

**NOTICE OF SUBSTANDARDS STRUCTURE REVIEW BOARD MEETING
CITY OF SOUTH PADRE ISLAND**

WEDNESDAY, AUGUST 19, 2020
4:30 PM AT THE MUNICIPAL BUILDING,
CITY COUNCIL CHAMBERS, 2ND FLOOR
4601 PADRE BOULEVARD, SOUTH PADRE ISLAND, TEXAS

1. Call to Order

2. Pledge of Allegiance and Texas Pledge

3. Public Comments

This is an opportunity for citizens to speak to Council relating to agenda or non-agenda items. Speakers are required to address Council at the podium and give their name before addressing their concerns. [Note: State law will not permit the City Council to discuss, debate or consider items that are not on the agenda. Citizen comments may be referred to City Staff or may be placed on the agenda of a future City Council meeting]

4. Regular Agenda

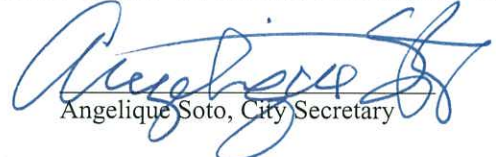
- 4.1. Discussion, consideration and possible action regarding the status, repair, removal, securing and/or demolishing of the structure located at 1601 Padre Boulevard, South Padre Island, Texas 78597.
- 4.2. Discussion, consideration, and possible action regarding the status, repair, removal, securing, and/or demolishing of the structure located at 119 East Kingfish Street, South Padre Island, Texas, 78597 (South Padre Island - Padre Beach Section V, Lot 11, Block 63).

5. Adjourn

DATED THIS THE 14TH OF AUGUST 2020.


Angelique Soto, City Secretary

I, THE UNDERSIGNED AUTHORITY, DO HEREBY CERTIFY THAT THE ABOVE NOTICE OF MEETING OF THE SUBSTANDARD STRUCTURE REVIEW BOARD OF THE CITY OF SOUTH PADRE ISLAND, TEXAS IS A TRUE AND CORRECT COPY OF SAID NOTICE AND THAT I POSTED A TRUE AND CORRECT COPY OF SAID NOTICE ON THE BULLETIN BOARD AT CITY HALL/MUNICIPAL BUILDING ON **THIS THE 14TH OF AUGUST 2020.**, AT/OR BEFORE 5:30 PM AND REMAINED SO POSTED CONTINUOUSLY FOR AT LEAST 72 HOURS PRECEDING THE SCHEDULED TIME OF SAID MEETING.


Angelique Soto, City Secretary

THIS FACILITY IS WHEELCHAIR ACCESSIBLE, AND ACCESSIBLE PARKING SPACES ARE AVAILABLE. REQUESTS FOR ACCOMMODATIONS OR INTERPRETIVE SERVICES MUST BE MADE 48 HOURS PRIOR TO THIS MEETING. PLEASE CONTACT BUILDING OFFICIAL, BELINDA TARVER AT (956)761-8103.

Agenda: AUGUST 19, 2020



**CITY OF SOUTH PADRE ISLAND
SUBSTANDARD STRUCTURE REVIEW BOARD
AGENDA REQUEST FORM**

MEETING DATE: August 19, 2020

NAME & TITLE: Nikki Soto, City Secretary

DEPARTMENT: City Council

ITEM

Discussion, consideration and possible action regarding the status, repair, removal, securing and/or demolishing of the structure located at 1601 Padre Boulevard, South Padre Island, Texas 78597.

