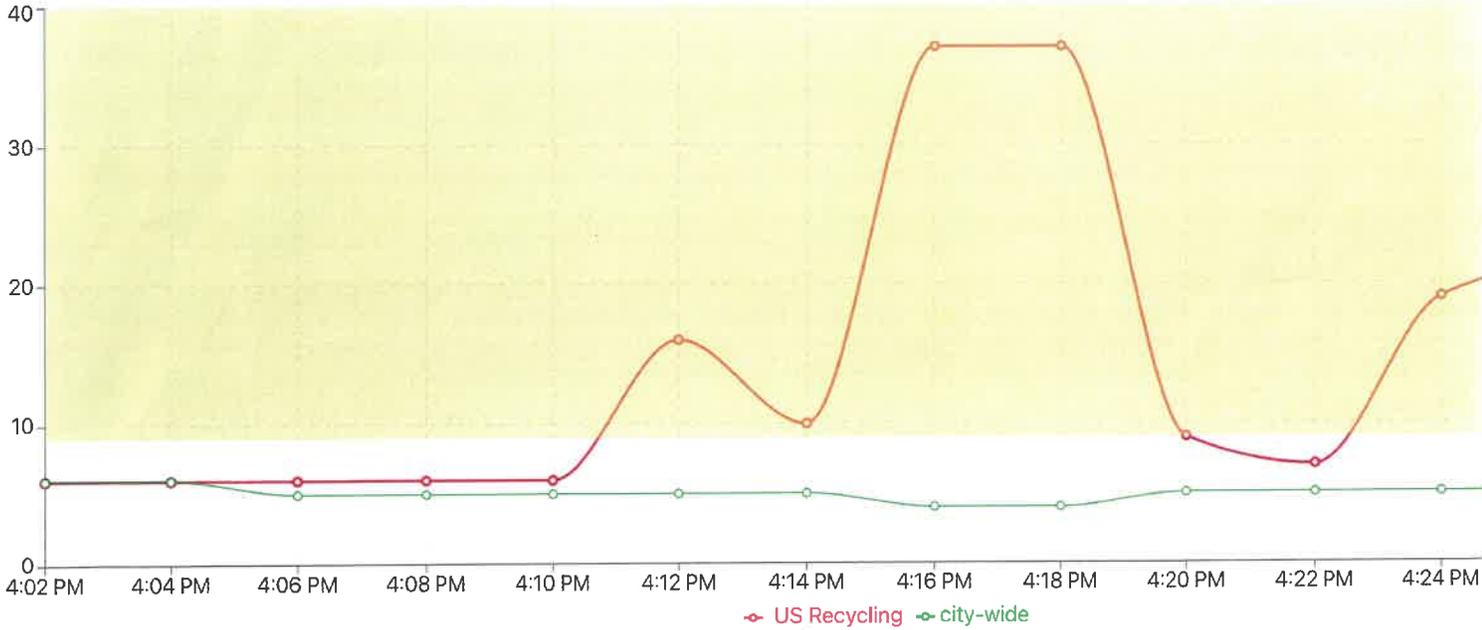
1876 Oak Street

Sarasota, FL 34236

Cell: 203-213-6978

3 incidents from last week

Beginning on	Spike Risk Level	Duration	US Recycling	City-wide	US Recycling Sensor
Wednesday, September 10, 2025 at 4:12 PM	Unhealthy for Sensitive Groups	8 minutes	37	6	Billiards NE2



From: John Hickey <jhickey@scgov.net>
Sent: Tuesday, August 26, 2025 3:15 PM
To: Matthew Osterhoudt <mosterho@scgov.net>
Cc: Rachel Herman <rherman@scgov.net>; Michele Norton <mnorton@scgov.net>; Michael Storino <mstorino@scgov.net>; Maria Irianni Renno <mirenno@scgov.net>
Subject: US Recycling - Inspection Status

Matt

Staff conducted an inspection at US Recycling to verify conditions following a complaint of dust and crushing operation on August 20, 2025.

Inspection findings:

- A crusher was operating. The permittee failed to provide the required relocation notice to our office prior to relocating the unit onto the site.
- A spray bar on the crusher was not operating properly.
- Reasonable precautions to minimize dust were not adequate. Water was being adequately applied to the feed piles and facility grounds. However, precautions were not adequate to prevent dirt from being tracked out of the facility and onto Industrial Ave resulting in dust from traffic. The host facility (Mr. Williams) stated he would sweep Industrial Ave to remove accumulated dirt. An inspection on August 21, 2025, verified that the roadway had been swept.

AWQ actions:

- A Warning letter is being drafted for the violations under the state enforcement process. Staff is coordinating this process with FDEP. The Warning Letter will be issued to the permit holder this week.
- Staff is coordinating with the county attorney’s office on the efficacy of issuing an NOV and pursuing a parallel line of enforcement utilizing the county’s enforcement process should the state process result in lengthy timeframes.
- A follow up inspection is being performed this week to verify road and facility conditions.

Sincerely,

John Hickey, P.E., Manager, Air & Water Quality
 Sarasota County Government | Planning & Development Services
 Environmental Protection Division
 1001 Sarasota Center Blvd, Sarasota, FL 34240
 Cell: 941-396-0935
 Email: jhickey@scgov.net
 Your feedback is valuable to us: [Customer Service Survey](#)



FLORIDA DEPARTMENT OF
Environmental Protection

Bob Martinez Center
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

Alexis A. Lambert
Secretary

Electronic Submission

Air General Permit Notice of Surrender

You have submitted notice of surrender for your Air General Permit for a **Nonmetallic Mineral Processing Plant (Crusher)** facility in accordance with **62-210.310(3)(m), F.A.C.**. The correction was received on **12/26/2024**.

Below is a copy of the details of your submission for your records.

Facility Information

Facility ID: 1150187
Facility or Business Name: US RECYCLING COMPANY
Site Name: US Recycling Company
Address Line 1: 1310 INDUSTRIAL CT
Address Line 2:
City/State/Zip Code: SARASOTA, FL 34236 5835

Mailing Address

Address Line 1: 1310 INDUSTRIAL CT
Address Line 2:
City/State/Zip Code: SARASOTA, FL 34236 5835

Owner

Name: Chris Williams
Address Line 1: 1310 Industrial Ct.
Address Line 2:
City/State/Zip Code: Sarasota, FL 34236
Phone Number: (941) 350-2047
Extension:
Cell Number:

E-mail Address: chris@usrecycling.us

Facility Contact(s)

Name: CHRIS WILLIAMS
Address Line 1: 1310 INDUSTRIAL CT
Address Line 2:
City/State/Zip Code: SARASOTA, FL 34236 5835
Phone Number: (941) 350-2047
Extension:
Cell Number:
E-mail Address: chris@usrecycling.us

Surrendered Permits

The following permits are surrendered as of 12/27/2024.

Air Permit #	Project Name	Permit Type
1150187002AG	US RECYCLING COMPANY	Air - General Permit

Notification Submitted By

Name: Daniel Beatty
Phone Number: (239) 246-3646
E-mail Address: beattyenvironmental12@gmail.com

All information submitted was certified true, accurate, and correct to the best of the knowledge of the person whose name appears above.

If you have any questions or concerns about the information contained in this report, please contact the Small Business Environmental Assistance Program at (800) 722-7457 or by e-mail at Small.Business@floridadep.gov.

FW: US Recycling Update

From Mark Smith <mhsmith@scgov.net>

Date Mon 1/6/2025 10:34 PM

To Central Coconut Association <centralcoconutna@gmail.com>

Cc Arthur Lindemanis <arthur.lindemanis@gmail.com>; Jen Ahearn-Koch <Jen.Ahearn-Koch@sarasotaFL.gov>

 1 attachment (47 KB)

33740a126a5b2c1ede92f16a4c900.pdf;

Caution: This email originated from outside the City's email system. Be Suspicious of Attachments, Links and Requests for Login Information. Verify requester via phone call before exchanging sensitive information. **Think B4U Click!**

Great news!!!

From: Brad Johnson <Brad.Johnson@scgov.net>

Sent: Monday, January 6, 2025 3:20 PM

To: Mark Smith <mhsmith@scgov.net>

Cc: Matthew Osterhoudt <mosterho@scgov.net>

Subject: FW: US Recycling Update

Commissioner Smith,
We wanted to make you aware that US Recycling has ceased their operations. Please see the attachment indicating that they are surrendering their permit.

Brad E. Johnson, ICMA-CM

Assistant County Administrator

1660 Ringling Blvd., Sarasota, FL 34236

Office: 941-861-5293

Fax: 941-861-5987

Email: brad.johnson@scgov.net

Web: www.scgov.net



All email sent to and from Sarasota County Government is subject to the public record laws of the State of Florida.

To learn more about Florida's Sunshine click [here](#).



From: Matthew Osterhoudt <mosterho@scgov.net>
Sent: Friday, January 3, 2025 10:31 AM
To: Brad Johnson <Brad.Johnson@scgov.net>; Jonathan Lewis <jrlewis@scgov.net>
Subject: FW: US Recycling Update

FYI

Matthew Osterhoudt, Director

Sarasota County Government | Planning and Development Services Department
1660 Ringling Blvd, Sarasota, Florida 34236
Phone: 941.650.1205
Email: mosterho@scgov.net
Website: www.scgov.net/PDS

Your feedback is valuable to us: [Customer Service Survey](#).



Sarasota County

All mail sent to and from Sarasota County Government is subject to the public records law of Florida.

From: John Hickey <jhickey@scgov.net>
Sent: Friday, January 3, 2025 10:28 AM
To: Matthew Osterhoudt <mosterho@scgov.net>; Michele Norton <mnorton@scgov.net>; Rachel Herman <rherman@scgov.net>
Subject: US Recycling Update

US Recycling has surrendered their FDEP air permit. A copy of the notice is attached. The concrete crushing equipment has been removed from the site. We will no longer be inspecting this facility unless we receive pollution related complaints.

John Hickey, P.E., Manager, Air & Water Quality

Sarasota County Government | Planning & Development Services
Environmental Protection Division
1001 Sarasota Center Blvd, Sarasota, FL 34240
Cell: 941-915-2831
Email: jhickey@scgov.net

Your feedback is valuable to us: [Customer Service Survey](#).

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Commissioner Jen Ahearn-Koch
1565 1ST Street, RM 101
Sarasota, FL 34236

Dear Commissioner Ahearn-Koch

January 11, 2025

On behalf of our Board and Members of the Central Coconut Neighborhood Association, I thank you for always keeping us informed of developments at US Recycle. The news that US Recycling was ceasing their operations made our YEAR!! What a long, hard-fought battle!! We believe that indeed your consistent, and relentless pressure on this issue was a major influence on the decision for US Recycle not to renew their crushing license.

Over the years, you have always been there for our Central Coconut Neighborhood Association, and we sincerely appreciate it. Thank you for your time and dedication.

Sincerely,

A handwritten signature in blue ink that reads 'Laurel'.

Laurel Quarberg
President
Central Coconut Neighborhood Association



Central Cocoanut residents face problems with no solutions

Christian Casale

Sarasota Herald-Tribune
USA TODAY NETWORK

In Central Cocoanut, which sits just north of downtown Sarasota, residents are caught in a familiar cycle: They complain about the nearby U.S. Recycling plant, about the dust and the noise they deal with daily. That attracts the attention of local government officials and the media. Promises are made; meetings are held. The attention dies down, local officials and the media move on to something else, promises are forgotten, and all that remains are the residents and the industrial plant. • Rinse and repeat. • U.S. Recycling was the subject of Herald-Tribune investigations in 2021 and 2022. Many of the same people who spoke to the newspaper back then were interviewed for the latest effort to push for improvements and were wary of once again getting their hopes up for a solution, only to be let down again by the machinations of local government.

U.S. Recycling Company located at 1310 Industrial Ct. in Sarasota, with the Central Cocoanut neighborhood directly behind the company. THOMAS BENDER/SARASOTA HERALD-TRIBUNE



In 2022, after a raucous meeting and plenty of public outcry, the city of Sarasota agreed to repave 14th Street and Industrial Court, which leads to the site, to reduce the swirling dust flung by the relentless stream of trucks lumbering in and out of U.S. Recycling. The work cost Sarasota taxpayers \$410,106 to alleviate the problems stemming from U.S. Recycling, which did not contribute financially to the project.

But after years, the cycle continues. Despite the repaved road, residents still complain of constant dust emanating from the site, coating their vehicles and their property, and possibly harming their health.

Sarasota County forced the site to pay thousands of dollars in fines for code violations in 2021, and yet, as recently as Aug. 20, county inspectors once again came down on U.S. Recycling for code violations. All the while, the site continued to smash and crush debris in a residential neighborhood, within walking distance of over 200

homes, two city parks, a daycare center, and an assisted living facility. Discouragement has set in for the people of Central Cocoanut, their views jaded toward the institutions that collect their taxes.

Laurel Quarberg runs the Central Cocoanut Neighborhood Association and is one of the central organizers of the latest effort to shake up the status quo. She said the fact that the issue resurfaces every few years shows efforts by the city and Sarasota County have failed to improve the situation.

"The problem is that it never really solved the problem," Quarberg said. "I know from conversations with neighbors and people who have been involved for a long time that (the road) helped, but it didn't stop it."

Christopher Williams, the owner and operator of U.S. Recycling, did not respond to requests for comment. Residents and advocates have said any contact or coordination between him and them has been virtually nonexistent.

Tracking 'fugitive dust'

To Quarberg, who has lived in the area since 2020, the U.S. Recycling operation is not appropriate for a residential neighborhood. Houses line the streets to the facility's immediate north and west; businesses right alongside it have filed complaints about the site for years.

Recently, the concerns of Quarberg and other residents of Central Cocoanut have gotten the attention of one of the city's biggest political players.

The Sarasota Coalition of City Neighborhood Associations (CCNA) organizes 33 different civic organizations and works closely with top local officials. Its monthly Saturday morning meetings regularly attract city commissioners, senior staff, and department heads.

The coalition formed an Air Quality Committee in May that has been tasked with monitoring the U.S. Recycling situation. It installed two sensors near the

Constant assault by such dust has been linked to respiratory issues such as asthma, chronic bronchitis, and obstructive pulmonary disease.

See SOLUTIONS, Page 12A

Solutions

Continued from Page 11A

site to analyze the area's Air Quality Index and has reported the results in real-time.

The committee is chaired by Ron Kashden, the seemingly omnipresent former City Commission candidate and civic advocate based in Laurel Park.

Kashden is perhaps the prototypical neighborhood activist: a wiry, Quixotesque former software executive who left the Wall Street rat race some years ago for coastal Florida. He carries the sort of burden commonly found among that phylum of those hyper-involved in local government but looking in from the outside. Kashden is caught between the sheer amount of knowledge he has about city problems and injustices, paired with a front-row seat to the glacial pace at which government can move due to incompetence, bureaucracy, or pettiness. For Kashden, this manifests in a sort of organized freneticism, as if he can't get the words out fast enough about everything he knows.

"CCNA is making a big push because of this roller coaster of hope and aspiration," Kashden said. "This opera of: 'Oh, this might be resolved,' and then another solution evaporates before our eyes."

The group spent the summer rounding up two dozen volunteers to help canvass the neighborhood and document the medical effects of living close to U.S. Recycling.

What concerns residents and advocates is "fugitive dust," defined by the Environmental Protection Agency as "particulate matter that enters the atmosphere without first passing through a stack or duct designed to direct or control its flow."

These fugitives invade homes and lungs, sitting atop cars and roofs, blown throughout the neighborhood, including by the gusts created by huge trucks heading to and from U.S. Recycling all day. Constant assault by such dust has



U.S. Recycling Company is located within walking distance of over 200 homes, two city parks, a daycare center, and an assisted living facility.

THOMAS BENDER/SARASOTA HERALD-TRIBUNE FILE

been linked to respiratory issues such as asthma, chronic bronchitis, and obstructive pulmonary disease.

Sarasota County responsible for air quality regulation

The renewed push for government action has spurred some movement by Sarasota County.

The county's director of Planning and Development Services, Matt Osterhoudt, wrote a memo to the county administrator in June after Kashden and Quarberg raised the issue during public comment at a commission meeting. Central to his memo is the fact that Sarasota is one of the few Florida counties delegated authority by the Florida Department of Environmental Protection to administer its own air pollution con-

trol program.

"Under this agreement, Sarasota County reviews air permit applications and issues air permits under State statutes and rules," Osterhoudt wrote.

Air permits allow facilities with the potential to emit pollution to operate under existing regulations. Sarasota County issues 31 active Air General Permits; 27 of those permit holders have the potential to create dust, according to Osterhoudt.

In his assessment, the program strengthens the county's connection with businesses and ensures environmental issues are "effectively addressed in the interest of all community members."

One would be hard-pressed to find a resident of Central Coconut who would characterize their issues with U.S. Recy-

cling as "effectively addressed."

There was some hope in late 2024, when U.S. Recycling surrendered its air permit required to operate heavy machinery. There were even rumors that a developer was eyeing to buy the site - perhaps the only instance of hyper-involved local activists being excited about new housing.

However, those dreams were short-lived.

A long history of complaints

Facilities requiring an air permit are tested annually, but those with a history of complaints or noncompliance with local codes are visited by staff more frequently. U.S. Recycling has been visited by local or state officials 20 times in the past five years, after numerous complaints from its neighboring residents and businesses. It has also received at least 12 out-of-compliance notices in that span, but it has only paid one fine in its history.

"Noncompliance issues documented over the past five years have included operating without an approved air permit, record management deficiencies, lack of notifications, and equipment maintenance deficiencies," Osterhoudt wrote in his memo.

A joint investigation by local and state officials in 2021 showed the site was operating a concrete crusher without a state-mandated permit.

On one occasion that year, a county inspector attempted to enter the facility following a resident complaint. When he arrived, Williams would not allow the inspector onto the property unless he identified the complainant, according to a county inspection report. The county official not only told Williams he could file a public records request to find out who complained about him, but he also provided the site's owner with a printed copy of the county's records homepage and gave instructions on how to submit a request,

See SOLUTIONS, Page 14A

"CCNA is making a big push because of this roller coaster of hope and aspiration: This opera of: 'Oh, this might be resolved,' and then another solution evaporates before our eyes."

Ron Kashden, Air Quality Committee

Solutions

Continued from Page 12A

according to an inspection record.

Even so, Williams didn't budge, and the county acquiesced.

"The facility was left without gaining access to conduct a complaint inspection," the inspector wrote in his report.

Initially, the penalties against U.S. Recycling for both violating Florida's Environmental Litigation Reform Act and failing to allow local officials to access the facility added up to \$13,250. However, once the attorneys got involved, the amount was settled for a \$6,500 fine in 2021.

U.S. Recycling's attorney, Travis Hearne, with Mechanik Nuccio Hearne & Wester, P.A., denied any wrongdoing or release of pollutants by his client at the time in a legal memo to government officials.

"In fact, it appears quite likely that dirt from the construction area is being tracked into the U.S. Recycling facility rather than the other way around," Hearne wrote.

The attorney did not specify which construction site would have been bringing in the dust. There is no active construction near the U.S. Recycling site currently, but plenty of dust lines the road.

Hearne did not respond to an email request for comment.

In 2022, the site did not provide water log records to inspectors upon request. A report filed in October of that year found the facility was not compliant with its general air permit. In 2023, an inspector noted that U.S. Recycling was not operating its water sprinkler to control the spread of fugitive dust. County inspections began to taper off after the road was constructed.

In 2024, a Tampa-based company called JunkRemoval.com began operating a crusher at U.S. Recycling. The company's president, Daniel Salomon, was cautioned by county officials that April for not informing them of his work there until the day after he moved it, before inspectors could arrive.

"Additionally, the relocation notice incorrectly indicated there were no other facilities collocated at the site; however, U.S. Recycling had a permitted crusher on site at that time," officials wrote in an inspection report.

Inspectors visited U.S. Recycling in

Air Quality Index		
AQI CATEGORY	AQI VALUE (PM2.5)	HEALTH MESSAGE
Safe	0.0 - 9.0	Air quality is satisfactory, little/no risk
Moderate	9.1 - 35.4	Acceptable, but some risk for sensitive groups
Unhealthy for sensitive groups	35.5 - 55.4	Sensitive groups may experience health effects
Unhealthy	55.5 - 125.4	Everyone may begin to experience effects
Very unhealthy	125.5 - 225.4	Health warnings of emergency conditions
Hazardous	225.5+	Serious health effects for everyone

CCNA's air quality sensors measure fine particulate matter (PM2.5) and the group classifies its results based on EPA standards revised under the Biden Administration. PROVIDED BY CCNA

January 2025 to inspect the crusher being operated by JunkRemoval and found five noncompliance items, including not providing fuel consumption records and the excessive height of the cement and crushed rock piles, which caused dust to become airborne.

"During the inspection, no logs were available, and the owner was not aware of the requirement to perform monthly inspections or to maintain logs. The spray bars were not performing adequately to wet crushed materials," the report noted.

Issues persisted into August 2025, when John Hickey, the county's manager of air and water quality, sent a memo to Osterhoudt stating the site had racked up more violations, according to an email obtained by the Herald-Tribune. These included a failure to inform the county that a crusher was operating on site, a spray bar on the crusher that was not operating properly and efforts to minimize dust spreading to the surrounding neighborhood that were "inadequate."

The county planned to send yet another warning letter, Hickey said, as well as coordinate with the county attorney's office for further enforcement "should the state process result in lengthy timeframes."

Sarasota County inspections yield few results for residents

If one relied only on the county inspections conducted at U.S. Recycling, they might conclude its effects on the neighborhood were minimal. In 21 county inspections reviewed by the Herald-Tribune conducted since June 2021, only two mentioned recording fugitive dust.

One report said "no unconfined emissions of particulate matter were noted at the facility during the inspection," but then noted "facility vehicles that were traveling these roads to access the facility were seen raising fugitive dust on the roads due to the dry condition of the roads."

In almost every other report, there was either no mention of fugitive dust, or it was explicitly stated that none was observed at the time of inspection.

It is a stark difference from what is reported by the residents, business owners and advocates of Central Coconut. To counter what they felt was an inadequate system of measuring dust by local officials, the CCNA turned to their own methods.

The 34234 ZIP code, where the neighborhood is located - wedged between the Sarasota Bradenton Interna-

tional Airport and downtown Sarasota - is the poorest in the county, according to U.S. Census data. The median household income is 27% less than the rest of Sarasota County, even though it has a slightly higher employment rate. Its poverty rate of nearly 21% is more than double the county average.

A common sentiment from those who live next to U.S. Recycling was something akin to: *They would never allow something like this on Bird Key.*

To Kashden, the problem lies in the fact that a site like U.S. Recycling can be difficult to regulate under federal clean air standards. The U.S. Clean Air Act monitors the AQI based on daily averages.

"Unlike other industrial processes that run continuously, concrete crushing is done in a batch," CCNA said. "It is similar to a power tool. When the machine is running, it generates a lot of dust. When you turn it off, the dust stops."

The association's air quality initiative was supported with technical guidance from Sarasota County staff. The sensors measure fine particulate matter (PM2.5), and CCNA classifies them based on EPA standards revised under the Biden Administration.

CCNA data only goes as far back as June 22, but the survey shows U.S. Recycling emitting at least "moderate" amounts of air particles about 24% of the time as of Sept. 3. There were four spikes of AQI levels becoming "unhealthy," for a total aggregate of about 17 hours.

In the average of all recorded instances of what CCNA considers "spike risk levels," the AQI rate coming out of U.S. Recycling is more than double the citywide average.

While residents and advocates gear up for another uphill push against the complicated and intersecting bureaucracies and responsibilities of the city, the county and the state, it has become clear they won't receive very much help from the federal government, either.

The Trump Administration announced in March it would explore weakening those standards, calling the Clean Air Act permitting requirements "burdensome" to small businesses, such as U.S. Recycling.

