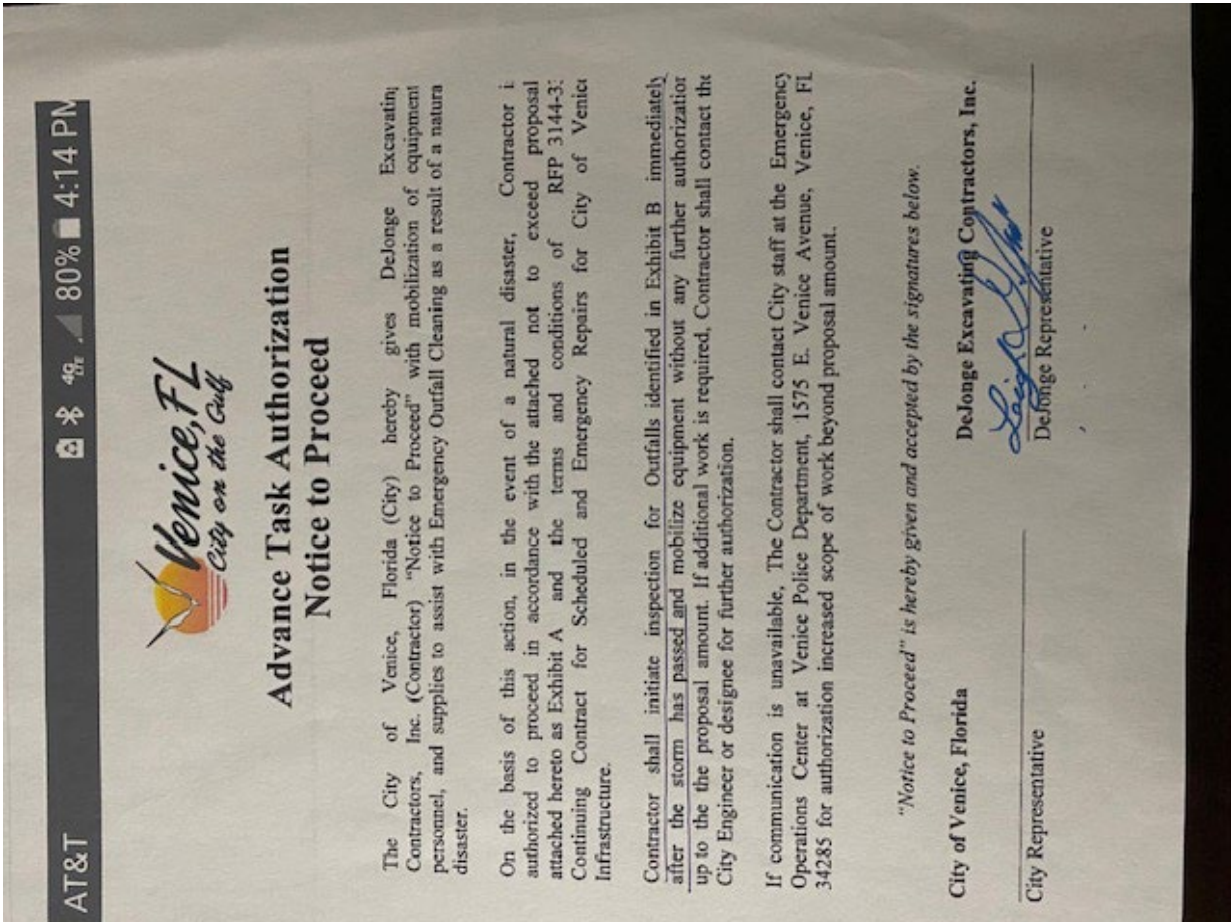


From: [Béat Lehmann](#)
To: [Nicholas Pachota](#); [City Council](#)
Cc: [Board and Council Messages](#)
Subject: Flamingo Ditch Flood Mitigation
Date: Thursday, June 12, 2025 9:33:54 PM
Attachments: [LetterMayor6-10-25final.docx](#)

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Dear Mayor Pachota and City Council Members,

During the Capital Improvement Project workshop on April 3rd 2025, you spoke genuinely in support of the Golden Beach community's need to prioritize the flooding issues along the Flamingo Ditch, which has impacted the neighborhood for many years, causing property damage and financial losses. The attendees present thought that there was a clear understanding and message to the City Staff that everything possible should be undertaken to mitigate short-term bottlenecks, reducing the risk of further flooding by updating the Standard Operating Procedures and hiring an Emergency Contractor to assist the City to keep the ditch open 24/7 as Mr Pierro of Coastal Protection Engineering on March 11th 2025 strongly recommended.