ITEM BACKGROUND

BUDGET/FINANCIAL SUMMARY

COMPREHENSIVE PLAN GOAL

LEGAL REVIEW

Sent to Legal:

Approved by Legal:

RECOMMENDATIONS/COMMENTS:



SUBSTANDARD STRUCTURES REVIEW BOARD

SUBSTANDARD STRUCTURE ORDER

ORDER NO. 20-001

**AN ORDER OF THE CITY OF SOUTH PADRE ISLAND SUBSTANDARD STRUCTURES
REVIEW BOARD WITH REGARD TO THE ABATEMENT OF THE SUBSTANDARD AND
DANGEROUS STRUCTURES LOCATED AT 1601 PADRE BOULEVARD,
SOUTH PADRE ISLAND, TEXAS**

WHEREAS, the Substandard Structures Review Board (SSRB) for the City of South Padre Island conducted a public hearing on July 15, 2020, wherein the structures located at 1601 Padre Boulevard, City of South Padre Island, Texas, ("Property") was agenda item number 7 during said meeting, legal description being: SO PADRE IS- SUNNY ISLE LOT 1 BLK7 REPLAT LOTS 1-6 & 32-34 BLK 7 1.0330 ACRES.

WHEREAS, the SSRB specifically finds that all proper notices have been sent consistent with all State and Local legal requirements and Ordinances; and

WHEREAS, the SSRB takes notice of and incorporates all evidence presented to the Commission, including the issuance of notices, for its consideration of this matter and incorporates the same into the body of this Order for all purposes; and

WHEREAS, the SSRB finds that the main structure is dilapidated, substandard and unfit for human habitation and constitutes a hazard to the health, safety and welfare of the public; its defects and conditions exist to the extent that the life, health, property, and safety of the public are endangered, and the structure(s) therefore constitutes a public nuisance;

**THEREFORE, IT IS HEREBY ORDERED BY THE SUBSTANDARD STRUCTURES REVIEW
BOARD OF THE CITY OF SOUTH PADRE ISLAND, TEXAS, THAT:**

1. Based upon the evidence presented, the SSRB finds that the Property is in violation of the ordinances relative to substandard structures under the South Padre Island Code of Ordinances: Section 4-17(B) Substandard Structures, 4-17(C) Public nuisance declared,

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and 2015 International Property Maintenance Code Section 108.1.5 Dangerous structure or premises.

2. The owner is hereby ordered:

(Check as applicable)

☐ **The owner has requested, and the SSRB is granting, _____ (but not more than 90) days to conduct the repairs.** Since the SSRB is permitting between 30 and 90 days to repair, remove, or demolish the structure, the following specific time schedule is established for the commencement and performance of the work:

a. By no later than _____ (date), owner must pull the following _____ permits:

b. The property owner or lienholder report to the City the progress on the performance of the work to be performed by _____ (date); **and/or** in accordance with the attached schedule;

OR

✓ **The SSRB has heard evidence presented by the owner that the work cannot reasonably be completed within 90 days** due to the scope and complexity of the work. The owner agrees to submit a detailed plan and schedule of work no later than September 1, 2020. The SSRB will review and, if it accepts and approves the detailed plan and time schedule for the work, this order shall be amended and said plan and time schedule shall be attached as Exhibit 1. The owner will be required to report to the City the progress on the performance of the work in accordance with the attached schedule and may be required to report on the progress at other times as deemed necessary by the SSRB.

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OR

- ☐ The owner of the property, and/or any lienholder or mortgagee, must demolish the structure subject to this order, which is located at 1601 Padre Boulevard, South Padre Island, Texas, and eliminate all unhealthy and unsafe conditions within thirty days of this order, including cleaning and grading the property. Failure to take the ordered actions within the specified time may result in the City taking requisite actions to demolish the structures, clean and grade the lot, and establish a lien on the property without further notice or hearing.
3. The owner is hereby ordered to provide a surety bond, letter of credit, and/or promissory note acceptable to the City Attorney and the City Manager in the amount of \$450,000.00 applicable to the cost of demolition and razing of the foundation, along with accrued civil penalties arising from previous orders, with other real property of the owner included as collateral and with the City of South Padre Island as beneficiary in each instance, no later than September 1, 2020.
4. If the structure is not vacant, the structure is to be vacated; the owner must secure the property against unauthorized entry by no later than _____ (date) and while the work is being performed.
5. (Check as applicable):
- ✓ The owner must obtain all necessary permits and begin demolition and repairs to the property no later than September 1, 2020.
 - ✓ An asbestos study must be conducted and submitted to the state and city for approval prior to performing any work ordered herein.
 - ☐ The owner must allow entry to city staff no later than _____ to inspect the interior of the property. The grass must be cut no later than the close of business on _____, 20____. Any cars, debris, tires, or other public nuisances or hazards must be removed no later than _____, 20____.