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03:18:23 >>Marlon Brown: D.O.T. NEEDS A RESOLUTION.
03:18:25 WE ALREADY HAVE THE RESOLUTION PREPARED TO BRING BACK AT THE
03:18:27 AUGUST 15 MEETING.
03:18:28 SO THE MOTION IS TO KIND OF DIRECT STAFF TO BRING BACK THE
03:18:33 RESOLUTION AMENDING THE LIST TO INCLUDE THE CHILDHOOD CANCER
03:18:37 AWARENESS.
03:18:39 >>Liz Alpert: SO MOVED.
03:18:40 >>Mayor Arroyo: SECOND BY EVERYONE ELSE.
03:18:42 ALL RIGHT.
03:18:44 MOTION BY COMMISSIONER ALPERT.
03:18:45 SECOND BY COMMISSIONER -- BY VICE MAYOR BATTIE.
03:18:48 LET'S HAVE A VOTE.
03:18:49 COMMISSIONERS, IS THAT YOUR VOTE?
03:18:54 >> YES.
03:18:57 >>Mayor Arroyo: MOTION PASSES 5-0.
03:18:58 [APPLAUSE]

03:18:59 YOU DON'T HAVE TO SPEAK UNLESS YOU WANT TO.
03:19:07 ALL RIGHT.
03:19:08 SO YOU HAVE A GREAT DAY.
03:19:09 I WOULD LIKE TO RECOGNIZE THE TWO GROUPS, IF YOU WANTED TO
03:19:15 JUST COME UP HERE AND QUICKLY SAY WHO YOU REPRESENT.
03:19:22 >> MY NAME IS BEN SHROYER.
03:19:24 WITH CASTING WITH THE KIDS IN SARASOTA.
03:19:27 WE PUT ON AN ANNUAL FISHING TOURNAMENT AND HELPING TO DO
03:19:30 MORE THINGS TO RAISE AWARENESS FOR KIDS AND FAMILY BATTLING
03:19:34 CANCER.
03:19:35 >> SHAWN PLATT, WITH BOYS OF HOPE.
03:19:39 WE ARE A FOUNDATION THAT SUPPLIES FINANCIAL NEEDS FOR
03:19:42 FAMILIES WITH CHILDREN THAT HAVE OR FAMILIES THAT HAVE
03:19:45 CHILDREN WITH CHILDHOOD CANCER.
03:19:46 SO WE RAISE AWARENESS AND COMMUNITY SUPPORT AND OBVIOUSLY
03:19:50 FUNDS FOR ALL THESE FAMILIES AROUND THE AREA.
03:19:53 THE BRIDGE LIGHTING IS A BLESSING.
03:19:56 THANK YOU.
03:19:57 >>Mayor Arroyo: THEY HAVE ALL BEEN IMPACTED BY THIS DEEPLY
03:19:59 AND THEY CARE SO MUCH ABOUT THIS.
03:20:01 IT IS TRULY INSPIRING.
03:20:02 AT SOME POINT I WOULD ENCOURAGE YOU ALL TO MEET WITH THEM
03:20:05 AND HEAR THEIR STORIES.
03:20:06 >> THANK YOU, COMMISSIONERS.
03:20:09 [APPLAUSE]

03:20:15 >>Mayor Arroyo: ALL RIGHT.
03:20:16 ITEM 12.3.
03:20:17 **LAST ITEM ON THE AGENDA IS GOING TO BE REGARDING U.S.**
03:20:20 **RECYCLING FACILITY LOCATED AT 1401 INDUSTRIAL COURT.**
03:20:23 **I'LL CALL UPON OUR CITY COMMISSIONER AHEARN-KOCH TO MAKE THE**
03:20:27 **PRESENTATION.**
03:20:27 PART TWO.
03:20:30 >>Jen Ahearn-Koch: I'M IN THE HOT SEAT AGAIN.
03:20:33 I BELIEVE YOU ALL READ THE BACKUP MATERIAL AND ARE VERY
03:20:43 FAMILIAR WITH THIS ISSUE.
03:20:45 I WAS MADE AWARE OF THIS ABOUT TWO YEARS AGO, MAYBE PLUS OR

03:20:49 MINUS.
03:20:50 I'M NOT REALLY SURE AT THIS POINT.
03:20:52 I'VE TALKED WITH MANY, MANY OF THE NEIGHBORS ABOUT THIS.
03:20:56 I HAD TWO MEETINGS WITH EACH OF THE COUNTY COMMISSIONERS
03:21:00 WITH THE EXCEPTION OF COMMISSIONER MAIO.
03:21:04 I ONLY HAD ONE MEETING WITH HIM.
03:21:06 I'VE SPOKEN WITH MR. IGLEHART FROM THE DEPARTMENT OF
03:21:08 ENVIRONMENTAL PROTECTION WHEN WE WERE UP IN TALLAHASSEE, WE
03:21:12 HAD MEETINGS WITH MR. BLALOCK.
03:21:14 I BROUGHT THIS TO HIS ATTENTION UP THERE.
03:21:16 I'VE HAD A NUMBER OF MEETINGS WITH THE NEIGHBORHOOD
03:21:21 ASSOCIATION, TOO MANY TO COUNT.
03:21:23 AND I HAVE HAD -- AND THAT WOULD INVOLVE PEOPLE FROM ALL
03:21:26 OVER THE COMMUNITY, INCLUDING THE U.S. RECYCLING.

03:21:31 THERE WERE PEOPLE ATTENDING AT THOSE MEETINGS AS WELL.
03:21:33 AND I'VE HAD NUMEROUS MEETINGS WITH CITY STAFF TRYING TO
03:21:39 FIGURE THIS ALL OUT.
03:21:41 IT'S A BIT OF A PUZZLE, AND I THINK THERE ARE SOME PIECES
03:21:44 MISSING.
03:21:46 AND I JUST WANT TO WALK US ALL THROUGH A LITTLE BIT OF THE
03:21:49 HISTORY OF WHAT WE HAVE IN FRONT OF US.
03:21:51 AND IF I'M GOING TO TRY TO PUT THESE THINGS ON THE OVERHEAD
03:21:58 AS I GO THROUGH, IF YOU ALL WOULD GO TO PAGE 199, 189 TO
03:22:05 199.
03:22:06 AND ON THE OVERHEAD, YOU CAN SEE A SORT OF TIMELINE.
03:22:14 I ALSO WOULD JUST LIKE TO SAY I, OF COURSE, DON'T WANT TO
03:22:17 MAKE ANY FALSE STATEMENTS.
03:22:20 IF I DO SAY ANYTHING THAT IS INCORRECT, MR. FOURNIER, PLEASE
03:22:24 JUMP IN AND STOP ME AND FEEL FREE, ANYONE DON'T HESITATE TO
03:22:29 CORRECT ME IF I DO SAY SOMETHING THAT'S NOT FACTUAL OR
03:22:32 ACCURATE.
03:22:33 BUT I DID WANT TO SAY -- THIS IS A SORT OF HISTORY WE HAVE
03:22:38 IN THE BACKUP MATERIAL.
03:22:39 THIS IS 2012, 2013.
03:22:45 JUST TAKE PARTICULAR NOTE TO WHAT IS GOING ON ON THE
03:22:49 PROPERTY HERE.
03:22:51 SO WE HAVE THESE LITTLE BUILDINGS THERE, SOME HERE, SOME
03:22:55 THERE.
03:22:55 A YEAR LATER, YOU SEE A LITTLE BIT MORE ACTIVITY GOING ON.

03:23:03 I'M SORRY.
03:23:03 14 IS THERE.
03:23:11 15.
03:23:13 THAT'S 13.
03:23:14 HERE IS 15.
03:23:16 A LITTLE BIT MORE.
03:23:17 SO THIS IS SORT OF AN AREA THAT STARTS TO DEVELOP.
03:23:22 16, YOU CAN SEE IT GETS EVEN MORE.
03:23:28 17, AGAIN, YOU CAN SEE HERE AND HERE IT'S STARTING TO REALLY
03:23:33 GET LARGE.
03:23:39 18.
03:23:43 19.
03:23:43 AND THEN 20-21.

Sketch

03:23:49 HERE, HERE, HERE, AND IF YOU CONTRAST THOSE WITH 2012, YOU
03:23:57 CAN SEE A DIFFERENCE.
03:24:00 WHAT I HEAR FROM A LOT OF THE NEIGHBORS IS THAT WHEN THEY
03:24:03 MOVED IN, THEY KNEW ABOUT THE RECYCLING, THE METAL RECYCLING
03:24:07 AND THE CARS AND ALL OF THAT, THAT THIS SORT OF DEVELOPED
03:24:11 OVER TIME AND IT WENT FROM ONE ACTIVITY TO A COMPLETELY
03:24:16 DIFFERENT ACTIVITY.
03:24:17 AND I DO WANT TO JUST ALSO SAY THAT MAYBE TAKE NOTE HERE TO
03:24:24 THE ROAD.
03:24:25 I DON'T KNOW IF THIS HAS SOMETHING TO DO WITH THE FUNCTION
03:24:27 OF THE PICTURE, BUT YOU CAN SEE HERE IT LOOKS LIKE A SORT OF
03:24:30 ROAD, REGULAR ROAD AND OVER HERE IT IS COMPLETELY WHITE.

03:24:34 IF YOU GO BACK THROUGH TIME, YOU CAN SEE THAT THAT STARTS TO
03:24:37 DEVELOP OVER TIME, SO THIS IS DEGRADATION OF THE ROAD AND
03:24:41 THE DUST SETTLING ON THE ROAD.
03:24:44 IF WE COULD NOW MOVE FORWARD TO PAGE 170 AND 171, THESE WERE
03:25:03 SUBMITTED BY A RESIDENT HERE.
03:25:05 SO THIS ONE HERE SHOWS THE PILES OVER HERE FROM HER HOUSE
03:25:11 WHO'S CONTIGUOUS TO IT, AS DOES THIS ONE AS WELL.
03:25:14 IF YOU CAN SWITCH NOW TO PAGE 106, AND AS FAR AS I
03:25:27 UNDERSTAND THIS PUZZLE, THERE ARE THREE AUTHORITIES,
03:25:33 GOVERNING AUTHORITIES WITH THIS PROPERTY.
03:25:35 SO YOU HAVE THE CITY.
03:25:36 YOU HAVE THE COUNTY, AND YOU HAVE THE FLORIDA DEPARTMENT OF
03:25:38 ENVIRONMENTAL PROTECTION.
03:25:40 THE CITY, OUR AUTHORITY IS OVER ZONING COMPLIANCE, THE ROAD
03:25:44 AND A WALL THAT I BELIEVE THAT WE REQUIRE SOMETHING LIKE *skt*
03:25:47 THIS TO BE IN AN OPAQUE WALL *skt*
03:25:52 AS YOU ALL KNOW, WE ARE REDOING THAT ROAD.
03:25:54 THE ROAD WAS REALLY DAMAGED AND IT WAS VERY BUMPY SO IT
03:25:58 WOULD CAUSE THESE TRUCKS TO SORT OF BOUNCE AROUND, KICK UP
03:26:02 THE DUST, SORT OF MAKING THE SITUATION WORSE.
03:26:05 SO WE ARE REPAVING THE ROAD.
03:26:08 THE CITY STAFF IS WORKING ON A WALL, AN OPAQUE WALL, I
03:26:12 BELIEVE, AND WE'RE GETTING A VARIANCE FOR THAT AS WELL.
03:26:15 AND THEN -- AND THE ZONING COMPLIANCE, WHICH IS THEIR
03:26:20 FACILITIES HAVE TO BE SET BACK A HUNDRED FEET.

03:26:23 SOME OF THEM WEREN'T.
03:26:25 MS. PANICA MADE A DETERMINATION THAT FACILITIES ALSO MEANS
03:26:29 ACTIVITY.
03:26:29 SO ANY ACTIVITIES HAD TO BE SET BACK A HUNDRED FEET.
03:26:33 THAT IS THE CITY'S PURVIEW, I THINK, PRETTY MUCH, AND WE'RE
03:26:36 ACTING ON THAT.
03:26:37 THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION'S PURVIEW
03:26:42 IS OVER ENVIRONMENTAL IMPACTS AND OVERSIGHT.
03:26:46 THEY CEDED THEIR AUTHORITY TO WATER AND AIR QUALITY -- AND
03:26:53 CORRECT ME IF I'M WRONG ON ANY OF THIS -- THEY CEDED THEIR
03:26:56 AUTHORITY TO THE COUNTY.
03:26:58 SO THE COUNTY IS ACTUALLY THE BODY THAT HAS BEEN TASKED WITH
03:27:03 MONITORING THE WATER AND AIR QUALITY OF THIS SITE.
03:27:07 SO IF YOU GO TO PAGE 106 AND 107, YOU'LL SEE THAT IN 2001,
03:27:13 ABOUT HALFWAY DOWN, IT SAYS THAT OPERATING A NONMETALLIC

03:27:19 MINERAL PROCESSING PLANT CRUSHER WITHOUT FIRST OBTAINING A
03:27:22 PERMIT.
03:27:23 THEY ASKED THEM TO DO A COUPLE OF THINGS, HAVE A LOGBOOK,
03:27:28 GET A PERMIT, AND TO ALLOW FOR INSPECTION.
03:27:31 AND THEN IT GOES DOWN TO SAY THESE ACTIONS HAVE SINCE BEEN
03:27:34 COMPLETED.
03:27:35 THEY WERE FINED 5,000, 500, AND A THOUSAND DOLLARS.
03:27:42 I BELIEVE THEY DID PAY THAT FINE.
03:27:43 SO NOT THAT THE COUNTY HAS NOT BEEN DOING ANYTHING, SO YOU
03:27:46 CAN SEE THEY HAVE.

03:27:47 BUT THEN IF YOU GO TO -- SO THEY DID PAY THAT FINE, BUT IF
03:27:51 YOU GO TO PAGE 86 AND 89, I'LL PUT THIS UP HERE.
03:28:02 SO 86, HERE YOU CAN SEE THAT THIS WAS AN INSPECTION THAT WAS
03:28:07 DONE IN 10/18/21.
03:28:10 YOU CAN SEE OVER HERE IT IS MARKED IN COMPLIANCE.
03:28:13 THAT WAS AN INSPECTION THAT WAS DONE.

03:28:16 THEN IF YOU GO OVER TO THE NEXT PAGE OR TWO PAGES LATER,
03:28:21 THERE IS THIS NARRATIVE, WHICH I'M GOING TO HAVE TO TAKE
03:28:24 AWAY FROM THE MONITOR TO READ.

03:28:26 IT SAYS AT THE TIME OF THE INSPECTION, THE FACILITY'S ROCK
03:28:31 CRUSHER AND SCREENING EQUIPMENT WERE NOT IN OPERATION.
03:28:35 SO THEY ARE TASKED WITH MONITORING THE VISIBLE EMISSIONS,
03:28:39 THE OPACITY OF DUST IN THE AIR, BUT WHEN THEY DID THEIR
03:28:43 INSPECTION THAT THEY MARKED COMPLIANCE, THE FACILITY'S ROCK
03:28:47 CRUSHER AND SCREENING EQUIPMENT WERE NOT IN OPERATION.
03:28:51 THE ACCESS ROADS HAD BEEN WETTED DOWN BEFORE THE INSPECTION
03:28:54 OF THE FACILITY'S WATER TRUCK TO CONTROL ANY FUGITIVE DUST.
03:28:59 FOR ME, IF YOU ARE GOING TO BE MONITORING OPACITY MADE BY
03:29:13 ROCK CRUSHING AND SCREENING ACTIVITY AND THEN IT SHOULD
03:29:17 PROBABLY BE IN -- FUNCTIONING WHEN YOU'RE MEASURING THAT AND
03:29:22 ALSO TO NOTE THAT THE ROADWAY THAT WE ARE NOW REDOING WAS
03:29:25 WASHED DOWN, WHICH IS A GOOD THING IF YOU DON'T WANT THE
03:29:29 DUST TO GO IN THE AIR, BUT IT BEGS THE QUESTION, WAS IT DONE
03:29:38 FOR THIS INSPECTION OR IS THAT A PART OF THEIR REGULAR
03:29:40 ACTIVITY?

03:29:40 THERE IS ONE OTHER ITEM ON THERE I WANTED TO BRING TO YOUR
03:29:46 ATTENTION.

03:29:47 ON THIS ITEM HERE, SO THIS SPEAKS TO THE CITY'S ACTIVITIES
03:29:53 HERE, THIS ONE.

03:29:54 IT SAYS CEMENT TRUCK TRAVELING SOUTH ON INDUSTRIAL COURT
03:29:58 TOWARDS THE ENTRANCE OF THE FACILITY, THE ROADWAY WAS DRY
03:30:03 AND DUSTY AT THE TIME OF THE INSPECTION, BUT THEY DID SAY
03:30:06 EARLIER THAT THEY WETTED DOWN THE ROAD.

03:30:08 I'M NOT REALLY SURE HOW THAT APPLIES BOTH WAYS IN THIS
03:30:12 SITUATION.

03:30:13 THEN IF YOU GO TO PAGE 65 AND 72, WE HAVE ANOTHER INSPECTION
03:30:23 THAT WAS DONE A YEAR LATER BECAUSE THIS IS A YEARLY
03:30:28 INSPECTION.

03:30:28 SO YOU HAVE 1/28/22 OF THIS YEAR AND THEY WERE MARKED IN
03:30:36 COMPLIANCE.

03:30:37 AND THEN YOU HAVE THE DESCRIPTION RIGHT HERE ON PAGE 72.

03:30:49 AND IT SAYS, A VISIBLE EMISSIONS OBSERVATION WAS CONDUCTED

03:30:53 BY AIR AND WATER QUALITY PERSONNEL ON THE SAND RUCK CRUSHER
03:30:59 WHILE THE FACILITY'S CONSULTANT, BEATTY ENVIRONMENTAL
03:31:02 SERVICES WAS PERFORMING THE FACILITY'S ANNUAL VE, VISUAL
03:31:06 EMISSIONS TEST ON THE ROCK CRUSHER.
03:31:08 THE FACILITY'S SCREENER WAS NOT IN OPERATION AT THE TIME OF
03:31:11 THE TEST AND WILL BE TESTED AT A LATER DATE.
03:31:14 THE VE TEST ON THE CRUSHER WAS NOT CONDUCTED UNDER NORMAL
03:31:18 CONDITIONS DUE TO THE OPERATION OF A SMALL WATER CANNON

03:31:23 DEVICE SUPPLEMENTING WATER SUPPRESSION ON THE CRUSHER.
03:31:26 THEREFORE THE TEST WAS NOT CONDUCTED WHEN THE HIGHEST
03:31:28 REPRESENTATION OF EMISSIONS COULD POTENTIALLY OCCUR.
03:31:31 NO FUGITIVE EMISSIONS WERE NOTED AT THE FACILITY AT THE TIME
03:31:36 OF INSPECTION.

03:31:37 IF WE GO TO PAGE 6, WE HAVE THE APPRAISAL THAT WAS DONE.
03:31:59 AND IN THE APPRAISAL IT HAS THE CITY VALUED -- APPRAISED AT
03:32:08 1 -- \$1,650,000.

03:32:13 SO WHEN I INITIALLY BROUGHT THIS AND PUT THIS ON THE AGENDA,
03:32:19 IT WAS ABOUT A MONTH OR MAYBE MORE AGO.

03:32:23 I DIDN'T KNOW ABOUT THE NEXT PIECE OF THE PUZZLE, BUT PART
03:32:33 OF THE APPRAISAL -- LET ME BACK UP ONE SECOND -- PART OF THE
03:32:36 APPRAISAL HERE, IT SAYS THE TESTS OF THE HIGHEST AND BEST
03:32:46 USE, THE PROPERTY VACANT, THE SUBJECT -- IT'S OVER HERE.
03:32:50 DOWN HERE.

03:32:51 THERE ARE NO UNUSUAL ENVIRONMENTAL LIMITATIONS ON
03:32:54 DEVELOPMENT UNLESS NOTED ELSEWHERE, THERE ARE NO KNOWN
03:32:57 ENVIRONMENTAL CONTAMINATIONS OF THE SUBJECT.

03:33:02 >>Mayor Arroyo: HOW MUCH MORE TIME WOULD YOU LIKE?

03:33:04 >>Jen Ahearn-Koch: JUST A COUPLE OF MINUTES.

03:33:05 I'M TRYING TO WALK THROUGH THIS AND MAKE SENSE OUT OF IT.
03:33:08 THEN IF YOU FORWARD TO PAGE 57 -- I APOLOGIZE.

03:33:17 WE HAVE AN ENVIRONMENTAL STUDY THAT WAS DONE AND ON THIS
03:33:28 THEY DID FIND, YIELDED DETECTIONS OF ARSENIC GREATER THAN
03:33:33 THE STATE OF FLORIDA SETLS IN THE GROUNDWATER AND IN THE

03:33:38 SOIL.

03:33:38 AND THEN THAT LEADS ME TO MY VERY LAST ITEM THAT I WANTED TO
03:33:44 BRING TO YOUR ATTENTION, WHICH IS ON PAGE 235 OF 242.

03:33:55 IT WAS AN ARTICLE IN THE PAPER.

03:33:57 IT SAYS THAT AIR POLLUTION DUE TO FINE PARTICLE MATTER CAN
03:34:02 LEAD TO CARDIOVASCULAR AND RESPIRATORY DISEASE AND CANCER,
03:34:07 ACCORDING TO THE WORLD HEALTH ORGANIZATION.

03:34:08 THE ZIP CODES THAT MAKE UP NEWTOWN AND CENTRAL COCOANUT
03:34:14 DISTRICT HAVE THE HIGHEST RATE OF EMERGENCY ROOM ADMISSIONS
03:34:18 AND HOSPITALIZATIONS FOR ASTHMA OF ANY ZIP CODE IN FLORIDA.
03:34:23 I THINK THAT IS QUITE TELLING AND CENTRAL COCOANUT IS ONE OF
03:34:30 THOSE ZIP CODES.

03:34:31 WE AS A CITY ARE DOING EVERYTHING IN OUR AUTHORITY THAT WE
03:34:37 CAN DO.

03:34:38 I HAVE REACHED OUT TO THE COUNTY.

03:34:40 I'VE REACHED OUT TO DEP.

03:34:44 WE'VE HAD AN APPRAISAL DONE.

03:34:45 THE OBVIOUS THING TO DO WAS TO BUY THE PROPERTY, WHICH WAS A
03:34:49 SUGGESTION FROM COMMISSIONER CUTSINGER, BUT I'M NOT SO SURE

03:34:55 THAT'S WHAT THE OBVIOUS SOLUTION IS AT THIS POINT.
03:34:58 I WOULD LIKE YOU TO HEAR FROM SOME OF THE RESIDENTS AND HEAR
03:35:02 THEIR STORIES OF WHAT THEY HAVE BEEN LIVING WITH.
03:35:05 I THINK WE NEED TO COLLABORATIVELY COME UP WITH A SOLUTION
03:35:08 IN SOME WAY, SHAPE OR FORM TO ADDRESS THESE NEIGHBORS' NEEDS
03:35:13 IN A LAWFUL WAY THAT DOES NOT VIOLATE THE CURRENT PROPERTY
03:35:16 OWNER'S RIGHTS AS WELL.
03:35:17 I'M NOT SAYING THIS IS NOT GOING TO BE A CHALLENGE. BUT I
03:35:20 THINK THAT THIS ISSUE NEEDS TO RISE TO THE OCCASION OF WHERE
03:35:24 WE AS A BODY CAN ACT TO HELP THE CITIZENS WITH THIS ISSUE.
03:35:30 SO WITH THAT, I WILL --
03:35:34 >>Mayor Arroyo: THANK YOU, THANK YOU, COMMISSIONER.
03:35:36 >>Jen Ahearn-Koch: ANY QUESTIONS.
03:35:39 >>Mayor Arroyo: AND WE HAVE HEARD FROM MANY OF THEM IN THE
03:35:42 PAST AS THEY HAVE APPEARED BEFORE THIS BOARD.
03:35:44 WHAT WE'LL DO IS A ROUND OF QUESTIONS AND COMMENTS AND THEN
03:35:47 WE'LL TAKE CITIZENS' INPUT, WHICH IS SIGNIFICANT.
03:35:52 AND THEN WE'LL GO BACK AROUND IF THAT WORKS FOR EVERYBODY.
03:35:55 >>Jen Ahearn-Koch: WOULD YOU LIKE ME TO STAY HERE?
03:35:59 >>Mayor Arroyo: THE COMMISSIONERS WOULD BE ASKING QUESTIONS
03:36:02 TO YOU AND WHOEVER ELSE.
03:36:03 COMMISSIONER ALPERT.
03:36:06 >>Liz Alpert: IF WE'RE DOING EVERYTHING THAT LEGALLY WE CAN
03:36:10 DO, WHAT ELSE CAN WE DO AS A COMMISSION BESIDES BUY THE
03:36:16 PROPERTY AND SHUT DOWN THE BUSINESS?
03:36:18 I KNOW IT'S A HORRIBLE SITUATION.
03:36:22 I WOULDN'T WANT TO BE LIVING WITH THAT. BUT I DON'T KNOW
03:36:25 WHAT WE CAN DO AS A COMMISSION IF WE'RE DOING EVERYTHING WE
03:36:27 CAN.
03:36:28 >>Jen Ahearn-Koch: THAT'S AN EXCELLENT QUESTION.
03:36:30 I'M NOT SURE WHAT WE CAN DO OTHER THAN AS A BODY, THIS IS
03:36:36 WHEN WE CAN TALK ABOUT IT.
03:36:38 THIS IS WHEN WE CAN TRY TO FIND A SOLUTION.
03:36:41 DO WE PUT PRESSURE ON THE COUNTY TO DO AN INSPECTION WHEN
03:36:45 THE EQUIPMENT IS RUNNING, FOR EXAMPLE?
03:36:50 DO WE HAVE OUR OWN AIR AND WATER QUALITY REGULATORY BODY OR
03:36:57 AGENCY OR CONSULTANT COME OUT AND DO THIS?
03:37:00 DO WE MOVE FORWARD WITH A POTENTIAL CONVERSATION WITH THE
03:37:03 PROPERTY OWNER TO PURCHASE THE PROPERTY AT WHICH POINT WE
03:37:06 CAN DO OUR OWN ASSESSMENT TO SEE ACTUALLY HOW DAMAGED THE
03:37:10 WATER AND THE SOIL IS FROM OUR OWN POINT OF VIEW?
03:37:14 MR. FOURNIER POINTS OUT IN ORDER TO PURCHASE A PROPERTY, YOU
03:37:17 HAVE TO HAVE A WILLING SELLER.
03:37:18 WE DON'T KNOW THAT.
03:37:20 MAYBE WE CAN ENGAGE IN THAT CONVERSATION.
03:37:22 MAYBE IT WILL GO SOMEWHERE.
03:37:23 MAYBE IT WON'T.
03:37:25 I DON'T KNOW.
03:37:26 BUT IT'S A CONVERSATION I WANT THIS BODY TO HAVE.
03:37:28 I KNOW YOU ALL ARE VERY SMART. CREATIVE PEOPLE, AND VICE
03:37:33 MAYOR BATTIE HAS ALSO I BELIEVE HAD SOME INTERACTIONS WITH
03:37:38 THE NEIGHBORHOOD.

