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MEMORANDUM

DATE: November 7, 2025

TO: Mayor Pachota and City Council Members

CC: James Clinch, City Manager
Derek Applegate, Building Official

FROM: Kelly M. Fernandez, City Attorney

SUBJECT: Settlement Agreement for Unsafe Building at 237 Outer Dr.

Chapter 88, Section 3.4 of the City of Venice Code of Ordinances provides the City's process for declaring buildings unsafe, abating unsafe buildings, and recovering the costs incurred. Generally, Section 3.4 requires court action for the City to abate an unsafe building through repair or demolition if the property owner is unwilling or unable to do so. The City is also authorized to record a lien that runs with the property for all attorney's fees, court fees, and demolition fees incurred during the process.

The City's Building official determined that the building at 287 Outer Drive is unsafe and needs to be demolished. The owner of 287 Outer Drive agrees that the building should be demolished, but lacks the funds to proceed forward. Since the property owner consents to demolition, and a court action could be costly and time consuming, both sides agreed to terms that allow the City to enter upon 287 Outer Drive, demolish and remove the building, and lien the property. The property owner engaged the services of an attorney to negotiate the agreement.

It is recommended that the City Council approve the Settlement Agreement as it protects the health, safety, and welfare of the citizens by more expeditiously removing an unsafe building and saves the City from potentially costly litigation.