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6. No work shall be performed until such time as a permit is issued consistent with City ordinances;
7. All work shall be performed shall be conducted consistent with City ordinances, state and federal regulations and statutes;
8. A sign shall be posted at the front and rear entrance to the property in substantially similar form: SUBSTANDARD BUILDING - DO NOT ENTER – UNSAFE TO OCCUPY;
9. Should the owner, lien holder, or mortgagee fail to comply with this order within the granted time period, the City may do the ordered work and vacate, secure, remove, or demolish the building or relocate the building occupants, and place a lien on the property in accordance with applicable law;
10. Civil administrative penalties shall continue and accrue at \$500.00 per day until the date the property owner obtains the surety, letter of credit, and/or the promissory note described above, and as provided by the terms is order;
11. The property shall be brought back to the SSRB for review at the next scheduled meeting or as deemed necessary by the SSRB to ensure/verify compliance with this Order;
12. The City Secretary shall file a copy of this order with the City as required by State law and publish in a newspaper of general circulation the street address/legal description of the Property, the date of the hearing, a brief statement of the results of this order and provide notice that a copy of this order and the minutes of the meeting may be reviewed and/or obtained during regular business hours in the office of the City Secretary.

ORDERED ON THIS THE 21st DAY OF July, 2020.



ATTEST:

CITY OF SOUTH PADRE ISLAND, TEXAS



Patrick McNulty, Mayor

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**South
Padre
ISLAND**

Angelique "Nikki" Soto, City Secretary

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**CITY OF SOUTH PADRE ISLAND
SUBSTANDARD STRUCTURE REVIEW BOARD
AGENDA REQUEST FORM**

MEETING DATE: August 19, 2020

NAME & TITLE: Nikki Soto, City Secretary

DEPARTMENT: City Council

ITEM

Discussion, consideration, and possible action regarding the status, repair, removal, securing, and/or demolishing of the structure located at 119 East Kingfish Street, South Padre Island, Texas, 78597 (South Padre Island - Padre Beach Section V, Lot 11, Block 63).

ITEM BACKGROUND

BUDGET/FINANCIAL SUMMARY

COMPREHENSIVE PLAN GOAL

LEGAL REVIEW

Sent to Legal:

Approved by Legal:

RECOMMENDATIONS/COMMENTS:



SUBSTANDARD STRUCTURES REVIEW BOARD

SUBSTANDARD STRUCTURE ORDER

ORDER NO. 20-002

AN ORDER OF THE CITY OF SOUTH PADRE ISLAND SUBSTANDARD STRUCTURES REVIEW BOARD WITH REGARD TO THE ABATEMENT OF THE SUBSTANDARD AND DANGEROUS STRUCTURES LOCATED AT 119 EAST KINGFISH STREET, SOUTH PADRE ISLAND, TEXAS

WHEREAS, the Substandard Structures Review Board (SSRB) for the City of South Padre Island conducted a public hearing on July 15, 2020, wherein the structures located at 119 East Kingfish Street, City of South Padre Island, Texas, ("Property") was agenda item number 5, legal description being: SO PADRE IS – PADRE BEACH SECTION V LOT 11 BLK 63.

WHEREAS, the SSRB specifically finds that all proper notices have been sent consistent with all State and Local legal requirements and Ordinances;

WHEREAS, the SSRB takes notice of and incorporates all evidence presented to the Commission, including the issuance of notices, for its consideration of this matter and incorporates the same into the body of this Order for all purposes

WHEREAS, the SSRB finds that the main structure is dilapidated, substandard and unfit for human habitation and constitutes a hazard to the health, safety and welfare of the public; its defects and conditions exist to the extent that the life, health, property, and safety of the public are endangered, and the structure(s) therefore constitutes a public nuisance;

THEREFORE, IT IS HEREBY ORDERED BY THE SUBSTANDARD STRUCTURES REVIEW BOARD OF THE CITY OF SOUTH PADRE ISLAND, TEXAS, THAT:

1. Based upon the evidence presented, the SSRB finds that the Property is in violation of the ordinances relative to substandard structures under the South Padre Island Code of Ordinances: Section 4-17(B) Substandard Structures, and 4-17(C) Public nuisance declared.