03:37:39 THIS IS IN HIS DISTRICT.
03:37:40 I WOULD LIKE THE FIVE OF US TO COME PUT OUR HEADS TOGETHER
03:37:43 AND HAVE A CONVERSATION ABOUT CREATIVE SOLUTIONS THAT WE
03:37:45 THINK WILL CREATE SOME KIND OF RELIEF OR SOLUTION IN THIS

03:37:53 SITUATION.
03:37:54 SO I'M OPEN TO YOUR SUGGESTIONS AND IDEAS.
03:37:58 AND I BELIEVE SOME OF THE CITIZENS MAY ALSO HAVE SOME
03:38:01 SUGGESTIONS AS WELL.

03:38:03 >>Mayor Arroyo: DO YOU HAVE MORE QUESTIONS, COMMISSIONER
03:38:05 ALPERT?

03:38:06 >>Liz Alpert: NO.

03:38:06 >>Mayor Arroyo: COMMISSIONER BRODY.

03:38:07 >>Hagen Brody: I KNOW THAT, PAT, YOU'VE BEEN WORKING ON THIS
03:38:13 A LOT AND I'VE STAYED IN CONTACT WITH YOU ON THIS.

03:38:15 IS THERE ANYTHING YOU WANTED TO ADD AND DO YOU AGREE WITH
03:38:18 THE ASSESSMENT WE'RE DOING EVERYTHING WE CAN?

03:38:21 >>Pat Robinson: I CAN TELL YOU ON OUR SIDE, OUR STAFF,
03:38:24 LUCIA, DIANE, NICK AND HIS CREW, WE HAVE LOOKED AT THIS
03:38:28 ALONG WITH MR. FOURNIER'S OFFICE, EVERY WHICH WAY WE COULD
03:38:31 TAKE REGULATORY ACTION.

03:38:33 I WOULD CORRECT THE COMMISSIONER.

03:38:35 YOU LEFT OFF ONE BODY.

03:38:36 IT IS THE DEPARTMENT OF HEALTH.

03:38:38 WE DID FORWARD THE NEIGHBORHOOD'S CONCERN TO CHUCK HENRY'S
03:38:41 OFFICE I BELIEVE IN SEPTEMBER OF LAST YEAR FOR THEM TO LOOK

03:38:43 INTO THE SANITARY NUISANCE ISSUE.

03:38:45 SO THERE ARE FOUR REGULATORY BODIES THAT ARE WORKING ON
03:38:48 THIS.

03:38:48 BUT THERE IS A CONFLUENCE OF AUTHORITY HERE AND I THINK

03:38:51 THAT'S WHAT THE COMMISSIONER IS TALKING ABOUT, SOME LEVEL OF
03:38:55 FRUSTRATION, BECAUSE WE'RE BASICALLY AT THE LOWEST LEVEL OF
03:38:58 THIS GOVERNMENTAL HIERARCHY.

03:39:01 WE DON'T HAVE REGULATORY AUTHORITY OVER THE COUNTY.

03:39:03 I'D BE HAPPY TO HAVE A CONVERSATION WITH MR. LEWIS OR MR.

03:39:07 JOHNSON, BUT THAT'S ALL IT'S GOING TO BE.

03:39:09 WE CANNOT FORCE THE STATE OR COUNTY TO TAKE ACTION.

03:39:11 >>Hagen Brody: WHAT IS YOUR UNDERSTANDING OF THE COUNTY'S
03:39:13 AUTHORITY OVER THIS ISSUE?

03:39:15 >>Pat Robinson: THEIR AUTHORITY IS GOVERNED OR HANDED DOWN
03:39:17 BY THE STATE AGENCY TO OVERSEE THE AIR QUALITY.

03:39:20 SO I KNOW THAT THEY HAVE PERSONNEL ON STAFF THAT SPECIALIZE
03:39:23 IN THIS AND SPECIALIZED TRAINING IN THIS.

03:39:26 YOU JUST SAW SOME OF THEIR REPORTS FROM THE COMMISSIONER.

03:39:29 >>Hagen Brody: WHAT IS THEIR AUTHORITY IF THEY FIND IT TO BE
03:39:31 A PROBLEM?

03:39:32 CAN THEY SHUT IT DOWN?

03:39:33 >>Pat Robinson: THAT I CAN'T SPEAK TO, SIR.

03:39:35 I WOULD ASSUME SO.

03:39:36 WHAT THEIR LEVEL OF AUTHORITY IS, I WOULD IMAGINE IF THEY
03:39:39 FOUND SOMETHING HARMFUL THAT THEY WOULD SHUT IT DOWN.

03:39:42 AGAIN, I CAN'T SPEAK ON THEIR BEHALF.

03:39:44 >>Hagen Brody: WOULD IT BE PRUDENT FOR US TO DO SOME KIND OF

03:39:48 AN INDEPENDENT ANALYSIS AS TO WHATEVER THEIR INSPECTION IS,
03:39:56 WOULD IT BE PRUDENT FOR US TO HIRE A CONSULTANT TO DO OUR
03:39:59 OWN?
03:40:01 >>Pat Robinson: WHATEVER THE WILL OF THE COMMISSION WOULD BE
03:40:03 AND UNDER THOSE CIRCUMSTANCES, HOWEVER, I DON'T KNOW IF THAT
03:40:06 WOULD FORCE -- PUT THE COUNTY IN A POSITION TO TAKE ANY
03:40:09 ACTION WHATSOEVER.
03:40:10 I'M GUESSING THEY WOULD RELY ON THEIR OWN EXPERTS TO MAKE
03:40:13 ANY DETERMINATION FOR ENFORCEMENT ACTION.
03:40:14 I THINK WE CAN HAVE THAT CONVERSATION MAYBE THE CITY
03:40:18 ATTORNEY'S OFFICE, I'M NOT SURE, BUT A THIRD-PARTY
03:40:21 EVALUATION SIMILAR TO THE ASSESSMENT THAT WAS DONE FOR THE
03:40:23 APPRAISAL.
03:40:24 I'M NOT SURE THAT THEY WOULD ACT ON ANY THIRD PARTY.
03:40:27 IT WOULD BE LIKE THE P.I. BRINGING INFORMATION FORWARD TO A
03:40:30 POLICE DEPARTMENT.
03:40:33 >>Hagen Brody: AS LONG AS IT'S FROM A VALID COMPANY AND YOU
03:40:35 COULDN'T REFUTE IT.
03:40:36 THEY CAN ALWAYS IGNORE IT, BUT IF THEY HAVE -- SITTING HERE,
03:40:47 I WOULD CONSIDER THAT IF THAT WERE BROUGHT TO MY ATTENTION.
03:40:51 I DON'T KNOW WHAT THAT WOULD INCUR, BUYING IT OUTRIGHT, I
03:40:58 DON'T KNOW IF THAT IS A POSSIBILITY.
03:41:00 A, THE SELLER HAS TO BE WILLING TO SELL IT.
03:41:04 B, WHEN THEY KNOW THE GOVERNMENT IS LOOKING TO BUY IT,
03:41:07 USUALLY THE PRICES BECOME RIDICULOUS.
03:41:10 >>Marlon Brown: COMMISSIONER, SAY TWO THINGS ABOUT THAT.
03:41:12 ONE IS, EVEN WITH AN ASSESSMENT, AS YOU SAW IN COMMISSIONER
03:41:17 AHEARN-KOCH'S ASSESSMENT, THEY WERE IN COMPLIANCE.
03:41:21 THEY CAN COMPLY.
03:41:22 THEY CAN PUT EVERYTHING BACK IN COMPLIANCE, BUT THEN WHAT?
03:41:27 >>Hagen Brody: I FEEL LIKE AT THE MINIMUM, IF THEY ARE NOT
03:41:31 WATERING THE CRUSHED DEBRIS REGULARLY OR THEY NEED TO DO IT
03:41:37 MORE, MAYBE THERE'S SOME FLEXIBILITY THERE UNTIL A LONGER
03:41:41 TERM SOLUTION IS ENACTED.
03:41:42 BUT THE IDEA OR WHAT COMES TO MY MIND IS, HAVE WE ENGAGED
03:41:50 WITH THE OWNERS OF THE PROPERTY AT ALL?
03:41:52 >>Pat Robinson: ENGAGED WITH THEIR LEGAL REPRESENTATION,
03:41:54 YES, SIR.
03:41:55 EARLY IN THE PROCESS, WE WERE IN CONVERSATION WITH THE OWNER
03:41:57 OF THE PROCESS UNTIL THIS BECAME A TAD BIT MORE COMPLICATED
03:42:00 AS FAR AS THE ZONING ISSUES AND SOME OF THE COMPLIANCE
03:42:02 ISSUES WERE CONCERNED AND THEY RETAINED MULTIPLE DIFFERENT
03:42:06 LAW FIRMS.
03:42:06 >>Hagen Brody: SURE.
03:42:08 IT'S NOT JUST -- I'M THINKING OUTSIDE OF THE REGULATORY SIDE
03:42:11 OF IT, IF THERE'S NO AVENUE FOR THE COUNTY OR THE STATE TO
03:42:13 DO ANYTHING, THEN IT HAS TO BE A KIND OF MUTUALLY AGREED
03:42:20 UPON PATH FORWARD, TAKING THAT -- GOING IN THAT VEIN, THE
03:42:32 PROPERTY IS WORTH A GOOD AMOUNT OF MONEY.
03:42:34 1.3.
03:42:35 THAT DOESN'T TAKE INTO ACCOUNT THE MONEY THAT THEY ARE
03:42:39 MAKING, THAT MAKES THE BUSINESS WORTH SOMETHING, AND THAT IS

03:42:42 PROBABLY A LOT MORE THAN THIS.
03:42:44 BROWN IT'S ALSO CONTAMINATED.
03:42:48 >>Hagen Brody: THAT'S RIGHT.
03:42:49 WHICH MAKES IT DIFFICULT TO DO OTHER THINGS WITH.
03:42:54 >>Marlon Brown: MARIAN ANDERSON.
03:42:56 >>Jen Ahearn-Koch: BUT WE DON'T KNOW THAT.
03:42:58 WE HAVEN'T DONE AN ASSESSMENT OURSELVES AS A CITY.
03:43:00 SO MAYBE YES, MAYBE NOT.
03:43:02 >>Hagen Brody: HOLD ON A SECOND.
03:43:05 WHAT I'M THINKING, THE GREATEST POWER WE HAVE AS A LOCAL
03:43:07 BODY IS THROUGH OUR ZONING.
03:43:10 WE CAN MAKE A PIECE OF DIRT WORTH NOTHING OR WORTH A LOT
03:43:14 DEPENDING ON WHAT YOU CAN DO WITH IT.
03:43:17 I FEEL LIKE MAYBE A POSSIBILITY IS FOR US TO EMPOWER CITY
03:43:23 STAFF TO NEGOTIATE WITH -- APPROACH THE OWNERS OF THE
03:43:27 PROPERTY AND NEGOTIATE WITH THEM TO DO SOMETHING WITH THE
03:43:32 ZONING TO MAKE IT LUCRATIVE ENOUGH FOR THEM TO WANT TO SELL
03:43:36 IT.
03:43:37 AND MAYBE THEY WOULD BECOME A WILLING.
03:43:41 AND WHAT WE WOULD HAVE TO DO IS ENACT THAT ZONING AND THEN
03:43:46 THEY COULD PUT IT ON THE MARKET TO CREATE THAT.
03:43:48 I TRULY THINK THE LONG-TERM SOLUTION HAS TO COME THROUGH
03:43:52 CHANGE IN USE AND ZONING AND A TRANSFER OF THE PROPERTY, BUT
03:43:56 IT HAS TO BE WILLING.
03:44:00 DON'T YOU AGREE, MR. FOURNIER?

03:44:02 >>Robert Fournier: YES.
03:44:03 I THINK THAT'S ONE ANGLE THAT PROBABLY HASN'T BEEN AS FULLY
03:44:06 DISCUSSED AS SOME OF THE OTHERS.
03:44:07 WHAT YOU JUST SAID, ZONING CHANGES THAT WOULD PROVIDE AN
03:44:10 INCENTIVE FOR ALTERNATE DEVELOPMENT.
03:44:12 THAT'S WHERE YOU'RE GOING, RIGHT?
03:44:14 >>Hagen Brody: DON'T LIKE TO DO IT, BUT YOU CAN ZONE IT AS
03:44:18 PART OF THE AGREEMENT TO SELL IT.
03:44:26 WE WOULD REZONE IT TO MAKE IT MORE VALUABLE FOR THEM.
03:44:29 SIMILAR -- LIKE WE DID SOMETHING LIKE OVER ON FRUITVILLE.
03:44:36 WE DID VENGROFF'S PROPERTY.
03:44:39 THE PREVIOUS COMMISSION CREATED KIND OF A SPECIAL ZONE FOR
03:44:43 HIM TO DO SOME AFFORDABLE HOUSING.
03:44:46 >>Marlon Brown: MARIAN ANDERSON AS WELL.
03:44:48 >>Hagen Brody: YEAH.
03:44:49 I JUST THINK THAT IS THE PATH.
03:44:51 BUT THE PROBLEM IS THEY MAY BE MAKING SO MUCH MONEY THERE
03:44:55 THAT IT WOULD BE -- YOU KNOW, THAT THAT SEESAW DOESN'T SCALE
03:45:00 THE OTHER WAY.
03:45:03 >>Mayor Arroyo: VICE MAYOR BATTIE.
03:45:06 >>Vice-Mayor Battie: FIRST OF ALL, COMMISSIONER KOCH, I WANT
03:45:08 TO THANK YOU FOR BEING A CHAMPION IN THIS EFFORT.
03:45:15 LIKE I SAID, YOU'VE BEEN EXTRAORDINARY IN BEING AN ADVOCATE
03:45:20 FOR THE RESIDENTS OVER THERE AND DEALING WITH THIS.
03:45:25 WE CAN'T DO ANYTHING IN TERMS OF LIKE EMINENT DOMAIN OR
03:45:28 ANYTHING OR WHATEVER.

03:45:29 >>Marlon Brown: NO.
03:45:30 IT HAS TO BE FOR A PUBLIC PURPOSE.
03:45:32 >>Vice-Mayor Battie: CAN'T BE FOR A PUBLIC PURPOSE.
03:45:35 A PARK OR AFFORDABLE HOUSING.
03:45:42 SOMETHING.
03:45:43 I'M KIND OF DEALING WITH A SITUATION LIKE THAT OVER ON
03:45:51 12th STREET.
03:45:52 BUT IT'S NOT FOR HEALTH REASONS.
03:45:57 IT'S A MATTER OF A PROPERTY OWNER THAT'S HAVING INDUSTRIAL
03:46:00 USE, THE AMOUNT OF MONEY THEY MAKE, IT'S TOUGH TO TRY AND
03:46:06 GET THEM TO SELL.
03:46:08 I'M LOOKING AT THESE PHOTOS, THAT'S KIND OF SICK TO EVEN
03:46:11 LOOK AT TO SEE A PILE OF RUBBLE RIGHT BEHIND SOMEBODY'S
03:46:19 YARD.
03:46:20 HOW DO YOU EVEN LIVE LIKE THAT?
03:46:22 NO PUN INTENDED BUT CONCRETE EVIDENCE LIKE RIGHT THERE.
03:46:37 [LAUGHTER]
03:46:43 I MEAN, AN ACTUAL HEALTH HAZARD STARING US RIGHT IN THE FACE
03:46:50 OR PEOPLE COMING OUT OF THEIR BACKYARD AND LOOKING AT IT OR
03:46:55 CHILDREN BREATHING IN THAT DUST.
03:46:58 WHAT ABOUT THIS WALL THAT YOU'RE TALKING ABOUT?
03:47:02 >>Jen Ahearn-Koch: SO THE WALL WON'T PROBABLY HELP WITH THE
03:47:06 DUST, BUT THERE ARE OTHER ISSUES ASIDE FROM THE DUST.
03:47:09 THERE'S NOISE.

03:47:09 THERE'S VIBRATION, AND THESE IMPACT THE NEIGHBORS' QUALITY
03:47:14 OF LIFE AS WELL.
03:47:15 SO THE WALL, WE'RE ALLOWED TO HAVE SIX AND A HALF FEET,
03:47:20 EIGHT FEET, AND THEY HAVE REQUESTED A VARIANCE TO GO UP TO
03:47:24 14.
03:47:26 WE HAVEN'T SUBMITTED THE REQUEST.
03:47:28 THEY CAN HAVE AN EIGHT-FOOT WALL AND IT IS A THICK CONCRETE
03:47:32 WALL, WHICH WILL HELP A LITTLE BIT WITH NOISE AND THE
03:47:38 VIBRATION BECAUSE WHEN THE CRUSHER CRUSHES THESE BIG ROCKS
03:47:42 OF CONCRETE, IT CREATES THIS VIBRATION.
03:47:46 THE RESIDENTS CAN'T BE ON THEIR PORCHES.
03:47:50 THEY CAN'T HAVE A GARDEN PARTY OR EVEN HAVE FRIENDS OVER
03:47:57 WHEN THEY ARE DOING THIS BUSINESS, BECAUSE IT'S LOUD.
03:48:01 IT VIBRATES THE HOUSES.
03:48:03 THEY HAVE HISTORIC HOMES OVER THERE, AND IT VIBRATES THE
03:48:06 WHOLE HOUSE.
03:48:07 IT REALLY IMPACTS THEIR QUALITY OF LIFE.
03:48:09 SO HOPEFULLY THE WALL COULD HELP WITH AT LEAST THE NOISE A
03:48:13 LITTLE BIT, BUT IT'S MY OPINION THAT IT'S NOT GOING TO HELP
03:48:18 WITH THE DUST.
03:48:20 IT'S UNDER OUR PURVIEW AND OUR CITY STAFF IS WORKING ON
03:48:22 THAT.
03:48:23 ONE OTHER THING I FORGOT TO SAY IS THAT ALSO IN THE REDESIGN
03:48:26 OF THE STREET, AS YOU ALL REMEMBER, WE ARE GOING TO BE
03:48:29 BUILDING IN STORMWATER TREATMENT OF THE WATER WHICH WAS, IS,

03:48:34 STILL NOW GOES DIRECTLY TO HOG CREEK AND INTO THE BAY, BUT
03:48:38 WE ARE DOING SOMETHING TO TREAT THAT WATER WHICH IS ANOTHER
03:48:40 STEP IN THE RIGHT DIRECTION OF WHAT WE SHOULD BE DOING.

03:48:46 >>Vice-Mayor Battie: THIS IS EVIDENT THAT IT IS A HEALTH
03:48:48 HAZARD.
03:48:49 IF YOU DID SOME KIND OF LIKE PHASE ONE REPORT ON THAT THING,
03:48:54 I'M SURE THE WATER TABLE IS PROBABLY NOT GOOD.
03:48:57 AND I DON'T UNDERSTAND HOW THAT'S ABLE TO HAPPEN.
03:49:01 KIND OF HAD THIS SITUATION TALKING ABOUT THE HOTEL THAT
03:49:05 BASICALLY ABUTS AND ENCROACHES RIGHT INTO A RESIDENTIAL
03:49:09 NEIGHBORHOOD.
03:49:09 THAT'S ONE THING IN TERMS OF BLOCKING THE VIEW.
03:49:14 THIS IS A WHOLE OTHER ISSUE WHEN YOU'RE TALKING ABOUT THE
03:49:19 HEALTH OF AN ENTIRE NEIGHBORHOOD.
03:49:26 THERE'S NOTHING THAT CAN BE DONE REGARDING THAT?
03:49:28 BEING THIS CLOSE TO A NEIGHBORHOOD, THE ENVIRONMENTAL HAZARD
03:49:34 THAT IT CAUSES?
03:49:36 >>Jen Ahearn-Koch: VICE MAYOR, I HAD HOPED WE WOULD AT LEAST
03:49:39 ENTER INTO NEGOTIATIONS TO PURCHASE THE PROPERTY, BUT THERE
03:49:41 ARE BARRIERS TO THAT.
03:49:42 WE HAVE TO HAVE A WILLING SELLER AND THE PROPERTY IT LOOKS
03:49:47 LIKE THERE ARE LEVELS OF ARSENIC THERE, AND I DON'T KNOW THE
03:49:51 COST TO GET RID OF THAT, BUT I THINK IT'S SOMETHING WE
03:49:56 SHOULD DISCUSS AS AN OPTION.
03:50:00 >>Vice-Mayor Battie: EVEN IF YOU DID SPEAK ABOUT SELLING IT

03:50:03 OR WHATEVER, THEY GOT TO HAVE A PLACE TO GO.
03:50:06 THAT'S A WHOLE OTHER, WHETHER OR NOT THEY EVEN WANT TO
03:50:13 ENTERTAIN THAT.
03:50:14 I'M OPEN TO ANY IDEAS OR ANYTHING ANYBODY HAS TO SAY OR
03:50:18 WHATEVER.

03:50:19 >>Mayor Arroyo: THANK YOU.
03:50:20 THANK YOU FOR YOUR PRESENTATION, COMMISSIONER AHEARN-KOCH.
03:50:23 WHEN THE ZONING CODES WERE ORIGINALLY DEVELOPED IT WAS TO
03:50:26 PREVENT -- WHICH IS THE IRONY -- PREVENT FACTORIES FROM
03:50:29 BEING IN NEIGHBORHOODS NEXT TO RESIDENTIAL PROPERTIES.
03:50:33 SO WE DIDN'T WANT A PRIVATE NUISANCE OR A PUBLIC NUISANCE
03:50:37 NEXT TO A RESIDENTIAL PROPERTY.
03:50:38 MOST OFTEN NOW WHEN THINGS COME BEFORE US, WE'RE USING THE
03:50:44 ZONING CODE NOT TO PROTECT NEIGHBORHOODS NOT FROM FACTORIES
03:50:49 OR PUBLIC NUISANCES, BUT NEIGHBORHOODS FROM OTHER
03:50:52 NEIGHBORHOODS.
03:50:52 WE'RE USING THE ZONING CODE FOR THE UNINTENDED PURPOSE OF
03:50:56 PROTECTING AGAINST OTHER HOUSING.
03:50:59 THIS WAS EXACTLY WHAT IT WAS MEANT FOR.
03:51:01 I AGREE WITH MUCH OF WHAT HAS BEEN SAID TODAY.
03:51:06 I THINK WE SHOULD REINSPECT.
03:51:07 THERE'S AN OPTION TO REINSPECT IT.
03:51:10 IS THERE A REASON THAT WE CANNOT JUST MANDATE THAT?
03:51:14 >>Robert Fournier: I DON'T THINK WE HAVE ANY INSPECTION
03:51:16 AUTHORITY.

03:51:16 WHAT I HEARD, IT WOULD BE INTERESTING.
03:51:20 I DON'T KNOW IF THERE'S ANY WRITTEN INSPECTION PROTOCOL
03:51:24 EITHER BECAUSE IT SEEMS TO ME IF THE INSPECTOR IS THERE TO
03:51:26 INSPECT A PARTICULAR PIECE OF EQUIPMENT --
03:51:29 >>Mayor Arroyo: ON BEHALF OF WHO?