The Flamingo Ditch Steering Committee thanked you and Mr. Kramer for understanding the urgency of the matter and your support offered ahead of the rainy season.

As a follow-up, the Presidents of Golden Beach Association and MacArthur Building along with Mr. Salinas Co-Chair of FD Steering Committee met with James Clinch on April 10th for clarification on the process the City will use to "deploy" the contractor, such as keeping the ditch open also during week-ends and Holidays, and have an after-hours emergency phone number available to report an issue with the outflow at the Flamingo Ditch.

On Tuesday, April 29th James Clinch as a follow-up sent a memo to the Presidents of Golden Beach Association, MacArthur Building and Venice Villas for the distribution to its members, outlining and confirming the task of the "Emergency Contractor"

which said in essence: "...our Engineering Department has established a pre-authorized contract for a local emergency contractor to be "on-call" to open the Flamingo ditch outfall as soon as possible **after an emergency event...**" Yes you are reading correctly!

The memo by Mr. Clinch is a great disappointment for our community to say the least, and does not represent at all a functional and proactive plan to prevent flooding caused by routine rain events! The emergency contractor model signed on April 25th is strictly reactive and fails to address the most pressing vulnerability of keeping the ditch open at all times, until the City explores more long-term options recommended by CPE.

Shortly after Mr Clinch's memo outlining the contract for "after disaster" emergency services, we requested that the contract be aligned according to the recommendations of CPE:

Requested Actions Before June 1st 2025

To prevent further flooding and environmental harm, and in line with CPE's short-term recommendations, we respectfully request the City:

- **Amend the Emergency Contractor's Scope of Work to include proactive, scheduled clearing of the Flamingo Ditch mouth and berm, including coordination for nights, weekends, and holidays.**
- **Issue a standing directive to City stormwater staff to inspect and shovel the ditch daily if necessary, or at a minimum weekly in addition to their Thursday schedules task, regardless of storm forecasts.**
- **Establish and publish a 24/7 emergency phone number for residents to report ditch blockages or flooding.**
- **Create a channel before June 1st also discourages turtles from nesting in the ditch area for water to flow to the Gulf and prevent algae build up which contributes to red tide, and not just after a Disaster or emergency event!**
- **Immediately update and circulate the City's stormwater SOP's, which are currently 10-15 years outdated**
- **Ensure CPE presents their preliminary findings to the affected Associations by May 31st, ahead of key residents leaving for the summer.**

We believe these were common-sense low-cost steps that demonstrate the City's commitment to protecting homes, property and public health! But, how are we going to tackle the big issues, if the City engineers cannot perform such small and basic tasks? –

On June 2nd, Monday morning, Venice received about an inch of rainfall. Folks again were trapped in their homes on Flamingo Dr at 7:45 AM, as they followed instructions from the City of Venice issued on April 1st 2025, not to walk or drive through flooded areas.



As a reminder, the City and County chose to use this wetland waterway to offload stormwater from numerous public streets on the island all the way down from Tamiami Trail to the Flamingo Ditch.

They chose this no doubt, because it was cheaper than running pipe all the way down to the Gulf, the way the rest of the island is set up. This was a massive engineering error, programmed for disaster as the City allowed more stormwater to flow into a neighborhood of low elevations causing periodic flood events. Even though the City was fully aware of the drainage failures pointed out by consultants in the past and present, our City staff, mainly Mr Clinch and Ms Weeden of the City's Engineering Department ignored the advice for which the City paid Hundreds of Thousands of tax payers money and blamed minor obstacles such as easements, turtle nests, dune ecosystem, private property concerns, funding limitations etc, and decided not to expend City funds to properly update and improve this key infrastructure on the island.