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2. The owner is hereby ordered:

(Check as applicable)

☐ **The owner has requested, and the SSRB is granting, _____ (but not more than 90) days to conduct the repairs.** Since the SSRB is permitting between 30 and 90 days to repair, remove, or demolish the structure, the following specific time schedule is established for the commencement and performance of the work:

a. By no later than _____ (date), owner must pull the following permits:

b. The property owner or lienholder report to the City the progress on the performance of the work to be performed by _____ (date); **and/or** in accordance with the attached schedule;

OR

✓ **The SSRB has heard evidence presented by the owner that the work cannot reasonably be completed within 90 days** due to the scope and complexity of the work. The owner agrees to commence the repair work no later than September 15, 2020, and shall submit a detailed plan and schedule of work no later than August 30, 2020. The SSRB will review and, if it accepts and approves the detailed plan and time schedule for the work, this order shall be amended and said plan and time schedule shall be attached as Exhibit 1. The owner will be required to report to the City the progress on the performance of the work in accordance with the attached schedule and may be required to report on the progress at other times as deemed necessary by the SSRB.

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OR

- ☐ The owner of the property, and/or any lienholder or mortgagee, must demolish the structure subject to this order, which is located at 119 East Kingfish Street, South Padre Island, Texas, and eliminate all unhealthy and unsafe conditions within thirty days of this order, including cleaning and grading the property. Failure to take the ordered actions within the specified time may result in the City taking requisite actions to demolish the structures, clean and grade the lot, and establish a lien on the property without further notice or hearing.
3. The owner is hereby ordered to provide a letter of credit with the City of South Padre Island as beneficiary in an amount to cover the cost of the required repair work of the property no later than August 15, 2020.
4. If the structure is not vacant, the structure is to be vacated; the owner must secure the property against unauthorized entry by no later than August 15, 2020 (date) and while the work is being performed.
5. (Check as applicable):
- ☐ The owner must remove, repair, and/or abate all nuisance conditions within the interior of the structure no later than _____.
- ✓ An asbestos study must be conducted and submitted to the state and city for approval prior to performing any work ordered herein.
- ☐ The owner must allow entry to city staff no later than _____ to inspect the interior of the property. The grass must be cut no later than the close of business on _____, 20____. Any cars, debris, tires, or other public nuisances or hazards must be removed no later than _____, 20____.
6. No work shall be performed until such time as a permit is issued consistent with City ordinances. All permits required for the required work shall be pulled and submitted no later than August 15, 2020;

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7. All work shall be performed shall be conducted consistent with City ordinances, state and federal regulations and statutes;
8. A sign shall be posted at the front and rear entrance to the property in substantially similar form: SUBSTANDARD BUILDING - DO NOT ENTER – UNSAFE TO OCCUPY;
9. Should the owner, lien holder, or mortgagee fail to comply with this order within the granted time period, the City may do the ordered work and place a lien on the property in accordance with applicable law;
10. Should the property owner violate the terms of this order, the City may seek administrative penalties in an amount not to exceed \$250 per day;
11. The property shall be brought back to the SSRB for review at the next scheduled meeting to ensure/verify compliance with this Order;
12. The City Secretary shall file a copy of this order with the City as required by State law and publish in a newspaper of general circulation the street address/legal description of the Property, the date of the hearing, a brief statement of the results of this order and provide notice that a copy of this order and the minutes of the meeting may be reviewed and/or obtained during regular business hours in the office of the City Secretary.

ORDERED ON THIS THE 2nd DAY OF July, 2020.



CITY OF SOUTH PADRE ISLAND, TEXAS


Patrick McNulty, Mayor

ATTEST:


Angelique "Nikki" Soto, City Secretary

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