03:51:31 >>Robert Fournier: -- MACHINE.
03:51:32 WELL, I THINK THE STATE MAKES THE COUNTY THEIR AGENT FOR
03:51:35 PURPOSE OF COMPLIANCE.
03:51:36 >>Mayor Arroyo: DON'T EXPLAIN IN DEPTH BECAUSE I KNOW YOU'RE
03:51:39 VERY KNOWLEDGEABLE ABOUT THESE THINGS.
03:51:41 I DO AGREE WITH THE VICE MAYOR ON EMINENT DOMAIN.
03:51:52 THEY WILL GET FAIR MARKET VALUE AND MAYBE SLIGHTLY MORE AND
03:51:56 WE CAN USE IT FOR A PARK.
03:51:58 WE COULD USE IT FOR ANY PUBLIC PURPOSE.
03:52:01 I THINK THAT'S ACTUALLY --
03:52:03 >>Robert Fournier: YOU HAVE A NECESSITY ISSUE THERE, TOO, AS
03:52:07 WELL AS A PUBLIC PURPOSE.
03:52:08 DON'T PUT ALL YOUR EGGS IN THAT BASKET TOO SOON.
03:52:13 >>Mayor Arroyo: ELIMINATE BLIGHT IS ONE OF THE STATE
03:52:16 CRITERIA.
03:52:16 BUT THERE CAN'T BE -- I UNDERSTAND WE'VE DONE MORE THAN THE
03:52:25 COUNTY, MORE THAN ANY OTHER AGENCY AROUND, BUT I ALSO FEEL
03:52:29 THAT THERE COULD BE SOMETHING THAT WE COULD DO.
03:52:31 HAVE WE ENGAGED WITH THEIR COUNSEL AND TALKED ABOUT AN
03:52:37 ENCLOSURE SO EVERYTHING THEY DID IS WITHIN AN ENCLOSURE SO

03:52:39 IT DOESN'T GO OUT --
03:52:40 >>Robert Fournier: I THINK THAT WAS THE --
03:52:44 >>Mayor Arroyo: WALL IS NOT AN ENCLOSURE.
03:52:46 I'M TALKING A FULLY ENCLOSED FACTORY.
03:52:50 I THINK IT IS WELL WITHIN OUR POWER TO DO THAT.
03:52:53 ALSO, CITY ATTORNEY, COUNTY ATTORNEYS, STATE ATTORNEYS, THE
03:52:57 ATTORNEY GENERAL, WE HAVE THE ABILITY TO ENFORCE PUBLIC AND
03:53:02 PRIVATE NUISANCES.
03:53:05 IT IS WELL WITHIN OUR AUTHORITY TO START AN INJUNCTION
03:53:08 PROCEEDING IN THE COURTS, EVEN IF IT IS A TEMPORARY
03:53:11 INJUNCTION UNTIL WE FIGURE THIS OUT.
03:53:14 [APPLAUSE]
03:53:15 PLEASE, NO CLAPPING.
03:53:20 WE WANT PEOPLE TO FEEL COMFORTABLE WHEN THEY COME UP HERE.
03:53:23 SO THERE MUST BE SOMETHING WE CAN DO, AND I'D LIKE TO
03:53:29 DISCUSS THAT WITH YOU.
03:53:30 RIGHT NOW.
03:53:35 [LAUGHTER]
03:53:39 >>Robert Fournier: I'M NOT GOING TO HAVE A SOLUTION LIKE ON
03:53:41 THE SPOT, THOUGH.
03:53:42 WE NEED SOME INFORMATION.
03:53:45 LIKE WHAT I STARTED TO ASK BEFORE WAS SORT OF A QUESTION.
03:53:47 IF AN INSPECTOR GOES OUT TO INSPECT A MACHINE AND IT'S NOT
03:53:51 ON, I DON'T UNDERSTAND WHY THEY CAN'T SAY TURN IT ON.
03:53:53 THAT'S WHAT I WAS WONDERING.

03:54:00 IT SEEMS REASONABLE IF THAT IS THE PURPOSE OF THE
03:54:02 INSPECTION.
03:54:02 THERE ARE QUESTIONS LIKE THAT THAT COME UP THAT PROBABLY
03:54:05 SHOULD BE FURTHER INVESTIGATED.
03:54:09 >>Mayor Arroyo: LET'S GO TO PUBLIC COMMENT AND THEN WE CAN
03:54:11 ALL DO ANOTHER ROUND.
03:54:13 I'LL CALL INDIVIDUALS UP FIVE AT A TIME.

03:54:15 I'M TERRIBLE AT READING HANDWRITING.
03:54:20 BEAR WITH ME.
03:54:21 ANDREI MASTROGIOVANNI.
03:54:26 ARTHUR LINDEMANIS.
03:54:29 ESTHER LENNOX.
03:54:32 AUTUMN BECKETT.
03:54:38 STEPHANIE PETER.
03:54:43 ANDREI, THE FLOOR IS YOURS.
03:54:55 >> ERIK, THANK YOU FOR TAKING THE TIME, COUNCIL.
03:54:59 I OWN A HOME. 1443 15th STREET.
03:55:03 I PROBABLY AM APPROXIMATELY 150, 200 FEET FROM THEIR
03:55:10 ABUTTING PROPERTY LINE.
03:55:14 IN THE MORNING, YOU CAN FEEL AND HEAR THE JACKHAMMERING.
03:55:18 MY HOUSE WAS BUILT IN 1926 IN THE NEIGHBORHOOD.
03:55:21 IT'S A CONCRETE HOME.
03:55:23 EVERYTHING ECHOS.
03:55:24 BUT I CAN SEE WHEN HE DRIVES HIS LITTLE TRACK-HO UP THERE
03:55:29 AND I HEAR ERRRR, BECAUSE EVERYTHING ECHOS.

03:55:33 WE FEEL THE JACKHAMMERING.
03:55:34 WE SEE THE MACHINES.
03:55:36 I WENT AND TALKED TO THE MAN.
03:55:37 I'M NOT ABOUT PUTTING PEOPLE OUT OF BUSINESS, BUT THE
03:55:40 PROBLEM IS WE DON'T BUG HIM, BUT WE HEAR THEM.
03:55:43 AND I WANT TO TELL YOU ALL, I ACTUALLY AM AN EXPERT IN
03:55:46 DEMOLITION.
03:55:47 LOTS OF CONCRETE THAT ENDS UP IN THAT PLACE PROBABLY WAS
03:55:50 PAINTED WITH LEAD-BASED PAINT AND MIGHT HAVE EVEN BEEN BUILT
03:55:54 WITH ASBESTOS AT THE TIME.
03:55:56 AT ONE POINT IT WAS A STRUCTURAL FUNCTIONAL PIECE OF THING.
03:56:00 THEY ARE NOT TESTING ANYTHING THAT COMES THROUGH THIS.
03:56:03 IT THEN GETS BROKEN AND IT GETS PUT OUT THERE.
03:56:05 BUT THERE IS A REAL CHANCE -- SEE, THIS IS THE STUFF THAT
03:56:08 PEOPLE DON'T WANT TO SEE.
03:56:10 THAT'S WHY IT ENDS UP THERE.
03:56:11 YOU DON'T WANT TO KNOW WHAT'S GOING IN THE BACK OF TRUCKS.
03:56:15 THIS IS SOMETHING FOR AUTUMN.
03:56:17 SHE LIVES LITTLE FURTHER DOWN THE ROAD.
03:56:19 THE TRUCKS COME IN AND YOU HEAR THEM.
03:56:21 BUT THEY ARE BIG TRUCKS.
03:56:22 WE HAVE A LITTLE NEIGHBORHOOD, HISTORIC NEIGHBORHOOD WITH
03:56:24 WONDERFUL PEOPLE WHO FOR TOO LONG HAVE ACTUALLY BEEN
03:56:28 OVERLOOKED AND EVEN SOME OF THE OWN COMMUNITY HASN'T TAKEN
03:56:31 CARE OF THEM WELL.

03:56:33 I FEEL LIKE I LOVE MY HOUSE AND THE COMMUNITY, BUT WHAT I
03:56:35 WAS SAYING ABOUT THAT TRUCK IS, WHEN THOSE TRUCKS ARE EMPTY,
03:56:39 THEY ARE BIG BARRELS.
03:56:41 SO WHEN THEY HIT SOMETHING IT GOES BAM!
03:56:44 AND IT JUST ECHOS AND GO THROUGH OUR WINDOWS.
03:56:47 LIKE, I HAVE ORIGINAL WINDOWS.
03:56:49 IF THERE WAS AN IDEA THAT I HAD JUST TO LET YOU ALL KNOW, I
03:56:53 DON'T KNOW WHY WE DON'T HAVE RULES ABOUT ABUTTING
03:56:55 RESIDENTIAL TO INDUSTRIAL PROPERTY.

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03:56:58 WHY IS THERE NO RULE BESIDES MAYBE A HUNDRED-FOOT BARRIER?
03:57:04 WE HEAR THEM.
03:57:05 WE SMELL THEM.
03:57:07 WE FEEL THEM.
03:57:08 I DON'T DO THAT TO THEM.
03:57:10 WHY SHOULD THEY HAVE A RIGHT TO DISPARATELY IMPACT THE
03:57:14 QUALITY OF MY LIFE WITH THEIR COMMERCIAL BUSINESS AND
03:57:16 COMMERCE?
03:57:17 I DON'T THINK THEY SHOULD.
03:57:18 ALL RIGHT.
03:57:21 >>Mayor Arroyo: THANK YOU.
03:57:24 >> MY NAME IS ESTHER LENNOX.
03:57:26 I LIVED IN THE NEIGHBORHOOD SINCE 20 YEARS.
03:57:30 THIS PROBLEM CAME TO ME ABOUT A YEAR AGO AND IT IS REALLY --
03:57:38 I'M REALLY CONCERNED ABOUT MY HEALTH.
03:57:40 I'M CONCERNED ABOUT MY HEALTH AND MY CHILDREN'S HEALTH.

03:57:43 WHAT DO WE BREATHE IN HERE?
03:57:46 ARSENIC?
03:57:47 THIS SOUNDS REALLY SCARY.
03:57:49 AND WE NEED TO STOP THESE PEOPLE.
03:57:52 THANK YOU.
03:57:52 >>Mayor Arroyo: THANK YOU.
03:57:54 >> HI.
03:57:56 I LIVE IN THE NEIGHBORHOOD.
03:57:59 AUTUMN BECKETT.
03:58:00 FIRST OF ALL, THANK YOU FOR ADDRESSING THIS TODAY IN ALL
03:58:04 YOUR ARDUOUS EFFORTS TO HELP TO SOLVE THIS HORRIBLE
03:58:07 INCOMPATIBILITY ISSUE.
03:58:08 I KNOW IT'S TAKEN HUNDREDS OF HOURS OF YOUR TIME AND I
03:58:12 REALLY, REALLY APPRECIATE IT.
03:58:13 THE HEAVIEST OUTDOOR INDUSTRIAL USE IS NOT EVEN REMOTELY
03:58:18 COMPARABLE A MERE HUNDRED FEET OR LESS FROM RESIDENTIAL AND
03:58:20 COMMERCIAL NEIGHBORS.
03:58:21 PLEASE IMAGINE LIVING WITH THIS IN YOUR OWN BACKYARD.
03:58:24 WE BOUGHT OUR 1926 SPANISH MISSION HOME IN CENTRAL COCOANUT
03:58:29 HISTORIC NEIGHBORHOOD A FEW BLOCKS FROM SARASOTA BAY IN
03:58:32 2014.
03:58:32 WHAT YOU'RE ABOUT TO SEE ON THIS VIDEO WAS NOT OCCURRING
03:58:35 WHEN WE BOUGHT THE HOME.
03:58:36 THIS CHANGED FIVE YEARS AGO.
03:58:37 NEIGHBORS HAVE BEEN SUFFERING WITH THIS COMPLETE NIGHTMARE

03:58:40 EVER SINCE.
03:58:41 WE FEEL IT'S INHUMANE AND ABSOLUTELY MISERABLE LIVING WITH
03:58:45 CONCRETE FUGITIVE DUST, MADDENING INDUSTRIAL NOISES, SIGHTS,
03:58:49 SMELLS, TASTE OF AN INTERNAL CONSTRUCTION SITE.
03:58:52 NEIGHBORS ARE WORRIED ABOUT POTENTIAL HEALTH HAZARDS AND
03:58:54 WE'VE BEEN SUBJECTED TO HEAVY INDUSTRIAL EQUIPMENT RATTLING
03:58:58 OUR HOMES' WINDOWS, BEING JOLTED AWAKE ON WEEKDAYS AND
03:59:01 WEEKENDS AS EARLY AS 6 A.M. BY RATTLING HEAVY INDUSTRIAL
03:59:05 EQUIPMENT AND EVEN ON SUNDAY, CHRISTMAS EVE AND THE EVENING
03:59:08 OF 2017.
03:59:10 NEIGHBORS HAVE SUGGESTED THE CITY IMPLORE THE OWNER OF THE

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03:59:14 INDUSTRIAL CONCRETE PIT TO CHANGE THE BUSINESS MODEL TO BOAT
03:59:16 OR CAR STORAGE OR ALMOST ANYTHING THAT IS CLEAN AND QUIET
03:59:19 AND DOES NOT DISTURB SURROUNDING NEIGHBORS' RIGHTS TO
03:59:22 PEACEFULLY ENJOY OUR OWN PROPERTY.
03:59:24 THE DEP STATES THERE'S NO LIMIT ON THE AMOUNT OF CONCRETE
03:59:27 PROCESSING THAT CAN BE PROCESSED AND PRIVATE BUSINESS WANTS
03:59:30 TO GROW AND MAKE MAXIMUM PROFITS, SO THIS BUSINESS HAS
03:59:33 ALREADY BEEN INTOLERABLE AND ONCE THE NEW ROAD GOES IN, IT
03:59:37 SEEMS VERY LIKELY THE BUSINESS WILL RAMP UP EVEN MORE FOR
03:59:40 PROFITS.
03:59:41 WE'VE BEEN SUFFERING DAILY IN TREACHEROUS LIVING CONDITIONS
03:59:52 THAT WE CAN'T CONTROL AND WE NEED TO HELP RESTORE OUR
03:59:58 RESIDENTIAL NEIGHBORHOOD.
03:59:59 THIS VIDEO WAS TAKEN FROM HOMES -- RESIDENTIAL HOMES, ON

04:00:07 FRONT PORCHES.
04:00:08 THAT'S IN FRONT OF THE -- THIS IS OUR VIEW AND THIS IS WHAT
04:00:12 WE BREATHE.
04:00:16 CAN YOU IMAGINE LIVING IN THAT?
04:00:21 AND I LOVE ALL OUR NEIGHBORS.
04:00:23 I'VE MET SO MANY WONDERFUL NEIGHBORS OVER THIS SITUATION OF
04:00:27 ALL THINGS, BUT THIS IS A BACKYARD.
04:00:30 THIS IS SOMEONE'S BACKYARD YOU'RE LOOKING INTO.
04:00:34 THESE CLOUDS COME ON THE DAYS THEY ARE PROCESSING.
04:00:41 ANYONE WHO DRIVES DOWN THERE SEES IT AND THEY ARE LIKE WHAT
04:00:44 IS THIS?
04:00:45 IT JUST LINGERS.
04:00:53 IT COATS YOUR FACE.
04:00:56 SOMETIMES I GET THE MAIL AND I'M BLASTED WITH IT AND I HAVE
04:01:00 TO COME IN AND WASH MY FACE.
04:01:02 IT IS NOT HUMANE.
04:01:16 >> Mayor Arroyo: CAN WE STOP THE VIDEO?
04:01:18 >> IT'S LIKE 20 SECONDS.
04:01:25 >> MY NAME IS ARTHUR LINDEMANIS.
04:01:38 I LIVE ON 12th STREET IN FLORIDA.
04:01:41 SO I'M A COUPLE OF BLOCKS AWAY FROM THIS.
04:01:43 I CERTAINLY NEVER EXPECTED WHEN I MOVED TO SARASOTA TEN
04:01:47 YEARS AGO THAT I WOULD HAVE TO DEAL WITH THIS TOXIC HEALTH,
04:01:52 LIFE-THREATENING SITUATION.
04:01:54 I AM THE PRESIDENT OF CENTRAL COCOANUT NEIGHBORHOOD

04:01:58 ASSOCIATION.
04:01:58 SEVERAL RESIDENTS STARTED MAKING NOISE ABOUT THIS,
04:02:05 COMPLAINING ABOUT FIVE YEARS AGO.
04:02:07 THANKFULLY DUE TO JEN'S EFFORTS AND SEVERAL OF THE LOCAL
04:02:15 BUSINESS PEOPLE, AUTUMN AND SUCH, WE FINALLY GOT THE HERALD
04:02:20 TRIBUNE TO START RUNNING SOME NEWS ARTICLES ABOUT THIS.
04:02:25 IT'S BEEN ON THE NEWS.
04:02:26 JEN HAS REALLY JUMPED INTO THIS PROBLEM.
04:02:31 IN THE LAST YEAR, WE'VE HAD MORE PROGRESS THAN WE'VE HAD IN
04:02:36 FIVE YEARS.
04:02:39 AT THE SAME TIME, WHAT I SEE IS ONE AGENCY SAYING IT'S
04:02:43 OUTSIDE OUR BOUNDARIES.
04:02:45 IT'S THEIR PROBLEM.

Just a P.A.C.M.

04:02:46 IT'S THEIR PROBLEM.
04:02:47 I'VE HAD DISCUSSIONS WITH THE COUNTY.
04:02:53 I'VE HAD DISCUSSIONS WITH THE SOUTHERN DISTRICT OF THE
04:02:55 ENVIRONMENTAL PROTECTION AGENCY.
04:02:57 I'VE HAD DISCUSSIONS WITH THE FLORIDA DEPARTMENT OF HEALTH
04:03:02 THAT'S CENTERED DOWN IN THE COUNTY.
04:03:04 I'VE HAD DISCUSSIONS WITH THEM UP IN TALLAHASSEE.
04:03:06 JEN HAS HAD FAR MORE CONVERSATIONS WITH THE COUNTY
04:03:10 COMMISSIONERS THAN I HAVE HAD, BUT WE HAVE BEEN PUSHING.
04:03:14 NOW, LET ME BACK UP A LITTLE BIT AND YOU'VE HEARD SOME VERY
04:03:22 DRAMATIC TESTIMONY.
04:03:24 AND I'VE HAD TO DEAL WITH E-MAILS, DISCUSSIONS FOR THE LAST

04:03:29 FEW YEARS ABOUT THIS.
04:03:31 WHAT NEEDS TO BE SAID IS THAT NOT ONLY HAS THE COUNTY BEEN
04:03:39 NEGLIGENT IN DOING PROPER INSPECTIONS, THE OWNER DID NOT GET
04:03:46 THE RIGHT PERMITS.
04:03:48 I'M GOING TO BE RUNNING OUT OF TIME VERY QUICKLY.
04:03:50 SO LET ME KIND OF JUMP FORWARD.
04:03:52 THE COUNTY WILL ONLY LOOK AT OPACITY, HOW DENSE IS THE
04:03:56 CLOUD.
04:03:57 THEY ARE NOT MEASURING PM .2.5 PARTICLES.
04:04:02 THEY CAN BE SMALLER THAN COVID VIRUSES.
04:04:07 THAT IS WHAT CAUSES THE CARDIOVASCULAR PROBLEMS.
04:04:10 THAT IS WHAT CAUSES THE PULMONARY PROBLEMS.
04:04:13 THEY ARE NOT MEASURING THAT.
04:04:14 WE ARE GOING TO BE, WITH DONATIONS, BECAUSE THE CITY REFUSED
04:04:23 TO FUND US, WE ARE GOING TO BE ACQUIRING THROUGH DONATIONS A
04:04:28 NUMBER OF PM 2.5 PARTICLE MONITORING SYSTEMS, TOGETHER WITH
04:04:32 A WEATHER STATION, TOGETHER WITH VIDEO EQUIPMENT, WE WILL BE
04:04:37 ACQUIRING THAT THIS COMING MONTH.
04:04:39 WE WILL BE HAVING DATA THAT COMES IN IN SEPTEMBER, OCTOBER.
04:04:42 WE WILL BRING THAT DATA BACK TO THE COMMISSION BECAUSE WE
04:04:47 APPRECIATE WHAT YOU'VE DONE IN TERMS OF BOTH THE ROAD AND
04:04:50 GOING FORWARD.
04:04:54 >>Mayor Arroyo: PETERS.
04:04:56 >> MINE IS PRETTY MUCH MORE OF THE SAME, BUT I'LL GO AHEAD
04:04:59 AND READ IT ANYWAY.

04:05:00 FIRST OF ALL, THANK YOU FOR LISTENING AND TAKING THE TIME TO
04:05:03 COME UP WITH A SOLUTION.
04:05:05 I'M HOPING THAT THIS IS DEFINITELY THE BEGINNING OF A
04:05:09 SOLUTION.
04:05:09 THE COMMUNITY NOW KNOWS AND UNDERSTANDS THE SCIENCE OF
04:05:12 WHAT'S HAPPENING.
04:05:13 WE DO HAVE STUDIES ON THE POISON AND THE CARCINOGENICS.
04:05:17 THE COMMUNITY KNOWS THAT THERE ARE CARCINOGENICS AND HEALTH
04:05:20 HAZARDS SURROUNDING THIS FACILITY.
04:05:22 THE COMMUNITY KNOWS THAT YOU ARE A GOVERNING BODY AND IT IS
04:05:25 YOUR OPPORTUNITY TO MAINTAIN THE SAFETY OF ALL OF US AND OUR
04:05:30 CONSTITUENTS.
04:05:30 THE COMMUNITY WANTS TO HAVE SAFE, HEALTHY, AND LIVABLE
04:05:34 CONDITIONS FOR EVERYONE IN SARASOTA COUNTY AND CITY.
04:05:38 THE COMMUNITY KNOWS THAT YOU TRULY WANT TO DO THE RIGHT

04:05:42 **THING.**
04:05:42 I REALLY HOPE THAT'S TRUE.
04:05:44 I DO BELIEVE THAT'S TRUE.
04:05:46 WE ALL KNOW THAT SARASOTA DOES NOT WANT TO BE KNOWN FOR
04:05:49 ANYTHING OTHER THAN BEAUTIFUL BEACHES AND CLEAR
04:05:52 CONSCIOUSNESS.
04:05:53 I AM GIVING THE OWNER THE BENEFIT OF THE DOUBT AND I THINK
04:05:56 OF HIM AS A DECENT HUMAN BEING.
04:05:58 I AM SURE HE IS WILLING TO PURCHASE A MORE APPROPRIATE,
04:06:01 REASONABLE LOCATION WITH ALL THE SAFETY FEATURES NEEDED TO

04:06:04 HAVE PERMITS FOR HAZARD MATERIAL SITE, NOT A STORAGE
04:06:08 FACILITY, WHICH IS NOW WHAT HE LISTS IT AS.
04:06:12 I DO BELIEVE ULTIMATELY IT WILL BE BETTER FOR THE OWNER OR
04:06:16 OWNERS TO COMBINE BOTH HIS LOCATIONS, WHICH IS ALSO BY
04:06:20 BOOKER HIGH SCHOOL, AND IF THIS IS THE WAY IT IS BEING RAN
04:06:23 ON OUR STREET, I CAN ONLY IMAGINE WHAT THAT IS LIKE OVER
04:06:27 THERE.
04:06:27 THIS COULD BE THREE-WAY WIN FOR EVERYONE.
04:06:34 IN MY HONESTY, I THINK IT WOULD HELP WITH OUR CITIZENS, YOU,
04:06:40 THE COMMISSIONERS, ALONGSIDE WITH THE BUSINESS OWNER AND WE
04:06:42 CAN SECURELY LOCATE A SAFE ENVIRONMENT FOR EVERYBODY.
04:06:47 MY QUESTION IS, A TIME FRAME AND THE LIMITATIONS ON THE
04:06:51 FACILITY AS SOON AS POSSIBLE.
04:06:53 AND I DO UNDERSTAND WHAT THE MAYOR HAS MENTIONED, BUT I
04:06:57 BELIEVE THAT GIVES US UP TO 28 DAYS AT MAX.
04:07:00 SO I BELIEVE THAT THERE NEEDS TO BE SOMETHING A LITTLE BIT
04:07:03 MORE CONCRETE TO BASICALLY MONITOR THEIR HAZARDS AND THE
04:07:09 HEALTH RISKS OF ALL THE CITIZENS AND CONSTITUENTS.
04:07:13 AND HONESTLY, IT'S RIGHT NEXT TO A PARK.
04:07:17 AND THAT'S REALLY -- AND THAT REALLY SADDENS ME THAT THERE'S
04:07:20 NO REGARD FOR THESE CHILDREN GOING TO THE PARK AND HAVING
04:07:25 THIS SMOG OF HAZARDOUS WASTE GOING INTO THEIR BREATHING
04:07:29 SYSTEMS.
04:07:30 WHEN WE'RE SUPER CONCERNED ABOUT COVID, BUT YET IT'S OKAY
04:07:34 FOR THEM TO HAVE ARSENIC AND ASBESTOS AND CILIUM.