The most disturbing element of the FD saga is indeed the involvement of the now current assistant City Manager Mr Clinch and his former boss Ms Weeden. City staff is fully aware that they are at least partly responsible for negligence, and have mislead City Council with incomplete or misleading input in the past, such as that the FD is privately owned. It is irrelevant who owns the land known as Flamingo Ditch. The County and City chose to use this wetland waterway to offload stormwater from 212 acres of residential homes and public streets into the Gulf.

While some of the land comprising Flamingo Ditch was conveyed as private property, the stormwater drainage utilizing this ditch is part of the City's stormwater infrastructure for which residents pay fees and taxes. It should be noted in the agreement dated October 22nd 2024 between Coastal Protection Engineering and the City, it states the City of Venice as "Owner"!!

Clearly the City owns this stormwater drainage conveyance, as well as the parts of the ditch flowing under the City's roads, and the mouth of the ditch which is technically State owned for which the City has an easement.

It is time for Council to review and evaluate staff's performance, decision making and the City's exposure due to staff's recalcitrance and inaction resulting in life threatening events and loss of property. The memorandum dated April 29th and signed by James Clinch is another example of gross mismanagement and arrogance toward a community of good people who never asked for anything before and have suffered greatly due to the bad decisions made over the past several years.

While everyone is affected by disasters, only families directly experiencing them truly grasp the depth of the consequences, including emotional, physical and economic impacts.

Venice is in need for more proactive and responsive management which is crucial for anticipating and preventing problems, ensuring efficient resource allocation, and improving the overall quality of life for residents. **We strongly suggest to establish a new stormwater division similar to what Sarasota County recently implemented.**

It is also time for new bloodfrom the Outside. We are tired of band aid solutions, particularly what the Flamingo Ditch is concerned. We need fresh perspectives, innovative approaches, prioritize tasks based on importance and

urgency, aligned with the needs of future generations who may want to live in our Venice homes.

On June 25th, you, Mr Mayor and City Council Members, are scheduled to interview and select the new City Manager of Venice. We hope you make a choice which will better serve our community and interest of the City of Venice.

Béat Lehmann, Chair Flamingo Ditch Steering Committee

Venice, June 12, 2025

From: [Edwin Martin](#)
To: [City Council](#)
Cc: [Board and Council Messages](#)
Subject: Fwd: Flamingo Ditch and City Liability
Date: Saturday, June 28, 2025 2:10:57 PM

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Council Members, I replied to Gondolier editor, in response to their publication this am. I am addressing you, primarily, as I see this will be yours to resolve in the public's interest.

I wish you well.

Ed Martin

----- Forwarded message -----

From: Edwin Martin <insidevenice@gmail.com>
Date: Sat, Jun 28, 2025 at 2:02 PM
Subject: Flamingo Ditch and City Liability
To: <rdupont@venicegondolier.com>

I hope the Council will repair Flamingo Ditch using the recommended most effective measure. Taxpaying homeowners have suffered millions in flood damage that must not be repeated.

I believe the legal opinion absolving the City of responsibility will not prove true, if the City fails to correct the flooding.

I am not an attorney, but I have spent decades administering government programs and my specific experience as Mayor provides an illustration.

The City lost a case when the City Attorney advised Council that a lease not signed meant the terms could be amended in the City's favor. The Court ruled the City had behaved as though the lease was signed, accepting the rent.

In this situation the City has been removing sand blocking Flamingo Ditch periodically and has witnessed the devastation caused by its condition.

First, the City has a moral obligation to remedy the situation under its oaths of office. Second, I believe a Judge, seeing the facts of flooding, homes destroyed, and the City's decades-long maintenance, would find that the equivalent of the city lease in the suit mentioned. It is a fact based on City Actions.

Hopefully homeowners will not sue the City, because the City Council will follow their oaths to serve residents and do the right thing.