04:07:41 SO THAT'S ALL.
04:07:42 >>Mayor Arroyo: THANK YOU.
04:07:43 CALL THE NEXT FIVE UP.
04:07:45 >> I WOULDN'T MIND GIVING -- I WAS GOING TO SAY TO THE
04:07:48 VIDEO.
04:07:50 >>Mayor Arroyo: ALL RIGHT.
04:07:50 LET'S CALL THE NEXT FIVE UP.
04:07:52 VICTORIA VAN VLIET.
04:07:54 LAUREL QUARBERG.
04:07:57 SARAH MUNFORD.
04:07:59 JOHN REVEN.
04:08:00 BECCA HADWEN.
04:08:05 VAN VLIET, THE FLOOR IS YOURS.
04:08:21 >> PARDON ME?
04:08:22 >>Mayor Arroyo: THE FLOOR IS YOURS.
04:08:24 >> THANK YOU.
04:08:24 I'M HERE BECAUSE BASICALLY OF MY NEIGHBORS' DISTRESS.

04:08:29 MY UNDERSTANDING IS THAT THERE ARE REAL HEALTH CONSEQUENCES
04:08:32 AND ALSO ISSUES OF THE DISTURBANCE OF THE PEACE.
04:08:36 I'M ACTUALLY WONDERING WHAT ARE WE HERE FOR?
04:08:44 TO REWARD THE BUSINESSES WITH EXTRA PROFIT AT THE EXPENSE OF
04:08:48 THE HEALTH OF OUR COMMUNITY?
04:08:51 IN FACT, I THINK IT'S ACTUALLY PRETTY AMAZING THAT WE'RE
04:08:55 HERE AND IT IS A COMPLIMENT TO THE PEOPLE AROUND ME WHO HAVE
04:08:58 HAD CLASS ACTION ATTORNEYS AFTER THIS NOW, THAT THEY HAVE

04:09:03 NOT GONE TO A LITIGIOUS PLACE AND STILL CONTINUE AFTER ALL
04:09:11 THIS TIME TO HAVE THE PATIENCE TO HAVE A RATIONAL
04:09:14 COMMUNICATION REGARDING THE HEALTH THAT THEY ARE GIVING UP
04:09:17 ON A DAILY BASIS.
04:09:18 I WENT TO THAT PARK.
04:09:20 I WAS JUST CURIOUS HOW BAD IT WAS.
04:09:23 THERE IS NO WAY.
04:09:25 I COULD TAKE MY HAND AND YOU COULD WRITE A LITTLE NOTE TO
04:09:30 YOURSELF IN THE DUST.
04:09:31 I TOUCHED THAT DUST --
04:09:35 >>Mayor Arroyo: STOP THE WHISPERING.
04:09:37 WE'RE HEARING IT UP HERE.
04:09:38 IT'S MAKING IT VERY DIFFICULT TO LISTEN TO HER.
04:09:40 LET'S GIVE HER AN EXTRA 30 SECONDS.
04:09:44 >> THANK YOU.
04:09:44 MY DEGREE IS IN BIOLOGY WITH A MAJOR IN CHEMISTRY.
04:09:48 SO I DO UNDERSTAND A LOT OF THESE SCIENTIFIC ARTICLES AND IT
04:09:54 BLOWS MY MIND THAT THIS HAS NOT COOKED UP INTO A BIG
04:09:58 EXPLOSION BY NOW.
04:09:59 HONESTLY, THESE PEOPLE HAVE WAY MORE PATIENCE THAN I EVER
04:10:03 WOULD.
04:10:04 THAT WAS MY FIRST COUNSEL.
04:10:09 HEY, GET THE ATTORNEYS.
04:10:10 THIS IS CRAZY.
04:10:11 IT'S KIND OF LIKE ANOTHER PINEY POINT.

04:10:13 YOU GO AHEAD AND LET THIS BIG COMPANY MAKE WHAT'S CHUMP
04:10:23 CHANGE TO THEM TRADING IN THE LIVES OF PEOPLE THAT LITTLE
04:10:26 AROUND THEM AND THE CHILDREN THAT USE THAT PARK.
04:10:30 WHEN THE STORY COMES OUT FURTHER, IT WILL BE VERY DAMAGING.
04:10:34 I ALSO THINK THIS IS POSSIBLY GOING TO BE A VERY CLOSELY
04:10:38 LOOKED UPON VOTE.
04:10:40 I THINK IT HAS A HUGE STATEMENT FOR EVERY COMMISSIONER HERE.
04:10:45 DO YOU CARE ABOUT BUSINESS OR DO YOU CHAIR ABOUT THE HEALTH
04:10:49 OF KIDS AT BOOKER AND THE PARK CHILDREN AND THE PEOPLE WHO
04:10:52 HAVE BEEN PATIENTLY AND JUST LIKE MOTHER TERESA SLOGGING
04:10:56 THROUGH THIS DEAL.
04:10:57 ANYWAY, I GUESS THAT'S ALL I'M GOING TO SAY.
04:11:06 I HOPE YOU DO YOUR BEST AND VOTE BY YOUR CONSCIENCE.
04:11:12 >>Mayor Arroyo: THANK YOU.
04:11:14 MS. LAUREL.
04:11:15 >> HI.
04:11:16 LAUREL QUARBERG.
04:11:19 AND I LIVE RELATIVELY CLOSE.
04:11:21 I LIVE ON WALKER CIRCLE.

04:11:24 SO AS WE'VE BEEN -- WE'RE NEW TO THE AREA.
04:11:28 WE MOVED HERE ABOUT A YEAR AND A HALF AGO.
04:11:30 WE'VE BEEN GOING TO THE CITY MEETINGS AND THE NEIGHBORHOOD
04:11:34 MEETINGS, AND THAT'S WHERE WE FIRST HEARD ABOUT THIS
04:11:36 PROBLEM.
04:11:37 I REALLY WASN'T AWARE OF IT BECAUSE, I DON'T KNOW, IT'S A

04:11:42 FEW BLOCKS OVER.
04:11:43 SO WE'VE BEEN STARTING TO DRIVE OVER THERE TO SEE.
04:11:46 AND I'M LIKE, OH, MY GOD, HERE WE GO AGAIN.
04:11:51 WE MOVED HERE FROM VIRGINIA AND WE LIVED ON THE WATER AND
04:11:54 ABOUT TWO MILES DOWN WAS A COAL PROCESSING PLANT.
04:11:59 AND EVERY MORNING I COULD WRITE MY NAME IN COAL DUST.
04:12:05 IT'S SHOCKING.
04:12:07 WHAT'S EVEN MORE SHOCKING TO ME ABOUT THIS SITUATION IS
04:12:11 THESE TESTS THAT HAVE BEEN DONE WHEN THE PLANT IS NOT
04:12:14 OPERATING, EXCUSE ME, I OWNED A FLOWER SHOP IN VIRGINIA, AND
04:12:19 THE FIRE PEOPLE WOULD COME WHENEVER THEY FELT LIKE IT.
04:12:24 AND YOU BETTER BE READY OR THEY WOULD WRITE YOU UP.
04:12:28 WHAT IN THE WORLD TO ALLOW SOMEBODY TO TEST SOMETHING WHEN
04:12:34 THE EQUIPMENT IS NOT RUNNING?
04:12:36 WE JUST SAW IN THE VIDEO AND THANK YOU SO MUCH FOR PRODUCING
04:12:38 THAT FOR US.
04:12:39 WE'VE DRIVEN OVER THERE AT NIGHT AND -- WE SAW IT BECAUSE WE
04:12:43 COULD ALSO WRITE OUR NAME.
04:12:45 THIS IS RIDICULOUS. AND THE BUCK NEEDS TO STOP WITH WHOEVER
04:12:51 CAN SHUT THIS COMPANY DOWN OR NEGOTIATE WITH THEM TO MOVE IT
04:12:57 TO AN APPROPRIATE PLACE, BUT TO ALLOW PEOPLE'S HEALTH -- YOU
04:13:03 KNOW WHAT'S GOING TO HAPPEN?
04:13:05 WHAT'S GOING TO HAPPEN IS -- WHEN PEOPLE LIVE IN AN AREA
04:13:09 WHERE IT IS A HISTORIC DISTRICT, GUESS WHAT, THEY ARE SOME
04:13:14 OF YOUR BEST NEIGHBORS BECAUSE GUESS WHAT, THEY ARE THERE

04:13:17 BECAUSE THEY LOVE THEIR PROPERTY AND THEY LOVE THEIR
04:13:20 NEIGHBORHOOD AND THEY TAKE CARE OF IT.
04:13:22 BUT IF WE DON'T DO SOMETHING ABOUT THIS, THEY ARE GOING TO
04:13:29 MOVE AWAY, BECAUSE NO ONE FOREVER IS GOING TO LIVE IN A
04:13:33 SITUATION WHERE THEY KNOW THEIR HEALTH IS IN JEOPARDY.
04:13:37 I SURE WON'T.
04:13:39 I'M A GOOD LITTLE WAYS AWAY.
04:13:41 BUT STILL, THAT'S JUST RIDICULOUS.
04:13:47 I WANT TO THANK EACH OF YOU.
04:13:48 I CAN SEE THAT YOU'RE HEARING THIS AND TRYING TO FIGURE OUT
04:13:51 WHAT WE CAN DO, AND I JUST HOPE THAT YOU WILL ALL STAY
04:13:55 COMPLETELY FOCUSED ON THIS.
04:13:57 IT SHOULD BE WAY AT THE TOP OF THE CHART.
04:13:59 THANK YOU.
04:14:00 >>Mayor Arroyo: THANK YOU.
04:14:01 MS. MUNFORD, SARAH.
04:14:02 YOU WANT TO WAIVE IT.
04:14:08 JOHN REVEN.
04:14:10 >> I WOULD LIKE TO THANK THE COMMISSION FOR HEARING OUR
04:14:12 GRIEVANCES ABOUT THIS MATTER.
04:14:14 I'VE OWNED PROPERTY AT 1406 15th STREET, WHICH IS ON THE

04:16:54 COMMISSIONER AHEARN-KOCH RAISED A STUDY THAT FOUND ARSENIC
04:16:58 IN THE SOIL AND GROUNDWATER I BELIEVE IN 2022.

04:17:01 I WANT TO ADD THAT ANOTHER STUDY IN 2020 ALSO FOUND
04:17:04 CONCERNING LEVELS OF ARSENIC IN THE CONCRETE ON THAT ROAD.
04:17:08 WE ARE ALSO CURRENTLY CONDUCTING A SURVEY OF NEWTOWN
04:17:12 RESIDENTS TO GET SOME INPUT AND THEIR CONCERNS ABOUT THEIR
04:17:17 ENVIRONMENT AND WHAT THEY WOULD LIKE TO SEE.

04:17:19 WE'RE IN THE PRELIMINARY RESULTS.

04:17:20 WE HAD 40 RESPONSES SO FAR, BUT OF THAT, OVER 60% ARE
04:17:24 CONCERNED ABOUT THE LEVEL OF AIR POLLUTION IN THEIR
04:17:28 COMMUNITY.

04:17:28 I ALSO THINK IT'S IMPORTANT TO NOTE THAT THIS IS ALSO AN
04:17:31 ISSUE OF RACIAL JUSTICE AND RACIAL DISPARITIES IN TERMS OF
04:17:36 ENVIRONMENTAL JUSTICE AND THE EFFECTS THAT THIS IS HAVING ON
04:17:40 AN HISTORICALLY BLACK COMMUNITY.

04:17:41 AS COMMISSIONER AHEARN-KOCH ALSO RAISED, NEWTOWN RESIDENTS
04:17:47 HAVE ACCOUNTED FOR A DISPROPORTIONATE AMOUNT OF ER VISITS
04:17:51 DUE TO ASTHMA.

04:17:52 SO THE HEALTH EFFECTS ARE CLEAR, EVEN THOUGH WE DON'T HAVE
04:17:55 FULL RESEARCH ON THEM.

04:17:56 I WOULD ENCOURAGE YOU ALL TO VISIT THE WEBSITE FOR MORE
04:18:02 DATA.

04:18:02 WE'VE BEEN DOING RESEARCH PROJECTS ON THESE ISSUES FOR A
04:18:05 WHILE, AND THERE IS A REALLY IMPACTFUL 2019 STUDY THAT
04:18:09 LOOKED AT THE ASTHMA RATES.

04:18:10 I WOULD ALSO LIKE TO ASK FOR FURTHER MEETINGS, FURTHER
04:18:15 CONVERSATIONS WITH COMMUNITY STAKEHOLDERS.

04:18:17 THIS IS IN THE MIDDLE OF THE DAY.

04:18:19 PEOPLE ARE WORKING.

04:18:20 I'M ONLY HERE BECAUSE IT'S PART OF MY JOB.

04:18:23 CONTINUING TO ASSESS THE LEAD LEVELS IN HIGH-RISK YOUTH.

04:18:29 HOW ARE PEOPLE BEING IMPACTED BY THIS AS WELL AS THE LEVELS
04:18:32 OF ARSENIC AND OTHER CONTAMINANTS IN THE SOIL, WATER, AIR IN
04:18:38 THIS AREA IS ALSO ESSENTIAL.

04:18:39 SO I APPRECIATE YOU ALL BRINGING THIS UP TODAY.

04:18:42 I WOULD JUST LIKE TO SHARE A QUOTE BY DR. MARTIN LUTHER KING
04:18:46 IN CLOSING.

04:18:46 ONE OF HIS MANY GREAT SPEECHES.

04:18:49 HE SAID SOMEWHERE WE MUST COME TO SEE THAT SOCIAL PROGRESS
04:18:52 NEVER ROLLS IN ON THE WHEELS OF INEVITABILITY.

04:18:58 COMES THROUGH THE TIRELESS EFFORTS AND PERSISTENT WORK OF
04:19:02 DEDICATED INDIVIDUALS.

04:19:03 WITHOUT THIS HARD WORKING TIME ITSELF BECOMES AN ALLY OF THE
04:19:07 PRIMITIVE FORCES OF SOCIAL STAGNATION SO WE MUST HELP TIME
04:19:10 AND WE MUST REALIZE THAT TIME IS ALWAYS RIGHT TO DO RIGHT.

04:19:13 THERE'S NO REASON FOR THESE PEOPLE, FOR ANY OF US TO BE
04:19:17 LIVING IN CONDITIONS LIKE THIS. GENERATIONS OF PEOPLE
04:19:20 GETTING POISONED.

04:19:21 SO I URGE YOU TO ACT WITH URGENCY AND JOIN THE PERSISTENT
04:19:29 AND DEDICATED INDIVIDUALS.

04:19:31 THANK YOU.

04:19:31 >>Mayor Arroyo: THANK YOU.

04:19:32 THE NEXT FIVE INDIVIDUALS ARE GOING TO BE CANDICE COONRADT.
04:19:35 LORI SYKORA.
04:19:37 ILONA RATAJCZAK.
04:19:43 JUSTIN BLOOM.
04:19:47 ALLISON WERNER.
04:19:48 MS. CANDICE, FLOOR IS YOURS.
04:20:12 >> GOOD AFTERNOON.
04:20:12 MY NAME IS CANDICE COONRADT.
04:20:13 I'VE BEEN A RESIDENT OF CENTRAL COCOANUT FOR TEN PLUS YEARS.
04:20:15 THAT LAST CLOUD YOU SAW WAS RIGHT IN FRONT OF MY HOUSE.
04:20:19 I LIVE ACROSS THE STREET FROM THE PARK WHERE MY CHILDREN
04:20:22 PLAY.
04:20:22 IMAGINE YOUR BOY SHOOTING BASKETBALL WITH ALL THOSE CLOUDS
04:20:25 OF DUST ROLLING AROUND.
04:20:26 MY FAMILY LIVES AT THE CORNER OF 15th AND CENTRAL.
04:20:29 A MOTHER OF THREE THAT WE RAISED HERE AND I'M ALSO A
04:20:32 REGISTERED NURSE AT SARASOTA MEMORIAL.
04:20:34 I BRING THIS UP BECAUSE I FEEL I'M IN A UNIQUE POSITION TO
04:20:37 REALLY UNDERSTAND THE IMPACT THAT U.S. RECYCLING IS HAVING
04:20:39 ON OUR NEIGHBORHOOD AND ITS RESIDENTS.
04:20:43 THE CRUSHING OF CONCRETE IS KNOWN TO REALLY SPRAY FINE
04:20:47 PARTICLES IN THE AIR.
04:20:48 IT CAUSE MANY MEDICAL ISSUES SUCH AS ASTHMA, EYE, THROAT,
04:20:51 RESPIRATORY IRRITATION AND CAN CAUSE SERIOUS LUNG ISSUES
04:20:54 SUCH AS SILICOSIS, COPD, PULMONARY FIBROSIS. ALL OF THESE

04:21:00 THINGS ARE TABLE.
04:21:01 THESE PATIENTS.
04:21:03 THEY SLOWLY SUFFOCATE TO DEATH WHILE FAMILY AND CAREGIVERS
04:21:06 WATCH.
04:21:07 THIS IS NOT SOMETHING THAT RESIDENTS SHOULD BE THINKING
04:21:08 ABOUT WHEN THEY ARE WATCHING THEIR FAMILIES OUTSIDE, THEIR
04:21:11 HUSBANDS MOWING THE LAWN, WHEN I'M WALKING MY DOG.
04:21:15 MY VERY HEALTHY 17-YEAR-OLD DAUGHTER HAD TO HAVE HER TONSILS
04:21:18 REMOVED THIS YEAR AFTER CONSTANT TONSILITIS THAT STARTED
04:21:22 PRETTY SOON AFTER U.S. RECYCLING BEGAN CRUSHING CONCRETE.
04:21:26 I'M VERY WORRIED OF THE LONG-TERM EFFECTS THAT BREATHING IN
04:21:29 THIS CONCRETE DUST WILL HAVE ON MY FAMILY AND MY NEIGHBORS.
04:21:32 MY HOME IS AT THE CORNER WHERE LARGE TRUCKS ARE CONSTANTLY
04:21:35 ROLLING PAST TO DELIVER DEBRIS TO U.S. RECYCLING AND KICKING
04:21:40 UP THAT DUST AS WE TRY TO BE OUTSIDE AND ENJOY OUR HOME.
04:21:45 I FEEL LIKE I LIVE IN AN INDUSTRIAL PARK INSTEAD OF A
04:21:49 BEAUTIFUL COMMUNITY TWO BLOCKS FROM THE BAY AND MERE BLOCKS
04:21:52 FROM DOWNTOWN SARASOTA.
04:21:52 THERE MUST BE A RESOLUTION TO ENSURE THE HEALTH AND SAFETY
04:21:55 OF THE COMMUNITY AND MY CHILDREN.
04:21:56 U.S. RECYCLING SIMPLY DOES NOT BELONG NEXT TO HOMES.
04:22:00 WE HAVE BEEN RESIDENTS HERE FOR OVER TEN YEARS AND SEEN THE
04:22:02 NEIGHBORHOOD GROW INTO A COMMUNITY THAT REALLY CARES ABOUT
04:22:04 EACH OTHER AND WE'VE BEEN WORKING TOWARDS A BETTER QUALITY
04:22:07 OF LIFE.

04:22:07 PLEASE HELP US FIND A RESOLUTION TO THIS URGENT MATTER

Maybe

04:22:11 BECAUSE IT IS AN URGENT MATTER.
04:22:12 IT IS SERIOUS.
04:22:13 THANK YOU.
04:22:14 I'M SO SORRY.
04:22:15 ANOTHER RESIDENT WHO WAS UNABLE TO ATTEND HAS SENT A VIDEO.
04:22:18 WE CALL HER GRANDMA JESSE.
04:22:20 I WOULD LIKE TO PLAY THE VIDEO SHE SENT. *→ Do we have any of this?*
04:22:22 >>Mayor Arroyo: YOU HAVE 50 SECONDS LEFT.
04:22:24 IT'S A TWO-MINUTE VIDEO.
04:23:03 COULD YOU PICK UP ANOTHER SPEAKER'S CARD ON HER BEHALF.
04:23:12 LORI SYKORA.
04:23:14 STOP THAT FOR NOW.
04:23:18 I'LL GIVE YOU ANOTHER OPPORTUNITY TO DO IT.
04:23:21 LORI SYKORA.
04:23:23 >> HI, EVERYBODY.
04:23:24 I KNOW THERE'S A LOT OF SMART PEOPLE AT THIS TABLE AND THANK
04:23:27 YOU SO MUCH FOR HEARING THIS ISSUE.
04:23:29 I LIVE THREE BLOCKS AWAY FROM THIS MESS AND IT'S RIDICULOUS.
04:23:33 IT'S JUST CRAZY.
04:23:34 NOBODY SHOULD HAVE TO LIVE LIKE THIS.
04:23:36 I THINK ABOUT THE PEOPLE THAT LIVE OVER THERE ALL THE TIME
04:23:39 DEALING WITH THIS KIND OF THING.
04:23:42 I JUST WANT TO PLAY THE SOUND EFFECTS OF THE STUFF WE HEAR
04:23:47 EVERY SINGLE DAY LIVING OUR LIVES IN THIS NEIGHBORHOOD.

04:23:50 IT'S NOT JUST ABOUT THE FUMES FROM ALL THE TRUCKS.
04:23:54 IT'S NOT JUST ABOUT THE TOXIC DUST FROM ALL OF THE TRUCKS.
04:23:58 IT'S THIS NOISE.
04:23:59 THIS IS DEBILITATING.
04:24:02 I'M THINKING THAT THE NOISE POLLUTION SCIENCE HAS BEEN *→ Sted*
04:24:07 STRONG SINCE 2005.
04:24:08 EVERYBODY CAN GOOGLE IT.
04:24:11 IT'S NOT JUST ABOUT THE DECIBEL LEVEL.
04:24:13 WE ALL HEAR THIS EVERY DAY, ALMOST ALL DAY IF THEY ARE IN
04:24:16 OPERATION, NOT TO MENTION THE BLASTING TRUCKS, WHICH VERY
04:24:18 MUCH CONCERN ME BECAUSE OF THE CHILDREN PLAYING IN THE
04:24:21 NEARBY PARK.
04:24:22 IT'S NOT JUST THE KIDS PLAYING IN THE PARK EITHER.
04:24:25 THEY ARE COMING TO AND FROM THE PARK.
04:24:28 THEY ARE PUSHING EACH OTHER LIKE KIDS DO.
04:24:31 THEY HAVE BASKETBALLS.
04:24:34 THE TRUCKS ARE ZOOMING THROUGH A 20 MILES PER HOUR ZONE
04:24:37 GOING AT WHAT I CONSIDER A HAZARDOUS SPACE, WHICH I BELIEVE
04:24:41 IS 15 TO 20 MILES PER HOUR OVER THE SPEED LIMIT REGULARLY.
04:24:45 I DON'T KNOW HOW YOU CAN STOP IT.
04:24:48 I DON'T KNOW WHAT YOU CAN DO ABOUT IT.
04:24:49 IT IS A TRAFFIC ISSUE.
04:24:50 BUT THIS IS CRAZY, NOT TO MENTION THE POLLUTION.
04:24:54 I AM SO HAPPY WE'RE ADDRESSING IT.
04:24:56 I DON'T KNOW WHY IT'S TAKING SO LONG EITHER.

04:24:59 THANK YOU, MAYOR ARROYO, FOR MENTIONING AND ACTUALLY
04:25:01 CONSIDERING THE EMINENT DOMAIN.
04:25:03 I'VE SENT OUT PLENTY OF E-MAILS.

04:25:06 I RESEARCHED IT FOR SIX MONTHS OUT OF MY LIFE ABOUT WHAT YOU
04:25:08 COULD ACTUALLY DO AS A CITY, AND I THINK THERE'S SOMETHING
04:25:13 YOU COULD BE DOING.
04:25:14 I KNOW YOU'RE ALL SITTING HERE WONDERING WHAT IT IS, BUT
04:25:17 I'VE HEARD A REALLY FEW SOLID THINGS MENTIONED TODAY.
04:25:21 LET ME TELL YOU, WE ARE SUFFERING.
04:25:23 I'M THREE BLOCKS AWAY FROM THIS.
04:25:26 MY LIFE QUALITY IS SUFFERING FROM THIS. NOT TO MENTION THE
04:25:28 PEOPLE WHO LIVE RIGHT NEXT TO IT WITH KIDS.
04:25:31 YEAH, I HEARD THIS TWO WEEKS AGO ON A SUNDAY WHEN I WAS IN
04:25:35 MY FRONT YARD TRYING TO DO LANDSCAPING.
04:25:37 YEAH, FOR MOST OF THE SUNDAY.
04:25:39 AND THIS IS NOT JUST WORKING HOURS 9 TO 5.
04:25:43 EVERYBODY HAS COMMENTED ON IT.
04:25:44 SOMETIMES IT'S HOLIDAYS.
04:25:46 SOMETIMES IT'S LATE AT NIGHT.
04:25:47 PEOPLE HAVE CALLED THE COPS.
04:25:48 I'VE CALLED THE COPS.
04:25:50 A FEW WEEKS AGO UPON MR. PAT ROBINSON'S SUGGESTION, CALLED
04:25:54 THE COPS.
04:25:54 I DID ONE DAY WHEN THE TRUCKS WERE BLASTING THROUGH THAT 20
04:25:58 MILES PER HOUR ZONE, CAN I HEAR THEM CLEARLY SITTING IN MY

04:26:01 LIVING ROOM.
04:26:03 WATCHING TV.
04:26:03 I KNOW APPROXIMATELY HOW FAST THEY ARE GOING.
04:26:06 IT'S NOTHING TECHNICAL BECAUSE I DON'T HAVE A RADAR GUN, BUT
04:26:09 I'M PRETTY FAMILIAR WITH THE SPEED LIMIT OR HOW FAST THEY
04:26:14 ARE GOING BECAUSE I'VE DRIVEN TRUCKS.
04:26:16 I GREW UP IN EXCAVATING BUSINESS.
04:26:18 I WORKED WITH STATE PARKS IN PENNSYLVANIA.
04:26:20 I HAD MY OWN DUMP TRUCK.
04:26:21 WHEN THEY ARE BLASTING THROUGH THE GEARS ON THE STANDARD
04:26:24 TRANSMISSIONS I KNOW HOW FAST THEY ARE GOING.
04:26:26 AT LEAST 35, IF NOT 40.
04:26:28 PLEASE, PLEASE, REALLY PUT YOUR LEGAL MINDS IN PARTICULAR TO
04:26:32 WORK ON THIS.
04:26:33 THANK YOU SO MUCH.
04:26:34 I HOPE YOU ENJOYED THE SOUND EFFECTS.
04:26:37 [LAUGHTER]
04:26:39 >>Mayor Arroyo: ILONA RATAJCZAK.
04:26:42 >> ILONA RATAJCZAK.
04:26:43 THANK YOU SO MUCH AGAIN FOR YOUR TIME AND PUTTING THIS ON
04:26:49 THE TABLE, COMMISSIONER JEN.
04:26:51 NEVER GIVE UP ON US.
04:26:53 MY NAME IS ILONA RATAJCZAK.
04:26:55 I'M A RESIDENT OF SARASOTA CITY, AND I MOVED FROM NEW YORK
04:26:58 CITY IN 2010 IN THE CENTRAL COCOANUT NEIGHBORHOOD WITH GREAT

04:27:04 HEALTH.
04:27:05 IN 2020, A DECADE AFTER, I WAS DIAGNOSED WITH TOXICITIES
04:27:14 CAUSED BY HIGH LEVELS OF HEAVY METALS, PARTICULARLY
04:27:18 ALUMINUM.
04:27:19 I START IMMEDIATELY THERAPY AND I AM STILL UNDER A DOCTOR'S

04:27:27 CARE IN THIS MATTER.
04:27:28 THE DETOXICATION PROTOCOL AND MONITORING DAILY THE AMOUNT OF
04:27:33 HEAVY METALS IN MY BODY WITH THE AL SCAN, SMALL MEDICAL
04:27:39 TECHNOLOGY, AND ALSO AN ADDITIONAL MEDICAL THERAPIES.
04:27:42 HEAVY METALS, AS YOU ALL HEARD ABOUT, ALUMINUM ARE TOXIC AND
04:27:48 VERY, VERY DANGEROUS FOR HUMAN BODIES.
04:27:50 RESEARCH SHOWS THAT THOSE HEAVY METALS FROM THE ENVIRONMENT
04:27:54 CAN LEAD TO TOXICITY, POISONING, IMPACTING THE WHOLE BODY
04:27:59 SYSTEM, ESPECIALLY CENTRAL NERVOUS SYSTEM, BRAIN, AND OFTEN
04:28:04 CAUSING DISEASES LIKE ALZHEIMER'S, AUTISM SPECTRUM DISORDER,
04:28:12 CANCER, THEN DEATH.
04:28:13 TAKES TIME, 10, 20 YEARS.
04:28:15 MINE WAS TEN YEARS.
04:28:16 YOUNG CHILDREN AND PREGNANT WAIT A MINUTE ARE AFFECTED MORE
04:28:19 THAN OTHERS.
04:28:20 THERE IS A BEAUTIFUL PLAYGROUND, AS YOU HEARD, ONE BLOCK
04:28:24 AWAY.
04:28:25 AND YOU DESCRIBED HOW IT LOOKS.
04:28:27 I FEEL PERSONALLY LIKE WE CANNOT BE SILENT ANY MORE ABOUT
04:28:33 THIS PLAYGROUND, THIS POISON DUST FULL OF DANGEROUS HEAVY

04:28:38 METALS.
04:28:39 AND WE CANNOT BE SILENT ABOUT THE LEACHING WATER INTO THE
04:28:45 GROUNDWATER AND STORMWATER RUNOFF TO OUR BEAUTIFUL BAY AND
04:28:51 AFFECTING OUR ECOSYSTEM.
04:28:52 2346 IS NOT JUST OUR ZIP CODE.
04:28:57 34236?
04:28:59 YEAH, THAT'S WHAT I'M SAYING.
04:29:02 IT'S NOT -- OUR LIVES BEGIN TO END THE DAY WE BECOME SILENT
04:29:07 ABOUT THINGS THAT MATTER.
04:29:08 I'M SURE YOU ARE ALL FAMILIAR WITH THAT.
04:29:10 I HOPE TODAY IS NOT THAT DAY.
04:29:12 IT TAKES FIVE, TEN YEARS.
04:29:18 IN MY CASE, IT WAS TEN YEARS.
04:29:20 PREGNANT WOMAN ABSORBING MORE.
04:29:24 THE WIND GOES A LITTLE BIT MORE TOWARDS STREET, SOME MORE
04:29:31 TOWARDS THE BAY.
04:29:31 I TOOK THE ACTION FOR MYSELF AND I WILL DO ANYTHING TO BE AN
04:29:36 ADVOCATE FOR THE BIRDS FALLING DOWN FROM THE SKY, THE
04:29:38 CHILDREN THAT IN TEN YEARS THEY ARE GOING TO BE SICK.
04:29:41 THEY ARE NOT GOING TO BE ABLE TO COMPREHEND THINGS BECAUSE
04:29:45 WE'RE ALL AWARE RIGHT NOW AND WE'RE ALL TAKING
04:29:48 RESPONSIBILITY.
04:29:48 I HOPE WE CAN RECOGNIZE THE ISSUE AND IMPORTANCE.
04:29:52 THANK YOU.
04:29:53 >>Mayor Arroyo: MR. BLOOM.

04:29:54 >> THANK YOU.
04:29:54 JUSTIN BLOOM.
04:29:56 I LIVE IN INDIAN BEACH.
04:29:58 I USED TO LIVE IN CENTRAL COCOANUT.
04:30:01 THE FOUNDER OF SUNCOAST WATER KEEPER AND ENVIRONMENTAL
04:30:05 ATTORNEY.
04:30:05 I'M QUITE FAMILIAR WITH THIS SITE.

04:30:07 I WANTED TO DIRECT MY COMMENTS TO YOU NOT ONLY ABOUT THIS
04:30:09 SITE BUT ALSO OTHER SITES IN THE CITY OF SARASOTA THAT DEAL
04:30:12 WITH AIR POLLUTION ISSUES.
04:30:14 I CAN CALL MYSELF A BIT OF AN EXPERT ON WATER POLLUTION,
04:30:17 WHILE NOT NECESSARILY CLEAN AIR LAW, BUT THEY ARE VERY
04:30:21 SIMILAR.
04:30:22 I CAN ADDRESS SOME OF THE QUESTIONS AND CONVERSATION THAT
04:30:24 YOU HAD AMONGST YOURSELVES ABOUT YOUR ENFORCEMENT AUTHORITY
04:30:29 AND THE OPPORTUNITY TO GET DELEGATED AUTHORITY.
04:30:37 YOU'RE IN A CONUNDRUM.
04:30:38 YOU DON'T REALLY HAVE ENFORCEMENT AUTHORITY OVER THIS.
04:30:41 YOU DON'T HAVE THE STICK I OFTEN WIELD.
04:30:44 THAT'S MY PHILOSOPHY IS NOT TO REALLY -- I THINK PART OF IT
04:30:47 IS TO EXPLORE OFFERING THESE FOLKS A CARROT SO THAT
04:30:52 ULTIMATELY YOU CAN REALIZE A CHANGE OF USE OF THAT FACILITY.
04:30:56 BUT I REALLY THINK THAT YOU SHOULD FOCUS ON THE STICK THAT
04:30:59 YOU DON'T EVEN HAVE, BUT I THINK THAT YOU CAN -- I WOULD
04:31:05 RECOMMEND THAT YOU USE -- YOU USE THE WORD RESOLUTION VERY

04:31:09 OFTEN, THAT YOU CONSIDER A RESOLUTION ASKING THE COUNTY TO
04:31:15 NOT ONLY INSPECT THIS -- PROPERLY INSPECT THIS FACILITY, BUT
04:31:18 TO DO AN AUDIT OF THEIR AIR PROGRAM WITHIN THE CITY OF
04:31:25 SARASOTA.
04:31:26 I'M SURE THAT THERE ARE MANY COMMUNITIES OUTSIDE THE CITY
04:31:29 AND THE COUNTY THAT WOULD THEN REDOUBLE THAT EFFORT AND ASK
04:31:32 THEM TO DO AN AUDIT OF THEIR AIR PROGRAM, PERIOD, WHICH IS
04:31:36 FLAWED AND FAILED.
04:31:37 AT ONE POINT IT MIGHT HAVE WORKED WHEN THEY RECEIVED THAT
04:31:41 DELEGATION FROM THE STATE, IT FLOWS FROM FEDERAL GOVERNMENT
04:31:43 TO STATE AND THEN THEY CAN DELEGATE IT TO MUNICIPALITIES.
04:31:47 YOU CAN EXPLORE SEEKING THAT AUTHORITY YOURSELVES TO
04:31:51 REGULATE AND ENFORCE.
04:31:54 IT'S TYPICALLY NOT DONE BY MUNICIPALITIES, BUT YOU CAN DO
04:31:57 THAT.
04:31:58 I THINK YOU SHOULD PROBABLY PURSUE ALL THESE THINGS AT ONCE,
04:32:01 BUT YOU MIGHT -- I THINK THE COMMUNITY WOULD APPRECIATE IT.
04:32:04 I THINK THAT YOUR VOICE WOULD BE HEARD IF YOU TRIED TO WORK
04:32:07 THE ANGLES WITH THE COUNTY TO GET THEM TO DO WHAT THEY ARE
04:32:11 SUPPOSED TO DO WHEN THEY ARE FAILING, NOT ONLY HERE, BUT
04:32:14 ALSO WE'VE INVESTIGATED CASES AND BROUGHT WATER ENFORCEMENT
04:32:18 ACTIONS AGAINST RELATED TYPES OF FACILITIES UP ON MYRTLE
04:32:23 STREET, AND I'VE SEEN AROUND THE COUNTY JUST COMPLETE
04:32:28 FAILURE OF THE COUNTY TO OPERATE AN AIR PROGRAM THAT WAS
04:32:33 DELEGATED TO THEM BY THE STATE AND THEN THE STATE, I THINK,

04:32:36 ABDICATED BECAUSE IT'S JUST NOT WORKING.
04:32:41 THANK YOU FOR YOUR ATTENTION ON THIS MATTER, PARTICULARLY
04:32:44 YOUR LEADERSHIP, COUNCILWOMAN.
04:32:47 IF IT'S OKAY, I HAVE TO RUN.
04:32:49 I'M SUPPOSED TO BE CHAIRING ANOTHER COUNCIL MEETING.
04:32:56 THANKS.
04:32:56 >>Mayor Arroyo: RAVEN PETERS, FEEL FREE TO COME DOWN AND
04:32:59 TAKE THE SPOT.
04:33:00 ALLISON WARNER.

04:33:00 >> HI.
04:33:01 ALLISON WERNER.
04:33:02 I DON'T LIVE IN THE CENTRAL COCOANUT NEIGHBORHOOD BUT I
04:33:04 WANTED TO COME AS KIND OF A REPRESENTATIVE OF THE GREATER
04:33:07 AREA THAT WE SHOULD ALL BE VERY CONCERNED ABOUT THIS.
04:33:09 ONE OF MY BEST FRIENDS LIVES ON 15th STREET.
04:33:12 WHEN SHE TOLD ME WHAT WAS HAPPENING THERE, MY MIND WAS
04:33:15 BLOWN.
04:33:15 COULD THIS REALLY BE HAPPENING AND THERE'S NO WAY TO STOP
04:33:18 IT?
04:33:19 EVERYONE HAS SPOKEN SO BEAUTIFULLY TODAY THAT I DON'T HAVE A
04:33:21 LOT TO ADD.
04:33:22 COULD I GIVE MY TIME TO GRANDMA JESSE?
04:33:30 >> VIDEO: IT'S SO BAD YOU CAN'T STAY OUT THERE.
04:33:33 WE CAN'T EVEN HAVE A PICNIC BACK THERE NO MORE.
04:33:39 >> HOW LONG HAVE YOU LIVED ON THE STREET?

04:33:41 >> 27 YEARS.
04:33:44 >> AND YOU KNOW OTHER NEIGHBORS WHO HAVE LIVED HERE EVEN
04:33:47 LONGER.
04:33:48 >> MR. JONES BEEN HERE 40 YEARS.
04:33:52 SAY IT LIKE THIS HERE.
04:33:54 I'M THE LAST BECAUSE ALL THE REST OF THEM WERE HERE WHEN I
04:33:57 CAME AND I'VE BEEN HERE FOR 27 YEARS.
04:34:06 >> NOT HAVING HEAVY INDUSTRIAL KICKING UP DUST AND NOISE --
04:34:09 >> HALF OF THE NIGHT.
04:34:10 THEY STOPPED ONE TIME AND START 6:00 IN THE MORNING, BUT MY
04:34:16 GRANDSON SAID AFTER WHEN I WAS GONE THEY STARTED BACK IN
04:34:25 HOUR.
04:34:26 IT'S JUST NOT FAIR TO US.
04:34:29 >> AND WE WERE HERE FIRST.
04:34:31 >> WE WAS HERE FIRST.
04:34:32 AND MY UNDERSTANDING IN READING ALL THE STUFF, THEY ARE
04:34:41 SUPPOSED TO BE IN A BUILDING.
04:34:43 >> YEP, YEP.
04:34:44 >> HERE THEY COME AND GOT EVERYTHING OUT IN THE OPEN MAKING
04:34:48 IT HARD, LIKE WE HAVE ASTHMA AND STUFF.
04:34:52 ASTHMA, RESPIRATORY PROBLEMS, AND YOU CAN'T REALLY ENJOY
04:34:57 YOUR OUTSIDE NOW.
04:35:01 >> I WOULD PLAY IN THE PARK.
04:35:02 I SHOOT SOME HOOPS.
04:35:03 I'M NOT GREAT AT BASKETBALL BUT I WOULD GO AND I WOULD BE

04:35:06 SHORT OF BREATH WHEN THE TRUCKS WERE GOING BY.
04:35:11 >> YEAH, I USED TO JUST GO IN --
04:35:24 >> MY NAME IS RAVEN PETERS.
04:35:26 I AM A RESIDENT OF SARASOTA CITY.
04:35:28 I WOULD LIKE TO FIRST STATE THAT I WAS BORN AND RAISED IN
04:35:31 SARASOTA.
04:35:31 I WENT TO BOOKER HIGH SCHOOL.
04:35:33 I LEFT SARASOTA AND AM RETURNING AS AN ATTORNEY, WHICH I'M
04:35:37 VERY GRATEFUL FOR THE OPPORTUNITY.
04:35:39 I BELIEVE ANOTHER SPEAKER SPOKE THAT HISTORIC RESIDENTS,
04:35:43 THEY ARE GOING TO LEAVE THE COMMUNITY.

04:35:45 YOU'RE GOING TO HAVE DIFFERENT NEIGHBORS MOVE IN.
04:35:47 BUT I WANT TO MAKE YOU AWARE THAT A LOT OF PEOPLE IN THIS
04:35:50 COMMUNITY CAN'T LEAVE, THAT OUR ONLY OPTION IS TO COME TO
04:35:55 YOU.
04:35:56 OUR ONLY OPTION IS TO HAVE THIS RESOLVED HERE.
04:36:00 PEOPLE ARE COMING TO YOU FROM THIS COMMUNITY, TAKING OFF
04:36:03 WORK TO HAVE YOU LISTEN TO US.
04:36:06 AND AS WE SIT HERE AND WE DECIDE IDEAS AND WE PUT OUR HEADS
04:36:11 TOGETHER, THIS IS STILL GOING ON.
04:36:13 FIVE MINUTES DOWN THE ROAD, IT'S GOING ON.
04:36:15 PEOPLE ARE BREATHING THIS INTO THEIR SYSTEMS RIGHT NOW.
04:36:18 ADDITIONALLY, I WAS ASKED TO READ A STATEMENT FROM
04:36:24 TOM ROGERS WHO WAS NOT ABLE TO ATTEND TODAY.
04:36:26 HE STATED, MY FAMILY OPERATES ROBERTSON'S BILLIARDS AND SPAS

04:36:32 AT CENTRAL AVENUE AND INDUSTRIAL DRIVE.
04:36:34 THAT IS THE PHYSICAL ENTRANCE TO THE U.S. RECYCLING
04:36:36 OPERATION, GROUND ZERO AS WE CALL IT.
04:36:39 WE HAVE CLOSED EVERY SINGLE OPENING AND WINDOW IN OUR
04:36:43 BUILDING.
04:36:43 THERE ARE 17 WINDOWS.
04:36:46 WE HAVE CAULKED THEM ALL PERMANENTLY TO KEEP THE FUGITIVE
04:36:51 DUST FROM THE INTERIOR AIR THAT WE BREATHE INSIDE.
04:36:55 UNFAIR.
04:36:56 WE LOVE SARASOTA AND FLORIDA IN THE WINTER.
04:36:59 WE LOVED TO OPEN OUR WINDOWS EVERY SINGLE WINTER, BUT WE
04:37:03 CAN'T.
04:37:05 WE HAD VISIONS OF CONSTRUCTING AN OUTDOOR SPA SHOW ROOM TO
04:37:08 HIGHLIGHT THE BENEFIT OF THE GORGEOUS SARASOTA WINTER
04:37:11 WEATHER.
04:37:11 WE WANT TO DISPLAY ELABORATE MODERN SPAS THAT SHOW WELL IN
04:37:17 GARDEN-STYLE SETTINGS.
04:37:18 WE HAVE SCRAPPED ALL HOPE OF THAT.
04:37:22 ANYTHING LEFT OUTSIDE IS UNUSABLE, FROM DUST WITHIN MERE
04:37:27 DAYS.
04:37:28 OUR BUILDING IS LITERALLY COVERED IN A THICK DUST WE HAD
04:37:32 LABORATORILY TESTED.
04:37:36 TESTED AT A COST TO US OF SOME \$1700.
04:37:38 IT WAS FOUND TO CONTAIN UNACCEPTABLE ALPHA SILICA LEVELS, A
04:37:44 WELL-KNOWN AIR QUALITY HEALTH HAZARD.

04:37:47 IN CLOSING, JON IGLEHART OF FLORIDA DEPARTMENT OF
04:37:49 ENVIRONMENTAL PROTECTION VISITED OUR PROPERTY PERSONALLY AND
04:37:53 STATED NO ONE SHOULD HAVE TO LIVE OR WORK UNDER THESE
04:37:58 CONDITIONS.
04:37:58 BUT THERE IS STILL NO ACTION.
04:38:01 THE CONCERNED CITIZENS LIVING AT GROUND ZERO HAVE BEEN
04:38:06 CLEAR.
04:38:06 WE NEED YOUR HELP.
04:38:08 WE AWAIT AND PRAY THAT YOU, OUR CITY COMMISSION, WILL BECOME
04:38:11 THE LEADERS AND CHAMPIONS THAT WE SO DESPERATELY NEED.
04:38:15 THANK YOU.
04:38:17 >>Mayor Arroyo: THANK YOU.
04:38:18 THE NEXT FIVE WILL BE TERRILL SALEM, DAN LOBECK, DEBBIE

04:38:23 TRICE, LOURDES RAMIREZ AND FREDD ATKINS.
 04:38:30 >> I'VE BEEN HERE SINCE 9:30.
 04:38:47 I SAW WHAT WAS GOING ON A LONG TIME AGO.
 04:38:54 >>Mayor Arroyo: MR. SALEM.
 04:38:55 >> THANK YOU.
 04:38:55 TERRILL SALEM, CHAIRMAN OF THE PLANNING BOARD.
 04:39:01 SO BASICALLY TODAY WHAT WE'RE UNDERSTANDING IS THAT WE
 04:39:04 BASICALLY HAVE 9/11 WORKERS ALL OVER AGAIN.
 04:39:08 WE HAVE THE SAME SITUATION AS WE HAD IN NEW YORK WITH THE
 04:39:12 INDIVIDUALS WORKING AT THE SITE OF THE TOWERS.
 04:39:17 THESE PEOPLE ARE LIVING IN THE COMMUNITY WHERE THEY ARE
 04:39:19 BREATHING IN DUST ON A DAILY BASIS.

04:39:21 I'M SO HAPPY TO SEE THAT THE CHAIR AND THE VICE-CHAIR AND
 04:39:27 MR. BRODY AND MS. KOCH THAT YOU ALL ARE LOOKING AT
 04:39:32 PURCHASING THIS PROPERTY.
 04:39:33 BUT I WANT TO MAKE SURE THAT WE HAVE A PLAN FOR THE PROPERTY
 04:39:37 WHEN WE PURCHASED THE PROPERTY.
 04:39:41 AS YOU KNOW WE HAVE A BROWNFIELD IN YOUR INVENTORY FAR TOO
 04:39:43 LONG THAT WE STILL HAVEN'T DONE ANYTHING WITH THAT
 04:39:45 BROWNFIELD.
 04:39:46 SO DON'T START COLLECTING BROWNFIELDS.
 04:39:49 ALSO, I THINK THAT YOU DO HAVE THE ABILITY TO EXERCISE
 04:39:54 EMINENT DOMAIN BECAUSE IT IS A PUBLIC HEALTH ISSUE.
 04:39:58 I THINK YOU HAVE THE DATA TO SUPPORT THAT.
 04:40:02 ALSO, I THINK THAT IT WOULD BE WISE AND I BELIEVE YOU ALL
 04:40:06 ARE PROBABLY ALREADY DOING IT, BUT YOU HAVE TO BUILD SOME
 04:40:10 TYPE OF ALLIANCE WITH THE COUNTY COMMISSION.
 04:40:12 THAT'S WHERE THE ISSUE IS.
 04:40:14 WE NEED TO NETWORK WITH THEM.
 04:40:16 WE HAVE DIFFERENCES WITH THEM AS COMMISSIONERS, BUT YOU GOT
 04:40:19 TO SIT DOWN WITH THEM AND GET THEM TO UNDERSTAND THE
 04:40:21 PROBLEMS THAT ARE GOING ON IN THE CITY, BECAUSE THEY ARE
 04:40:26 ABSOLUTELY IGNORING THE CITY RIGHT NOW.
 04:40:29 AND I CAN TELL YOU, THE CITY OF SARASOTA DOESN'T PROCESS ANY
 04:40:34 TYPE OF INFORMATION WHEN IT RELATES TO ENVIRONMENTAL ISSUE.
 04:40:40 I'M A CONTRACTOR.
 04:40:41 I DO DEMOLITION.

04:40:42 I APPLY FOR A PERMIT, BUT THE PERMIT WILL NOT BE APPROVED BY
 04:40:46 THE CITY UNTIL THE COUNTY HEALTH ENVIRONMENTAL TEXT GIVE
 04:40:50 APPROVAL TO IT.
 04:40:51 SO YOU HAVE TO WORK THAT ANGLE.
 04:40:53 BUT ULTIMATELY, IT'S GOING TO COME DOWN TO YOU GUYS,
 04:40:57 EXTENDING THE OLIVE BRANCH ACROSS THE AISLE TO THE COUNTY,
 04:40:59 WORKING WITH THEM AND GETTING THIS THING HAMMERED OUT.
 04:41:02 YOU GUYS HAVE GOOD REASON TO DO IT.
 04:41:04 AND I HAVE NO DOUBT THAT YOU'RE GOING TO GET IT DONE.
 04:41:06 GOOD JOB ON YOUR REPORT.
 04:41:10 I HATE TO SAY THAT BECAUSE I'M RUNNING AGAINST YOU.
 04:41:14 >>Mayor Arroyo: ARE YOU A CITY RESIDENT?
 04:41:16 >> YES.
 04:41:16 >>Mayor Arroyo: MR. LOBECK.
 04:41:18 >> I'VE GOT 42 SECONDS.

04:41:20 THAT'S ALL RIGHT.
04:41:23 >>Shayla Griggs: GO AHEAD.
04:41:24 YOU'RE GOOD.
04:41:26 >> I DON'T TAKE IT PERSONALLY, BUT GO AHEAD.
04:41:29 >>Mayor Arroyo: MR. LOBECK.
04:41:30 >> IF MR. SALEM IS DONE, BECAUSE HE'S SO ELOQUENT ON THIS.
04:41:36 IT'S RARE THAT AN ISSUE COMES BEFORE A PUBLIC BODY LIKE
04:41:40 THIS, WHICH IS SO CLEAR CUT, WHERE THE NEED FOR URGENT
04:41:46 ACTION IS SO DEMONSTRABLE, AND THIS IS ONE OF THE MOST
04:41:55 COMPELLING I'VE EVER SEEN.