\$5 million to make a permanent repair is very much within the City's power. The taxpayers losses were more.

Ed Martin
Mayor 2008-2011.

From: [Sue Lang](#)
To: [Nicholas Pachota](#); [City Council](#)
Cc: [Board and Council Messages](#)
Subject: Fw: Contrary to What Was Stated Today Mr. Kramer Replied That the Written SOP's for Maintaining Flamingo Ditch Have Not Been Revised...
Date: Monday, June 30, 2025 5:20:10 PM
Attachments: [image.png](#)

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See email below from Mr. Kramer on 6/27/25. I have made a subsequent public records request on 6/27/25 in light of his response asking for updated directives, assignments, schedules, etc. that have been communicated to staff. I have not received these yet.

Sue,

While the written SOP has not been revised in many years, the actual operational procedures performed by City staff in the field have evolved. The written SOP will be revised to reflect the current procedures being performed by staff and to incorporate input from CPE. We expect the final written SOP revision to be completed at the same time as the final report from CPE; CPE's final findings/recommendations will likely affect what changes are made to the SOP.

Jonathan Kramer, PE

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Web: www.venicegov.com



From: [Sue Lang](#)
To: [Nicholas Pachota](#); [City Council](#)
Cc: [Board and Council Messages](#)
Subject: Fw: Bowen Schroth Memo re: Venice's Legal Obligations regarding Flamingo Ditch
Date: Monday, June 30, 2025 10:39:12 AM
Importance: High

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Mayor Pachota and Council Members,

I call your attention to the following excerpts from the Bowen Schroth law firm hired to advise you:

pg. 7 "Though there is no agreed obligation to continue to maintain Flamingo Ditch, the voluntary assumption of the projects that the City of Venice has historically undertaken **obligates it to maintain those projects to function as originally designed.** Though discretion is afforded to the government as to the extent of the maintenance performed, **once steps have been taken to provide some mitigation against flooding, the City must continue to provide those protections in a reasonable and meaningful manner. The projects that the City has assumed in addition to the routine inspections undertaken by the City, obligates the City to reasonably mitigate some flooding in the Flamingo Ditch area consistent with its original design.**"

pg. 9 "Once a city opts to operate and maintain a facility, however, it assumes an "operational-level" duty to keep it in a reasonably maintained condition or warn of known hazards."

No one was warned after the large pipe was removed a few years ago that they should expect flooding if it rained more than 1 inch in an hour...

pg 10. "In *Breaux v. City of Miami Beach*, the Florida Supreme Court noted that whether a government "operates" a facility **depends on the totality of the circumstances, not a "formal designation."** ...**"By the mid-1990's, the City began installing and repairing drainage outfalls, relying on the ditch as a stormwater conduit."** "...aerial photos show Flamingo Ditch was converted from an open channel to a pipe outfall in 1996, and then to a box outfall around 2000. A drawdown pipe was installed in 2003."

pg 11..."The City's voluntary improvements indicate that Flamingo Ditch had become part of the City's stormwater system, even though the City's lack of ownership limits the ability to act significantly without express consent of the private property owners."

pg 12."Because of the City's prior decisions and voluntary acts, it has an obligation to maintain Flamingo Ditch as it has maintained historically." ...**"If the city negligently fails to**

properly maintain or operate the system, it can be held liable..."

pg.16 "... but can be held liable for negligently constructed or maintained facilities)."

The City failed to keep the mouth of the Ditch open after removing the pipe and homes which had never flooded before, flooded from rainwater when there was no hurricane or significant storm. This occurred over 3-4 years prior to Hurricanes Helene and Milton.

In his recent article in the Gondolier Mr. Mudge neglected to acknowledge that the City owns all parts of the Ditch where the roads are located and also the mouth of the Ditch. The City changed conditions when it removed the large pipe and it was after this pipe removal and the negligence of not keeping the mouth open that for the first time several homes on Villas Dr flooded more than once beginning in the early 2020's and also the intersection of Villas Dr and GB Blvd flooded trapping hundreds in their homes in 2023. These were rain events not sea surge! The City has also demucked the Ditch including receiving grant money and monitors and digs out the mouth of the Ditch routinely, although clearly not adequately. The City charges hundreds of property owners stormwater fees, 99% of whom do not own any part of the Ditch and sends their stormwater down this Ditch. The City utilizes the Ditch for offloading storm/rain water from its public roads. Abutting owners of the Ditch have never been compensated for this use of their portions of the Ditch.