04:41:56 THIS SHOULD BE SOMETHING TREATED AS AN INTOLERABLE CONDITION
04:42:02 AND SITUATION BY EACH AND EVERY MEMBER OF THE CITY
04:42:04 COMMISSION.
04:42:04 THE ONLY QUESTION BECOMES WHAT IS DONE.
04:42:07 AND THERE ARE TWO PATHS.
04:42:08 ONE IS ENFORCEMENT OF POLLUTION LAWS.
04:42:13 THE COUNTY IS NOT DOING IT.
04:42:14 THEY GIVE A WARNING AND THEN GO OUT THERE AND TEST JUST HOW
04:42:18 MUCH DUST IS IN THE AIR WHEN EVERYTHING IS SHUT DOWN AND NOT
04:42:24 OPERATING IS NOT ENFORCEMENT.
04:42:27 I WAS OUT THERE A FEW DAYS AGO IN A BUSINESS AND WENT BEHIND
04:42:34 THE BUSINESS AND SAW -- I DIDN'T TOUCH IT BECAUSE I
04:42:39 UNDERSTOOD IT COULD WELL BE TOXIC, BUT THE WHOLE SIDE OF THE
04:42:42 BUILDING IS FULL OF DUST, PILED UP ON THE WINDOWSILLS.
04:42:46 THERE'S NO QUESTION FACTUALLY ABOUT WHAT'S GOING ON HERE.
04:42:49 THERE IS THE ENFORCEMENT ROUTE.
04:42:51 THE COUNTY IS NOT DOING ITS JOB.
04:42:53 DO YOU PASS A RESOLUTION URGING THEM TO DO THE JOB?
04:42:56 TIMID STEP.
04:42:57 HAVE YOUR CITY ATTORNEY, VERY CAPABLE CITY ATTORNEY INSPECT
04:43:01 THE POTENTIAL, WHICH I UNDERSTAND IS THERE, TO ACQUIRE
04:43:06 DELEGATION OF ENFORCEMENT AUTHORITY FROM THE STATE IN LIEU
04:43:08 OF THE COUNTY.
04:43:09 SOME COST INVOLVED, BUT WHAT PRICE DO YOU PUT ON PEOPLE'S
04:43:13 LIVES AND HEALTH AND CLEAN AIR?

04:43:16 THE OTHER AND I HAD IT ON MY NOTES BEFORE I CAME IN, SO GLAD
04:43:20 THE MAYOR PREEMPTED ME ON THIS, APPARENTLY, IS EMINENT
04:43:23 DOMAIN.
04:43:23 NO QUESTION.
04:43:24 I LOOKED AT THE CASE LAW.
04:43:25 YOU HAVE A RIGHT TO -- I THINK IT'S A GOOD THING.
04:43:30 NO QUESTION YOU HAVE A RIGHT TO EXERCISE EMINENT DOMAIN FOR
04:43:35 A POSITIVE PUBLIC PURPOSE, TURNING THIS INTO AFFORDABLE
04:43:38 HOUSING IN A PUBLIC-PRIVATE PARTNERSHIP, MUCH LESS ABATING A
04:43:43 PUBLIC NUISANCE OR SOURCE OF ANY CONCERN WITH REGARD TO
04:43:46 ENVIRONMENTAL POLLUTION.
04:43:47 IT COULD BE SAID, OH, THERE IS A COST INVOLVED BY THAT.
04:43:50 BUT IF A MAJORITY OF THIS CITY COMMISSION THINKS IT'S OKAY
04:43:53 TO SPEND HUNDREDS OF MILLIONS OF DOLLARS OF OUR
04:43:56 INFRASTRUCTURE FUNDS TO BUILD A NEW PERFORMING ARTS CENTER
04:43:59 IN LIEU OF THE VAN WEZEL, DOESN'T IT MAKE SENSE TO SPEND
04:44:03 WHATEVER IS INVOLVED HERE, MAYBE \$1.5 MILLION TO ACQUIRE

04:44:08 THIS TOXIC PROPERTY AND END THIS PROBLEM ONCE AND FOR ALL?
04:44:14 SO I WOULD URGE THIS COMMISSION TO AT THE CONCLUSION OF THE
04:44:17 DISCUSSION TO CHARGE THE CITY ATTORNEY WITH DOING A MEMO TO
04:44:20 YOU ON THE USE OF EMINENT DOMAIN TO PURCHASE THIS PROPERTY.
04:44:24 WHEN THEY INVESTIGATE THE SOIL, IT MIGHT BRING THE COST
04:44:27 DOWN, BY THE WAY, FROM THE APPRAISAL THAT YOU HAVE.
04:44:31 IF THAT'S THE WAY YOU CHOOSE TO GO OR LOOK INTO DELEGATION
04:44:34 OF STATE ENFORCEMENT AUTHORITY.

04:44:35 THANK YOU.

04:44:40 >> HI.

04:44:40 I'M DEBBIE TRICE.

04:44:42 GOOD AFTERNOON.

04:44:43 I AM A CITY RESIDENT AND NOT TOO FAR FROM THIS SITE.

04:44:49 FLINT, MICHIGAN.

04:44:50 I'LL SAY THAT AGAIN, FLINT, MICHIGAN.

04:44:54 JUST HEARING THAT NAME TURNED YOUR THOUGHTS TO A CITY WHOSE
04:44:58 CHILDREN WERE POISONED AS A RESULT OF IRRESPONSIBLE ACTIONS
04:45:02 BY STATE AND LOCAL GOVERNMENT.

04:45:05 WE'RE ALL HERE TODAY TO PREVENT THE NAME SARASOTA, FLORIDA,
04:45:10 FROM TRIGGERING THE SAME RESPONSE.

04:45:12 IN FLINT'S CASE, THE PROBLEM WAS MUNICIPAL DRINKING WATER
04:45:16 CONTAMINATED WITH LEAD.

04:45:18 IN SARASOTA, IT'S THE AIR WE BREATHE CONTAMINATED WITH
04:45:23 PARTICLES CONTAINING ARSENIC AND POSSIBLY OTHER TOXIC
04:45:28 MATERIALS.

04:45:29 BUT WE DON'T KNOW EXACTLY WHAT MATERIALS BECAUSE THE
04:45:32 MACHINES THAT SPEW THE TOXIC DUST WERE IDLE WHEN THE TESTERS
04:45:39 SENT BY SARASOTA COUNTY WERE ON-SITE.

04:45:42 APPARENTLY, THERE WERE NO FOLLOW-UP MEASUREMENTS WHEN THE
04:45:45 SITE WAS FULLY OPERATIONAL.

04:45:49 WE'VE GOT TO GET THE COUNTY TO RETURN AND DO ADEQUATE
04:45:52 TESTING.

04:45:53 ALSO, WE DON'T KNOW HOW FAR THE TOXIC PARTICLES HAVE SPREAD

04:45:58 BECAUSE NO EFFORT HAS BEEN MADE TO TEST THE UNUSUAL AMOUNT
04:46:03 OF DUST THAT ACCUMULATES IN NORTH SARASOTA.

04:46:07 YOU ALL SOUND VERY MOTIVATED TODAY.

04:46:11 I HOPE AND I URGE YOU, BOTH THE CITY AND THE COUNTY
04:46:16 GOVERNMENTS TO STOP DENYING THE PROBLEM AND BEGIN TAKING
04:46:20 CONCRETE STEPS TO ALLEVIATE IT.

04:46:24 LET'S NOT ALLOW SARASOTA TO BECOME ANOTHER FLINT.

04:46:28 THANK YOU.

04:46:30 >>Mayor Arroyo: THANK YOU.

04:46:31 MR. ATKINS.

04:46:33 >> GOOD DAY, COMMISSION, MAYOR.

04:46:39 JUST FOR HISTORICAL PERSPECTIVE, WHEN THERE WERE JUST
04:46:44 CONCRETE COMPANIES OVER THERE, IT WAS POISONOUS.

04:46:47 THEY RAN OUT THE FIRST GROUP OF WHITE FOLKS THAT USED TO
04:46:51 LIVE IN THAT AREA OF CENTRAL.

04:46:55 AND THEN BLACK FOLKS MOVED IN THERE.

04:46:58 AS A MATTER OF FACT, SCOTTY LIVED OVER THERE JUST A BLOCK

04:47:01 FROM WHERE THESE CONCRETE COMPANIES WAS, AND THEN NOW THERE
04:47:06 IS A WHOLE OTHER GENTRIFICATION GOING ON RIGHT NOW.

04:47:09 SO NOW THIS MIDDLE-CLASS WHITE GROUP THAT'S MOVING INTO THIS
04:47:14 COMMUNITY AND THEY ARE MORE AWARE AND THEY GOT MONEY ENOUGH
04:47:17 TO RAISE FUNDS TO GET TESTERS AND ALL THAT STUFF.
04:47:21 THE COUNTY HAS KNOWN ABOUT THIS PROBLEM FOR OVER 50 YEARS.
04:47:25 I USED TO BE A LITTLE BOY PLAYING IN THE CONCRETE PILES AND
04:47:29 DIRT PILES WHEN I LIVED IN BLACK BOTTOM ON 16th AND

04:47:32 CENTRAL.
04:47:33 SO THIS HAS BEEN AN ONGOING PROBLEM AND THEY HAVE KNOWN
04:47:36 ABOUT IT.
04:47:36 THIS IS BASICALLY ENVIRONMENTAL RACISM.
04:47:39 AND THE COUNTY HAS NEVER CARED ABOUT US BLACK AND POOR
04:47:42 PEOPLE IN SARASOTA.
04:47:43 AND NOW I COME HERE REPRESENTING AMARYLLIS PARK NEIGHBORHOOD
04:47:47 ASSOCIATION BECAUSE OUR PRESIDENT WASN'T ABLE TO GET HERE.
04:47:51 THAT'S A WHOLE OTHER THING.
04:47:52 I CAN'T FIGURE OUT WHY WE MOVED ALL THE MEETINGS TO DAYTIME
04:47:55 WHEN PEOPLE HAVE TO WORK AND MOVE IT TO THE EVENING SO THAT
04:47:58 PEOPLE THAT HAD TO WORK COULD COME TO THE MEETINGS.
04:48:01 THAT'S A WHOLE OTHER THING ABOUT HOW WE IN SARASOTA DON'T
04:48:05 RESPECT PEOPLE THAT WORK, DON'T BUILD THEM HOUSES, DON'T
04:48:08 BUILD THEM OPPORTUNITIES TO PARTICIPATE IN THIS PROCESS.
04:48:11 BUT WE NEED A CLASS-ACTION LAWSUIT THAT ADDRESS THIS CONCERN
04:48:16 AND WHOEVER THE UMBRELLA FITS, THEY WOULD JUST HAVE TO FALL
04:48:22 UP UNDER IT.
04:48:23 BECAUSE WE HAVE A SITUATION AROUND THE AFRICAN AMERICAN
04:48:25 COMMUNITY.
04:48:26 MYRTLE AVENUE, THERE ARE FIVE OR SIX CONSTRUCTION DUMPING
04:48:30 COMPANIES SITTING RIGHT ON TOP OF THE CITY OF SARASOTA
04:48:33 BORDERS AND THE CITY DOES NOT CARE.
04:48:36 THE COUNTY DOES NOT CARE.
04:48:37 THEY HAVE BEEN COMPLAINING ABOUT, THERE HAVE BEEN NUMEROUS

04:48:42 OPPORTUNITIES TO DO SOMETHING.
04:48:44 I SAID TO THIS COMMISSION BEGGING THEM NOT TO PUT THAT METAL
04:48:48 RECYCLING FACILITY RIGHT THERE ON MYRTLE AVENUE AND OSPREY.
04:48:53 THEY DID IT ANYWAY BECAUSE THIS COMMISSION, THIS COMMUNITY
04:48:57 DOES NOT CARE BECAUSE AS LONG AS THE POISON KILLING LITTLE
04:49:01 BLACK FOLKS AND OLD BLACK WOMEN, IT'S ALREADY IN SARASOTA.
04:49:04 NOW DONE GOT THIS NEW SWINGING GROUP INTO CENTRAL COCOANUT.
04:49:07 I'M SO GLAD TO HAVE YOU ALL IN THIS WAR BECAUSE IT'S BEEN A
04:49:11 WAR GOING ON A LONG TIME IN THIS NEIGHBORHOOD.
04:49:13 WELCOME TO SAVING OUR LIVES.
04:49:16 WHEN YOU ALL SAVE YOUR LIVES, MAYBE SOME OF OUR KIDS WON'T
04:49:19 HAVE ASTHMA IN THE NEXT GENERATION BECAUSE I HAVE COUSINS
04:49:23 THAT HAS ASTHMA.
04:49:24 I HAVE NEPHEWS AND GRAND NEPHEWS THAT HAS ASTHMA THAT GREW
04:49:27 UP RIGHT ON 36th STREET ACROSS THE STREET FROM MYRTLE.
04:49:32 SO IF THAT'S WHERE WE ARE, BOOKER HIGH SCHOOL BEEN INUNDATED
04:49:36 WITH THE DIRT AND DUST SINCE THEY BUILT IN 1934.
04:49:40 >>Mayor Arroyo: THANK YOU.
04:49:41 [DING]
04:49:43 AND YOU ARE A CITY RESIDENT?
04:49:46 >> NO.

05:00:51 I USED TO PLAY AND RUN THOSE HILLS BACK THERE WITH MY
05:00:55 FRIENDS AND SO ON.
05:00:57 AND IT WASN'T NEARLY AS BAD AS IT IS TODAY.
05:01:03 APPARENTLY THAT PROBLEM HAS EXACERBATED.
05:01:07 JUST SO EVERYONE KNOWS, COMMISSIONER AHEARN-KOCH PUT IN A
05:01:11 GREAT DEAL OF WORK AND EFFORT IN THIS, AND SHE SAYS SHE'S
05:01:16 BEEN ON IT, FOR, WHAT, TWO YEARS NOW OR WHATEVER.
05:01:19 IT'S TOUGH -- THAT'S WHY SHE CAME HERE ON THE DAIS TODAY
05:01:27 BECAUSE IT'S TOUGH -- SHE CAN'T TALK TO EACH ONE OF US.
05:01:30 WE HAVE LAWS AGAINST THAT.
05:01:32 SO IT'S NOT LIKE NONE OF US ARE CONCERNED OR HAVEN'T BEEN
05:01:35 CONCERNED ABOUT IT.
05:01:37 BUT DO KNOW THAT WE'RE GOING TO EXPLORE AND EXHAUST EVERY
05:01:45 AVENUE TO TRY AND BRING SOME SORT OF HEALTHY RESOLUTION
05:01:52 THROUGH HELL AND HIGH WATER.
05:01:57 NO REASON WHATSOEVER WHY YOU SHOULD BE LIVING LIKE THAT.
05:02:01 IT'S SICK JUST TO EVEN HEAR THAT.
05:02:06 I COULDN'T EVEN IMAGINE WAKING UP TO THAT OR TRYING TO GO TO
05:02:12 SLEEP TO THAT.
05:02:13 I'VE SPOKEN TO MRS. SYKORA ABOUT IT A NUMBER OF TIMES.
05:02:20 YOU KIND OF FEEL HELPFUL.
05:02:24 EVEN WITH US IN WHATEVER CAPACITY OF AUTHORITY THAT WE MAY

05:02:34 HAVE AND HOW LIMITED IT MAY BE OR WHATEVER, DO KNOW THAT
05:02:42 WE'RE CONCERNED AND YOUR TESTIMONY AND ALL YOUR COMMENTS,
05:02:50 THEY MEAN A GREAT DEAL.
05:02:53 THEY HIT YOU RIGHT IN THE GUT.
05:03:00 I LIVE RIGHT ON WALKER CIRCLE MYSELF.
05:03:02 GREW UP IN THAT NEIGHBORHOOD.
05:03:06 AND I HATE TO SEE THE NEIGHBORHOOD THAT I GREW UP IN AND
05:03:13 KNOWING THAT THERE ARE CHILDREN THAT STILL HAVE TO GROW UP
05:03:16 THERE TODAY AND DIDN'T HAVE -- I DIDN'T HAVE TO DEAL WITH
05:03:20 WHAT IT IS THEY ARE DEALING WITH TODAY.
05:03:23 I DIDN'T GROW UP IN WHAT IT IS THEY ARE GROWING UP IN TODAY.
05:03:26 AS I SAID, WE GOT TO DO SOMETHING.
05:03:32 WHATEVER THAT MIGHT BE.
05:03:36 BUT JUST KNOW THAT WE'RE GOING TO DO OUR BEST.
05:03:45 >>Mayor Arroyo: THANK YOU.
05:03:47 COMMISSIONER ALPERT.
05:03:47 >>Liz Alpert: JUST REALLY QUICKLY BECAUSE I THINK EVERYBODY
05:03:50 SAID EVERYTHING ALREADY.
05:03:52 BUT I HAVE TO SAY SEEING THE VIDEO WITH THE DUST, I COULD
05:03:55 LITERALLY I THINK SMELL THE DUST AS I WAS WATCHING THAT
05:03:58 VIDEO.
05:03:59 I KNOW THAT IT'S JUST HORRENDOUS AND IT JUST SEEMS TO ME
05:04:04 THAT THERE HAS TO BE SOMETHING THAT SAYS THAT CAN'T BE
05:04:11 ALLOWED.
05:04:11 IT MAKES NO SENSE TO ME THAT ENVIRONMENTALLY THAT SHOULD BE

05:04:18 SOMETHING THAT'S GOING ON AND BE SOMETHING THAT, YOU KNOW,
05:04:23 SOMEBODY DOESN'T SHUT DOWN IN TERMS OF THE ENVIRONMENTAL
05:04:26 PROTECTION AGENCY, SOMEBODY.
05:04:30 THIS CAN'T POSSIBLY BE ALLOWABLE.
05:04:32 I'LL BE INTERESTED TO SEE WHAT IF ANYTHING WE CAN DO,

05:04:39 BECAUSE I THINK WE HAVE TO DO SOMETHING AND WE HAVE TO URGE
05:04:42 THOSE WHO HAVE THE AUTHORITY TO DO IT, TO DO SOMETHING.
05:04:44 >>Mayor Arroyo: COMMISSIONERS, I KNOW WE'RE VERY EAGER TO
05:04:48 SAY A LOT OF THINGS BUT WE'VE ALREADY GONE THROUGH TWICE.
05:04:51 >>Jen Ahearn-Koch: I HAVE AN IDEA.
05:04:52 >>Mayor Arroyo: I'LL GO THROUGH FOUR POTENTIAL MOTIONS.
05:04:54 AND IF WE LIKE THE IDEA, WE CAN GO WITH IT AND DISCUSS IT
05:04:57 FURTHER THEN.
05:04:58 IF NOT, THEN WE DON'T.
05:05:01 IDEA ONE WOULD BE A MOTION TO DRAFT A LETTER TO THE
05:05:05 DEPARTMENT OF ENVIRONMENTAL PROTECTION TO THE ATTORNEY
05:05:09 GENERAL, TO THE GOVERNOR AND THE COUNTY OUTLINING THE NEED
05:05:12 FOR INTERVENTION AND PERHAPS DELEGATION OF ENFORCEMENT
05:05:15 POWER.
05:05:16 NUMBER TWO IS A MOTION TO EMPOWER OUR LEADERSHIP TO
05:05:21 NEGOTIATE WITH THE OWNERS OF THE U.S. RECYCLING PROPERTY TO
05:05:24 PURCHASE THE LAND OR PROCEED FORWARD WITH EMINENT DOMAIN
05:05:27 PROCEEDINGS.
05:05:28 THREE, ASK OUR CITY ATTORNEY FOR MEMORANDUM OUTLINING THE
05:05:33 COURSES OF ACTION BASED ON NUISANCE, PUBLIC OR PRIVATE.

05:05:36 NUMBER FOUR WOULD BE DIRECT STAFF TO CREATE AN ORDINANCE
05:05:39 CRIMINALIZING OR SOMEHOW PENALIZING THIS TYPE OF BEHAVIOR.
05:05:46 >>Marlon Brown: MAYOR, COULD I HEAR THIRD AND FOURTH AGAIN?
05:05:49 >>Mayor Arroyo: NUMBER THREE, ASKING OUR CITY ATTORNEY TO
05:05:51 DRAFT A MEMORANDUM OUTLINING THE CAUSES OF ACTION THAT THE
05:05:55 CITY COULD POTENTIALLY HAVE OR ENFORCE BASED ON A NUISANCE.
05:06:01 >>Robert Fournier: WHY WOULD YOU LIMIT IT TO NUISANCE,
05:06:03 THOUGH?
05:06:04 I THINK YOU JUST OPEN IT TO --
05:06:06 >>Mayor Arroyo: OR THAT.
05:06:07 ANY CAUSES OF ACTION.
05:06:08 I'M VERY INTERESTED IN THE NUISANCE.
05:06:10 YEAH, GOOD POINT.
05:06:12 FOUR WOULD BE DIRECT STAFF TO CREATE AN ORDINANCE PENALIZING
05:06:15 THE BEHAVIOR THAT'S OCCURRING OVER THERE, WHICH -- SO IF
05:06:21 ANYONE WOULD LIKE TO MAKE A MOTION, WE CAN DISCUSS IT
05:06:26 FURTHER.
05:06:26 >>Jen Ahearn-Koch: CAN I ADD SOMETHING?
05:06:28 >>Mayor Arroyo: YES, OF COURSE.
05:06:29 >>Jen Ahearn-Koch: I HAD WRITTEN DOWN ENTER INTO
05:06:31 NEGOTIATIONS AND I AGREE WITH THAT.
05:06:33 AND COULD WE ADD TO YOUR LIST A STRONGLY WORDED RESOLUTION
05:06:39 ASKING THE COUNTY TO INSPECT THE PROPERTY WHEN THE EQUIPMENT
05:06:44 IS ACTUALLY RUNNING AND TO DO AN AUDIT OF THEIR AIR
05:06:49 INSPECTION PROGRAM?

05:06:51 AND YOU ALREADY MENTIONED EMINENT DOMAIN AND ALSO
05:06:55 POTENTIALLY ASK THE STAFF TO ASK THE PROPERTY OWNER IF THEY
05:06:59 WOULD ENCLOSE THE FACILITY.
05:07:01 I THINK WE CAN DO ALL OF THOSE AT THE SAME TIME.
05:07:08 >>Mayor Arroyo: COMMISSIONER BRODY.
05:07:09 >>Hagen Brody: MY PREFERENCE IS TO LET MR. FOURNIER GIVE US
05:07:14 OPTIONS THAT WE MAY NOT EVEN KNOW WE HAVE AND TO REALLY DO A

04:49:48 >> MY NAME IS LOURDES RAMIREZ.
04:49:50 NO, I'M NOT A CITY RESIDENT.
04:49:51 I HEARD ABOUT THIS A FEW WEEKS AGO AT A FORUM AND IT REALLY
04:49:55 BOTHERED ME TO HEAR THAT CHILDREN WAS BEING EXPOSED TO ALL

04:49:58 OF THAT POLLUTION, AND I THINK WHAT REALLY HIT ME IS JUST A
04:50:02 FEW YEARS AGO, I WAS INVOLVED WITH A GROUP OF PEOPLE AND I
04:50:06 WASN'T LEADING THE GROUP, BUT THERE WERE THE CELERY FIELDS.
04:50:09 AND THIS IS WHAT THEY WERE WORRIED ABOUT BECAUSE THEY WERE
04:50:11 PUTTING A POTENTIAL CONCRETE CRUSHING PLACE NEAR THE CELERY
04:50:15 FIELDS.
04:50:15 AND THEY WERE AFRAID OF THIS.
04:50:18 SO WHEN I HEARD THIS WAS ACTUALLY HAPPENING IN A
04:50:21 NEIGHBORHOOD, IT REALLY HIT ME PRETTY HARD.
04:50:23 THAT'S WHY I'M HERE TODAY.
04:50:25 I WANT YOU TO REALLY CONSIDER -- I DON'T KNOW HOW ANYONE CAN
04:50:28 SLEEP AT NIGHT KNOWING THAT CHILDREN ARE BREATHING THIS.
04:50:31 I HAVE FAMILY MEMBERS WHO HAVE ASTHMA AND I CAN'T IMAGINE
04:50:34 THE SUFFERING THAT THEY ARE GOING THROUGH.
04:50:36 SO IT BOTHERS ME TO NO END.
04:50:38 I THINK THIS IS A COUNTYWIDE ISSUE.
04:50:40 I THINK ALL THE NEIGHBORHOODS SHOULD BE GETTING TOGETHER AND
04:50:43 SUPPORTING CENTRAL COCOANUT BECAUSE THIS IS A PROBLEM THAT
04:50:46 WE SHOULD ALL BE WORRIED ABOUT, ABOUT THE CHILDREN THERE.
04:50:50 AND I CAN -- THIS IS A LIABILITY ISSUE FOR YOU AS A CITY,
04:50:54 FOR THE COUNTY AS WELL AS FOR THE OWNERS.
04:50:57 CAN YOU IMAGINE THE FUTURE COMMERCIALS, HI, DO YOU LIVE IN
04:51:03 CENTRAL COCOANUT, DID YOU SUFFER FROM COPD?
04:51:07 WELL, YOU MAY BE ENTITLED TO COMPENSATION.
04:51:09 AND IT'S GOING TO COME BACK TO YOU.

04:51:11 IT'S GOING TO HAPPEN.
04:51:11 IT'S SOMETHING THAT YOU HAVE TO REALLY WORRY ABOUT.
04:51:14 SO IT'S A LIABILITY AS WELL AS THE FACT THAT YOU SHOULD
04:51:17 ALWAYS PUT THE HEALTH AND SAFETY OF OUR RESIDENTS FIRST
04:51:22 ABOVE ANYTHING ELSE.
04:51:23 THAT'S THE ROLE OF GOVERNMENT.
04:51:24 IT'S NOT RIBBON CUTTING.
04:51:26 IT'S NOTHING LIKE THAT.
04:51:27 IT'S ABOUT THE PUBLIC SAFETY.
04:51:29 SO I URGE YOU TO WORK WITH SARASOTA COUNTY, MAKE SURE THAT
04:51:34 THEY ARE PUTTING THEIR EFFORTS IN TO HELPING YOU IN CENTRAL
04:51:39 COCOANUT IN RESOLVING THIS ISSUE.
04:51:42 AND I REALLY HOPE THE BUSINESS OWNERS LISTEN BECAUSE I THINK
04:51:45 IT'S SOMETHING THAT WE SHOULD ALL START WORKING TOWARDS.
04:51:48 SO THANK YOU SO MUCH FOR PUTTING THIS ON.
04:51:50 THANK YOU FOR LEADING THE EFFORT.
04:51:52 >>Mayor Arroyo: THANK YOU.
04:51:53 MR. COSENTINO.
04:51:55 ARE YOU A CITY RESIDENT?
04:52:00 >> NO.
04:52:08 >> SAVE THE BEST FOR LAST.
04:52:10 >>Mayor Arroyo: YOU SUBMITTED YOUR ONE CARD.
04:52:11 I JUST GOT IT.

04:52:12 CAN YOU SAY IF YOU ARE A CITY RESIDENT BEFORE YOU BEGIN?
04:52:18 >> SURE.

04:52:18 I AM A COUNTY RESIDENT, NOT A CITY RESIDENT.
04:52:20 FOR THE RECORD, MIKE COSENTINO.
04:52:23 I HAVE SIGNED A CARD.
04:52:25 IT'S BEEN A LONG DAY AND I THINK WE ALL KNOW I'M NOT ALWAYS
04:52:30 THE MOST COMPLIMENTARY PERSON FROM THIS SIDE OF THE AISLE.
04:52:35 BUT IT IS A HECK OF A LOT EASIER TO SIT ON THIS SIDE OF THE
04:52:38 AISLE AND CAST STONES THAN IT IS TO BE ON THAT SIDE OF THE
04:52:41 AISLE AND RECEIVE THEM.
04:52:42 I ACKNOWLEDGE THAT.
04:52:43 BEEN A LONG DAY FOR EVERYBODY.
04:52:47 IT'S FUNNY.
04:52:48 I KIND OF WANT TO RETRACT MY -- MY FIRST SPEAKING TODAY WAS
04:52:51 -- YOU KNOW, WE HAVE SO MANY ISSUES BEFORE THE COUNTY THAT
04:52:54 HOW IN THE HECK CAN WE SIT UP HERE AND DEBATE THE LOGO.
04:52:58 AFTER THIS LITTLE ROUND OF STUFF IT KIND OF MAKES ME THINK,
04:53:01 YOU KNOW, MAYBE YOU MAKE THE LOGO, WE'VE GOT NUMBER ONE
04:53:06 BEACH IN AMERICA AND THE NUMBER ONE ASTHMA IN FLORIDA.
04:53:08 JUST LET THAT SINK IN FOR A MINUTE.
04:53:11 I THINK LOURDES BROUGHT IT UP GREAT.
04:53:13 THAT'S NOT THE LEGACY YOU GUYS WANT TO HAVE.
04:53:16 JEN, I'VE BEEN HIGHLY COMPLIMENTARY OF YOU.
04:53:21 TODAY IS JUST A SMALL EXAMPLE OF THE FACT THAT YOU'RE A
04:53:24 SHINING STAR UP HERE.
04:53:25 I REALLY APPRECIATE THE WORK THAT YOU DID ON THE BACKGROUND
04:53:27 OF THIS.

04:53:29 YOU'RE JUST PHENOMENAL.
04:53:31 AS FAR AS -- IT WAS KIND OF INTERESTING TO ME A FEW MINUTES
04:53:35 AGO.
04:53:36 I THINK WE'RE ALL A LITTLE ON EDGE AND KIND OF UPTIGHT.
04:53:43 I CAN'T REMEMBER, WAS IT LORI OR EMMA, THEIR VIDEO WENT ON A
04:53:48 LITTLE BIT LONG AND WE'RE THINKING, GOSH, MAKE IT STOP.
04:53:51 WELL, THINK ABOUT THOSE PEOPLE.
04:53:54 THEY WANT TO MAKE IT STOP.
04:53:55 IT WAS ANNOYING TO US TO LISTEN TO A VIDEO FOR 15 SECONDS.
04:53:59 THEY ARE THERE EVERY SINGLE DAY, DAY IN AND DAY OUT.
04:54:02 WEEK IN AND WEEK OUT.
04:54:03 YEAR IN AND YEAR OUT.
04:54:04 AT LEAST TO ME, I'VE HEARD A LOT OF GREAT COMMENTS, A LOT OF
04:54:09 GREAT POTENTIAL SOLUTIONS.
04:54:11 I BELIEVE THAT MR. LOBECK AND OTHERS ARE ABSOLUTELY CORRECT
04:54:14 ABOUT EMINENT DOMAIN.
04:54:18 AND NOT ONLY THERE'S A NEED FROM A HEALTH POINT OF VIEW, BUT
04:54:21 I THINK THAT EVERYBODY ON THIS BOARD WOULD PROBABLY AGREE
04:54:24 THAT WE HAVE A HUGE NEED FOR AFFORDABLE HOUSING.
04:54:31 I'M GOING TO READ TO YOU FROM FLORIDA STATUTES CHAPTER
04:54:33 166.04151 NUMBER 6.
04:54:37 AND IT SAYS THAT A CITY MAY APPROVE THE DEVELOPMENT OF
04:54:41 HOUSING THAT IS AFFORDABLE ON ANY PARCEL ZONED FOR
04:54:45 RESIDENTIAL, COMMERCIAL, OR INDUSTRIAL USE.
04:54:47 SO WE DON'T HAVE TO GO THROUGH ANY BIG LAND USE CHANGES OR

04:54:50 ANYTHING THERE.
04:54:51 IT'S ALREADY RIGHT THERE IN THE STATUTES AND I WOULD THINK
04:54:54 THAT IF SOMEONE WOULD GET JON THAXTON ON THE PHONE, THERE'S
04:54:57 GOT TO BE PEOPLE, A MILLION AND A HALF DOLLARS, THERE'S
04:55:00 PEOPLE THAT SPIT THAT OUT EVERY SINGLE DAY.
04:55:03 JUST LOOK AT ALL THE BUILDINGS AT MOTE MARINE AND GIVE THE
04:55:11 RESIDENTS A BREAK.
04:55:12 GIVE THE KIDS A CHANCE TO GROW UP WITHOUT BREATHING THE
04:55:15 TOXIC DUST AND THERE SEEMS TO BE A LOT OF WIN-WINS THAT CAN
04:55:18 HAPPEN SOONER RATHER THAN LATER.
04:55:20 THANK YOU VERY MUCH FOR YOUR TIME.
04:55:21 IT'S BEEN A LONG DAY AND WE APPRECIATE YOU ALL.
04:55:25 >>Mayor Arroyo: THANK YOU.
04:55:26 COMMISSIONERS, QUESTIONS?
04:55:27 COMMISSIONER AHEARN-KOCH.
04:55:30 >>Jen Ahearn-Koch: THANK YOU.
04:55:31 THANK YOU TO EVERYBODY, AND THANK YOU, COMMISSIONERS.
04:55:35 I THINK WE DID HEAR SOME VERY INTERESTING INFORMATION, SOME
04:55:38 GOOD SUGGESTIONS.
04:55:42 WHEN I MET WITH THE COUNTY COMMISSIONERS, THE IDEA WAS TO GO
04:55:47 TO THEM TO FIND SOLUTIONS TO WORK TOGETHER WITH THE COUNTY.
04:55:52 THAT SUGGESTION WAS MADE.
04:55:55 I DON'T KNOW -- IF YOU LOOK IN SOME OF THE BACKUP MATERIAL
04:56:03 IT LOOKS LIKE THIS PROPERTY HAS BEEN ON AND OFF PROBLEMATIC
04:56:08 OVER MANY, MANY, MANY YEARS.

04:56:10 I DON'T KNOW WHAT THE OPPORTUNITIES ARE, BUT I THINK IF WE
04:56:13 TRY TO CONVINCING THE COUNTY TO JOIN FORCES WITH THEM TO DO
04:56:16 SOMETHING, THAT MIGHT BE A GOOD ROUTE.
04:56:19 I DON'T KNOW THE LEGAL DETAILS OF EMINENT DOMAIN, MR.
04:56:22 FOURNIER.
04:56:23 POTENTIALLY YOU COULD LET US KNOW ABOUT THAT.
04:56:26 I WOULD LIKE TO HEAR MORE ABOUT THE IDEAS OF THE ZONING,
04:56:30 COMMISSIONER BRODY, THAT YOU HAD.
04:56:33 AN INJUNCTION WAS THROWN OUT THERE AS WELL, ASKING THE
04:56:37 FACILITY TO ENCLOSE THEIR FUNCTIONS IS ALSO ANOTHER OPTION.
04:56:43 I THINK THE CITY STAFF HAS SUGGESTED THAT.
04:56:46 I'M NOT POSITIVE, MS. PANICA, IF WE HAVE SUGGESTED THAT.
04:56:51 I KNOW WE CAN'T MAKE THEM DO IT, BUT MAYBE THAT IS A
04:56:55 POTENTIAL SOLUTION.
04:56:59 PASSING A RESOLUTION TO THE COUNTY ASKING THEM TO DO AN
04:57:04 INSPECTION AND ANOTHER AUDIT AND AN AUDIT OF THEIR OWN AIR
04:57:08 INSPECTION PROGRAM.
04:57:11 I DON'T KNOW.
04:57:11 I REALLY WANT TO HEAR YOUR THOUGHTS ON ALL OF THESE IDEAS
04:57:15 AND WHAT THIS COMMISSION THINKS.
04:57:17 >>Mayor Arroyo: COMMISSIONER BRODY.
04:57:18 >>Hagen Brody: THANK YOU FOR ALL THAT HAVE SPOKE ON THE
04:57:25 ISSUE.
04:57:25 I WANT TO MAKE SURE THAT WE THINK ABOUT IT HOLISTICALLY
04:57:29 BECAUSE IT'S NOT JUST THAT ONE PROPERTY.

04:57:32 IT'S THE ONE ON MYRTLE AS WELL THAT WE'VE HEARD A LOT OF

04:57:36 COMPLAINTS ABOUT OVER THE YEARS.
04:57:41 FROM WHAT I'M HEARING, I'M ASSUMING IT IS THE SAME OWNER.
04:57:45 >>Jen Ahearn-Koch: I DON'T THINK SO, NO.
04:57:46 I DON'T KNOW.
04:57:46 >>Pat Robinson: PROPERTY ON MYRTLE IS NOT IN THE CITY
04:57:49 LIMITS.
04:57:50 KEEP THAT IN MIND.
04:57:51 >>Jen Ahearn-Koch: THE QUESTION IS, IS IT THE SAME OWNER?
04:57:58 I DON'T BELIEVE SO.
04:58:01 >>Hagen Brody: MY THOUGHT, I THINK THE CITY ATTORNEY HAS
04:58:03 HEARD ALL OF THE CONCERNS AND OUR CONCERNS AND KNOW THAT WE
04:58:07 WANT TO DO SOMETHING.
04:58:13 WE NEED TO KNOW WHAT WE CAN DO LEGALLY.
04:58:16 I THOUGHT THAT THERE WERE A LOT OF GOOD OPTIONS BUT WE NEED
04:58:23 TO MAKE SURE THAT THEY ARE AVAILABLE.
04:58:26 SO GETTING A MEMO TO US THAT WOULD KIND OF TALK ABOUT THE
04:58:30 DIFFERENCE OPTIONS THAT WERE MENTIONED AND HOW VIABLE THEY
04:58:32 WOULD BE, CHANCE OF SUCCESS AND TIMELINE, SOME OF THEM I WAS
04:58:36 DEFINITELY THINKING, OKAY, EVEN IF THAT IS VIABLE, YOU ARE
04:58:41 TALKING YEARS OF LITIGATION TO COME TO ANY KIND OF
04:58:46 RESOLUTION.
04:58:46 I STILL FEEL LIKE A COORDINATED VOLUNTARY EFFORT IS PROBABLY
04:58:53 GOING TO BE THE QUICKEST, IF THAT'S EVEN POSSIBLE.
04:59:00 THE DELEGATED AUTHORITY ISSUE IS INTERESTING TO ME, WHETHER

04:59:06 WE CAN REQUEST THAT AUTHORITY DIRECTLY FROM THE STATE TO
04:59:09 BYPASS THE COUNTY OR IF WE CAN REQUEST IT FROM THE COUNTY
04:59:12 AND EVEN IF SO, WHAT THAT WOULD EVEN -- WHAT THAT WOULD
04:59:15 ALLOW US TO DO.
04:59:16 I KNOW WE'D BE ABLE TO DO OUR OWN OPTIONS BUT WHAT AUTHORITY
04:59:21 DOES THAT COME WITH EVEN IF WE FOUND SOMETHING PROBLEMATIC.
04:59:29 I THINK THE ZONING -- LIKE I SAID, I THINK THAT THE MOST
04:59:32 REALISTIC AND I KNOW SOME FOLKS DON'T WANT TO HEAR IT, BUT
04:59:35 THE MOST REALISTIC AND QUICKEST WAY IS GOING TO BE
04:59:38 NEGOTIATING WITH THEM, WHETHER IT'S PURCHASING THE PROPERTY
04:59:42 OR DOING SOME KIND OF A ZONING CHANGE THAT WOULD ALLOW WITH
04:59:47 THEIR WILLINGNESS TO PUT IT ON THE MARKET TO SELL IT.
04:59:51 THAT'S WHERE I'M AT.
04:59:57 I JUST THINK WE HAVE TO KNOW -- OH, THE OTHER THING I WANTED
05:00:01 TO MENTION, IF THERE'S ACTUAL -- IF THERE'S HARM HAPPENING,
05:00:07 AND I THINK THAT YOU ALL AND INTERESTED PARTIES IN THE
05:00:12 NEIGHBORHOOD SHOULD THINK ABOUT CONSULTING AN ATTORNEY THAT
05:00:15 DOES THIS KIND OF TORT LITIGATION.
05:00:19 IT'S NOT MY AREA.
05:00:21 I DON'T KNOW WHAT THE POSSIBILITIES THERE ARE THOUGH.
05:00:23 BUT WE AS A CITY DON'T HAVE THAT KIND OF STANDING TO DO
05:00:27 SOMETHING LIKE THAT ANYWAY.
05:00:32 >>Mayor Arroyo: VICE MAYOR BATTIE.
05:00:37 >>Vice-Mayor Battie: FOR THE RECORD, EMINENT DOMAIN WAS MY
05:00:40 IDEA.

05:00:42 [LAUGHTER]
05:00:42 BUT, YEAH, GROWING UP OVER THERE, I NEVER EVEN THOUGHT OF
05:00:51 THAT.

05:07:18 FULL-THROATED REVIEW ON WHAT WE CAN DO AND WHAT THE CHANCES
05:07:22 OF SUCCESS ARE BEFORE WE START PICKING THEM OUT OF THE
05:07:27 LINEUP.
05:07:27 >>Vice-Mayor Battie: CAN I ASK ONE QUESTION THAT MAY GO TO
05:07:30 THE MOTION AS WELL?
05:07:32 >>Mayor Arroyo: CAN WE ALL SPEAK TO A MOTION?
05:07:34 CAN A MOTION BE MADE AND THEN WE CAN ALL DISCUSS THAT?
05:07:37 COMMISSIONER BRODY.
05:07:38 >>Hagen Brody: IT'S REALLY TWO PARTS.
05:07:43 I THINK THAT THE CITY MANAGER'S OFFICE SHOULD BEGIN TALKING
05:07:49 TO THE PROPERTY OWNERS ABOUT ACQUIRING -- THIS IS A MOTION
05:07:55 -- ABOUT EITHER ACQUIRING THE PROPERTY OR ENTERING INTO
05:07:59 ZONING NEGOTIATIONS FOR THE SALE OF THE PROPERTY.
05:08:04 THE SECOND PART IS TO -- AND THIS IS THE STICK PART -- IS TO
05:08:08 CHARGE THE CITY ATTORNEY WITH BRINGING BACK ALL AVAILABLE
05:08:11 OPTIONS AND THEIR CHANCES OF -- FULLY INFORM US ON THE
05:08:17 OPTIONS AND CHANCE OF SUCCESS.
05:08:19 >>Mayor Arroyo: THAT'S A MOTION.

05:08:23 >>Liz Alpert: SECOND IT.
05:08:25 >>Jen Ahearn-Koch: I HAVE A FRIENDLY AMENDMENT.
05:08:26 THE FRIENDLY AMENDMENT WOULD INCLUDE DRAFT THE LETTER THAT
05:08:29 YOU HAD MENTIONED, WHICH WAS NUMBER ONE AND US ALSO SEND A
05:08:33 RESOLUTION TO THE COUNTY AS WELL.
05:08:37 >>Hagen Brody: THAT'S FINE.
05:08:39 >>Mayor Arroyo: OKAY.
05:08:39 AMENDED MOTION BY COMMISSIONER BRODY AND A SECOND BY
05:08:43 COMMISSIONER ALPERT.
05:08:44 >>Hagen Brody: THE LETTER IS TO WHO?
05:08:47 >>Marlon Brown: [INAUDIBLE]
05:08:49 >> [INAUDIBLE]
05:08:49 >>Mayor Arroyo: MAKER OF THE MOTION, DID YOU WANT TO SAY
05:08:52 ANYTHING ELSE?
05:08:53 >>Hagen Brody: JUST THAT INTERPRET THAT BROADLY.
05:08:55 YOU SAT HERE AND LISTENED TO ALL THE THINGS THAT WE TALKED
05:09:00 ABOUT AND I'LL WAIT FOR MR. BROWN.
05:09:02 OKAY.
05:09:04 INTERPRET THAT BROADLY.
05:09:06 YOU HEARD ALL THE CONVERSATIONS AND THE IDEAS.
05:09:09 I THINK THAT THE COMMISSION WANTS TO BE FULLY INFORMED OF
05:09:11 EVERY OPPORTUNITY FROM SMALL TO BIG AND EVERYTHING IN
05:09:18 BETWEEN.
05:09:19 I'M JUST NOT READY, LIKE THE LETTER ABOUT THE DELEGATING
05:09:23 AUTHORITY I ALSO THINK WE NEED MORE INFORMATION ON.

05:09:26 SO IF YOU CAN INCLUDE.
05:09:27 >>Robert Fournier: YEAH, I THINK THAT'S ONE OF THE THINGS I
05:09:29 WOULD INCLUDE.
05:09:30 YOU MAY WANT TO HEAR HOW YOU DO THAT OR WHAT IT WOULD ENTAIL
05:09:35 BEFORE ASKING FOR IT.
05:09:36 >>Hagen Brody: YEAH.
05:09:37 I TRUST STAFF TO BRING US BACK SOME ACTIONABLE OPTIONS.
05:09:45 >>Mayor Arroyo: ANY FURTHER DISCUSSION?
05:09:47 SECONDER OF THE MOTION?

05:09:49 VICE MAYOR BATTIE.
05:09:50 >>Vice-Mayor Battie: I JUST WANTED TO ASK, WHAT ABOUT --
05:09:56 SOMETHING WAS MENTIONED REGARDING HOURS OF OPERATION AND
05:09:59 WHATNOT.
05:09:59 SOMEBODY IS SAYING THAT THEY OPERATE LATE IN THE EVENING.
05:10:05 CAN THAT BE PART OF THE MOTION?
05:10:06 >>Robert Fournier: I THINK THAT'S PART OF ORDINANCES.
05:10:09 MAYBE THAT SHOULD PERHAPS BE MORE BROADLY PHRASED TO SAY ANY
05:10:13 ORDINANCE THAT WOULD HELP ADDRESS THE SITUATION, MAKE
05:10:19 UNLAWFUL CERTAIN ACTIVITIES, BUT ORDINANCES THAT MIGHT BE
05:10:22 UTILIZED TO MITIGATE OR HELP OR ELIMINATE CERTAIN NOISE.
05:10:28 >>Mayor Arroyo: BRING EVERYTHING BACK.
05:10:29 ARE WE READY TO VOTE?
05:10:35 >>Jen Ahearn-Koch: WE ARE.
05:10:37 THANK YOU ALL VERY MUCH.
05:10:37 >>Mayor Arroyo: LET'S HAVE A VOTE, COMMISSIONERS.

05:10:39 COMMISSIONERS, IS THAT YOUR VOTE? PASSES UNANIMOUSLY 5-0.
05:10:44 THANK YOU ALL.
05:10:46 [APPLAUSE]
05:10:46 LET'S WRAP UP OUR DAY HERE.
05:10:52 SO DO WE HAVE PUBLIC COMMENT OR CITIZENS' INPUT?
05:11:02 >>Shayla Griggs: IT LOOKS LIKE HE LEFT.
05:11:04 >>Mayor Arroyo: OKAY.
05:11:04 I ALREADY SPOKE TO HIM.
05:11:06 I KNOW WHAT HIS CONCERNS WERE.
05:11:09 CHARTER OFFICIALS, ANY COMMENTS?
05:11:12 >>Robert Fournier: I HAVE ONE.
05:11:14 >>Mayor Arroyo: MR. FOURNIER.
05:11:15 >>Robert Fournier: I HAVE TO BRING UP SOMETHING ABOUT THE
05:11:16 CITY'S LEASE THAT WAS APPROVED BACK THE FIRST OF THE YEAR
05:11:20 BETWEEN THE CITY AND THE SARASOTA AFRICAN AMERICAN CULTURAL
05:11:23 COALITION FOR THE PROPERTY WHERE THE LEONARD REID HOUSE WAS
05:11:30 GOING TO BE LOCATED.
05:11:30 IN THE CONTEXT OF THE LEASE, THE CITY HAD THREE OBLIGATIONS,
05:11:34 WHICH WERE FIRST TO MOVE THE HOME ONTO THE LEASEHOLD FROM
05:11:38 ITS FORMER LOCATION.
05:11:39 THAT ONE HAS BEEN DONE.
05:11:41 THERE WERE TWO OTHER OBLIGATIONS.
05:11:43 A SECOND WAS TO SECURE THE HOME ON ITS FOUNDATION AND THIRD
05:11:46 CONNECT THE HOME TO PUBLIC UTILITIES SO THAT IT WAS SUITABLE
05:11:49 FOR USE AND OCCUPANCY BY THE TENANT.

05:11:54 THOSE TWO THINGS HAD TO BE DONE BEFORE THE FACILITY COULD
05:11:56 GET A CERTIFICATE OF OCCUPANCY.
05:11:58 THE TENANT WAS NOT INTERESTED IN TAKING OVER THE LEASE OR
05:12:01 HAVING THE LEASE COMMENCE UNTIL THEY COULD GET THE
05:12:04 CERTIFICATE OF OCCUPANCY.
05:12:05 SO WE HAVE TWICE CHANGED THE COMMENCEMENT DATE.
05:12:08 I THINK INITIALLY IT WAS SUPPOSED TO BE JUNE BECAUSE IT WAS
05:12:11 PROJECTED THAT THIS COULD BE ACCOMPLISHED BY THEN AND THEN
05:12:14 SECOND, IT WAS I THINK AUGUST 1st WHICH IS NOW TODAY.
05:12:18 AND SO WE'VE HAD THIS DATE CHANGED TWICE IN THE LEASE.
05:12:23 THOSE TWO THINGS HAVEN'T BEEN ACCOMPLISHED YET.