From: [Edwin Martin](#)
To: [Nicholas Pachota](#); [City Council](#)
Cc: [Board and Council Messages](#)
Subject: Fwd: GB flood meeting, viewed live.
Date: Monday, June 30, 2025 11:35:11 PM

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----- Forwarded message -----

From: **Edwin Martin** <insidevenice@gmail.com>
Date: Mon, Jun 30, 2025 at 7:43 PM
Subject: GB flood meeting, viewed live.
To: <mayor@venicegov.com>, City Council <CityCouncil@venicefl.gov>

Thank you for the meeting and your plans to take remedial action.

One personal note. We have lived at 409 Everglades Dr since Nov. 1994. We have never seen flooding on Everglades and it stopped at our door sill. Some entered the garage. More entered our backyard and pool. Thousands of dollars for pool, two pumps, irrigation system and pool repair. All this from flooding. Thousands more for trees, fences, screening, etc, wind damage. We feel blessed, others lost everything.

I mention this because our home is two houses from S. Harbor. The consultants maps seem not to show how far east on Everglades the flood waters reached. It suggests, pipes, etc at our location need improvements, perhaps a new drainage outlet. I am surprised additional piping to a new outlet is not a part of future plan. Some pumping to elevate would allow gravity flow south.

Mayor, your idea re Airport, seems promising. Again, perhaps pumping to lake, basin or Intracoastal.

Step one is clearing Ditch, and the contractor may be in place it seems. In the past City staff has been inconsistent, not a criticism, May have lacked resources, but it has failed in light rains as consultants noted. Note: the water on Everglades disappeared in an hour or less, when ditch opened.

Council member Engelke seems to be more concerned about hypothetical suits than solving constituent tragedies. The City is about to celebrate its 100 th anniversary. How many suits have penalized Council action or inaction? Of course Council will proceed appropriately.

May Venice have a safe future.

Ed Martin.

Comments and Questions Regarding 25-0272:
Coastal Protection Engineering (CPE) Flamingo Ditch Feasibility Study
Findings – June 30, 2025

- The ICPR models shown do not seem to include the entire 212 Acre drainage basin extending east, beyond business 41. Can you explain?
- The refined ICPR Model Updates (slide 10) seems to show some significant updates. How would you describe the adequacy of the pipe sizing for two primary drainage “arteries”: Objectid 5036 and 8450 (as shown on the City of Venice Utilities Map). These two drainage RCPs extend from W. Flamingo Drive and Villas Drive, respectively.
- The Helene Simulation: Outfall Open vs. Closed (slide 14) shows there is no difference between the outfall being open or closed, however it does not include the **“third dimension”, time/duration** after the event. As we know, storm surge elevations drop rapidly once the storm event passes through, often dropping the tidal elevation below pre-storm surge levels. Given proper drainage channels, the flood waters should recede rather quickly. Can you show this simulation in 1-hour increments after the peak storm surge?

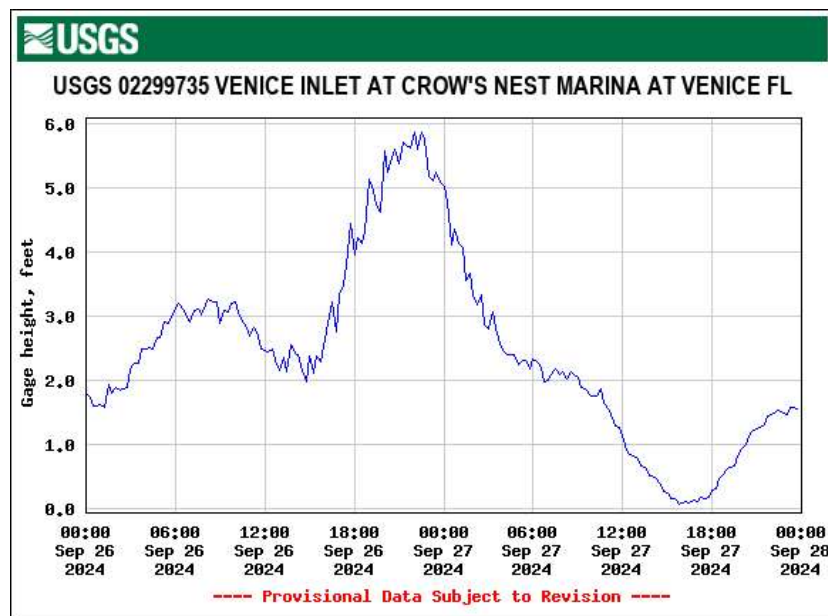


Figure 1: Hurricane Helene Storm Surge, 2024

- Your Alternative Analysis 1 (slide 17) shows the original “Erickson Design” concept, 2012 but does not include blocking in the model. Unfortunately, that design only incorporated a 7.5’ elevation structure without a blocking headwall. Did you simulate a combination of Pipe & Pump with Block?
- Alternative 2: “Elevate or Raise Neighborhood”, how many structures (homes) would need to be elevated and total estimated cost of this endeavor?

- Alternative 3 & 4: Storage and Upstream Retention. Do the model recommendations change if these were combined and the design included the ability to “purge” or pump out the retention capacity prior to an expected heavy rainfall or hurricane event?
- Alternative 4: Upstream Retention Pond. The map is not clear, is this potential pond located within the Venezia Park?
- Alternative 5: Dune/Seawall with triple gravity-fed pipes: please explain the location of those three pipes and “adverse trapping effect” that was assumed in the model.
- Slide 40 & 41: “A dune or seawall creates a barrier for surge protection but is likely to worsen flooding from rainfall. Have you explored a fixed seawall with one-way spillover gates? This would be in conjunction with possibly two of the other proposed solutions.
- Overall Study Findings (slide 42): “Consider other major improvements as potential components to the City’s Stormwater Master Plan for rerouting...” I was not sure if the idea was adequately communicated with CPE but I was approached by a Civil Engineer that recommended connecting the 60” RCP drainpipe that ends at Poinsettia, adding to the run and diverting that flow to a new outfall pipe that would run between 624 and 550 W. Flamingo Drive. Additionally, he recommended a new outfall pipe between 700 and 710 Golden Beach Boulevard. Were these part of the three pipes discussed in Alternative 5?
- Has CPE studied how to reduce the sand deposits that frequently block flow from the Outfall? Somewhere I thought I saw a historic aerial view of the outfall with submerged breakers. Is this a consideration? I’ll see if I can locate the website with this image.

In closing, my main criticism is the models only illustrate peak flood elevation conditions and do not include a time/duration aspect following the event. As we know, the rapid removal of flood waters is essential in reducing and mitigating the effects of flooding. This hits the heart of the complaint that the outfall sand berm becomes blocked, preventing proper drainage.

Lastly, it is my hope that CPE and the City of Venice Engineers have taken a strong look at previous studies and follow their best solution to completion. There is a long history of unheeded studies and recommendations with no follow-through. For example, the **Coastal Stormwater Outfall Evaluation** released in March of 1993 recommends modifications to Outfall No. 5 to eliminate the existing tidal connections by converting the outfall to a closed outfall system – I believe this why the wooden training wall with 12” pipe was installed in 1995-96 (which was poorly designed and significantly under-engineered). The **Island of Venice Study Update** (aka. Island of Venice Flood Study Update) released around 2004 also provides significant preliminary engineering recommendations for Outfall #5. Then of course there is the **Flamingo Ditch and Deertown Gull Outfall Improvement Projects 30% Design** released December 2011. I could go on and on, but my point is, there needs to be continuity of the stated objective to completion.

Israel Salinas
591 Flamingo Drive
Venice, FL