

2002-01

**AN ORDINANCE  
AUTHORIZING THE ESTABLISHMENT  
OF INGLESIDE ON THE BAY FIRE DEPARTMENT**

WHEREAS, fire protection is currently provided to the citizens of Ingleside on the Bay by the Volunteer Fire Department; and

WHEREAS, the City of Ingleside on the Bay desires to provide such fire protection through the municipality; and

WHEREAS, the provision of fire protection is in the interest of the public health, safety and welfare, and

WHEREAS, Ingleside on the Bay is authorized to provide such protection and desires to do so if the Volunteer Fire Department so decides.

**BE IT ORDAINED BY THE CITY COUNCIL OF INGLESIDIE ON THE BAY:**

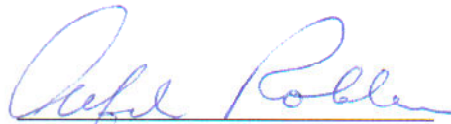
Section 1. There is hereby established the Fire Department of Ingleside on the Bay. Such Department shall be staffed by volunteers and such Fire Department shall be responsible to the extent of their capabilities to provide fire protection and suppression duties. The Fire Chief shall be elected by the members of the Fire Department at an annual election for that purpose. The Fire Chief shall see to the training of the members of the Department and keep the City advised of the activities and needs of the Department.

Section 2. The Mayor is hereby authorized and directed to accept and receive on behalf of Ingleside on the Bay title to any and all equipment, goods, trucks, motor vehicles, or other property used and useful for the Fire Department and transferred, conveyed or given from the Volunteer Fire Department should such Volunteer Fire Department decide to make such transfer, conveyance or gift. The Mayor is authorized to

receive and accept such other equipment by gift, donation, conveyance, grant or other acquisition necessary or useful for the Fire Department.

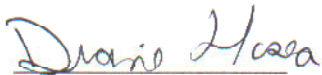
Section 3. Nothing in this Ordinance creates or establishes any obligation or liability on the part of Ingleside on the Bay and the establishment of the Fire Department is dependent upon the Volunteer Fire Department taking such steps as are necessary and proper to transfer from a nonprofit corporation to the municipality.

PASSED AND APPROVED THIS THE 5th day of February, 2002.



Alfred Robbins  
Mayor

ATTEST:



Diane Hosea  
City Secretary

**A RESOLUTION  
CONVEYING AND TRANSFERING  
ALL PROPERTY OF THE CORPORATION  
TO THE CITY OF INGLESIDE ON THE BAY;  
AUTHORIZING THE PRESIDENT TO EXECUTE  
ANY AND ALL DOCUMENTS REQUIRED FOR SUCH TRANSFER**

WHEREAS, On the Bay Volunteer Fire Department, Inc. was incorporated November 27, 1991; and

WHEREAS, the purpose of the Volunteer Fire Department is to acquire, operate and maintain fire fighting, rescue and other emergency equipment necessary for the preservation of life and the protection of property from and during fire or other emergencies with the area of its operation in San Patricio, County, Texas;

WHEREAS, the further purpose of the Volunteer Fire Department is to teach, educate and train citizens of said area in the art of the prevention and fighting of fires;

WHEREAS, from 1991 until the present said Volunteer Fire Department has operated and provided fire prevention and suppression services to the citizens and community of Ingleside on the Bay;

WHEREAS, from time to time said Volunteer Fire Department has acquired various motor vehicles, tools, equipment, fire suppression gear and other personal property used and useful to the purpose of the Department;

WHEREAS, after careful study and consideration of the operation of the Volunteer Fire Department it has been determined that the best interest of the citizens who are served by the Department is to transfer the property, equipment and operation of the Department to the City of Ingleside on the Bay;

WHEREAS, under the Constitution and By-laws the membership does not vote on the transfer of property and equipment but the membership has expressed the overwhelming desire to transfer the property, equipment and operation of the Department to the City of Ingleside on the Bay;

WHEREAS, the Board of Directors is authorized to dispose of all of the assets of the corporation exclusively for the stated purposes of the corporation that will insure continued fire protection and prevention in the area of this organization;

WHEREAS, the Board of Directors hereby finds as a matter of fact that the transfer of the property, equipment and operation of the Department to the City of Ingleside on the Bay will insure continued fire protection and prevention in this area;

WHEREAS, the City Council of the City of Ingleside on the Bay passed and approved Ordinance No. 2002-01 on the 5th day of February, 2002 creating the City Fire Department to be staffed by members of the Volunteer Fire Department; and

WHEREAS, it is the in public interest, health and welfare for the Fire Department to be operated by the City of Ingleside on the Bay and staffed by the members of the Volunteer Fire Department and will insure continued fire protection and prevention in this area.

NOW THEREFORE, IT IS RESOLVED BY THE ON THE BAY VOLUNTEER FIRE DEPARTMENT, INC.:

Section 1. The functions and operations of the On the Bay Volunteer Fire Department, Inc. are hereby conveyed, transferred and given to the City of Ingleside on the Bay to operate the Fire Department as a City Department to be staffed by members of the On the Bay Volunteer Fire Department members in accordance with Ordinance No. \_\_\_\_\_ passed and approved by the City Council of the City of Ingleside on the Bay on the 5th day of February, 2002.

Section 2. Attached hereto as Exhibit "A" is a complete inventory of each and every, all and singular of the motor vehicles, tools, equipment, furniture and fixtures, fire suppression gear, and other personal property owned by the On the Bay Volunteer Fire Department, Inc. All of such equipment is hereby transferred, conveyed, granted and given to the City of Ingleside on the Bay to use to operate the Fire Department and such shall henceforth be City of Ingleside on the Bay property. The President of the On the Bay Volunteer Fire Department, Inc. is hereby authorized and directed to execute, sign and bind corporation on any and all documents, certificates of title, bills of sale or other document necessary to consummate this transfer.

Section 3. The On the Bay Volunteer Fire Department, Inc. will continue to operate and perform its purpose in accordance with said Ordinance No. 2002-01.

Passed and approved by the Board of Directors on the 6 day of February, 2002.

**ON THE BAY VOLUNTEER FIRE DEPARTMENT, INC.**

  
President

ATTEST:

  
Secretary

CERTIFICATE

I certify that the above and foregoing Resolution passed at a duly called and regularly held meeting of the Board of Directors of the On the Bay Volunteer Fire Department, Inc. on the 6 day of February, 2002, by a vote of 4 Yeas and 0 Nays.

Witness my hand this the 6 day of February, 2002.

Val R. Jr.  
Secretary

**WAIVER**

We the undersigned Members of the Board of Directors of On the Bay Volunteer Fire Department, Inc., constituting a majority of the members, hereby Waive Notice of the Special Called Meeting of the Board of Directors held on 1 day of February 2002. We further agree that the Board may consider those matters on the Agenda attached hereto and that such vote will be binding of On the Bay Volunteer Fire Department, Inc.

Signature:

Date:

Randy Lahn

2-6-02

John Elmer

2-6-02

Vol. Board

2-6-02

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**NOTICE  
OF SPECIAL CALLED MEETING**

**BOARD OF DIRECTORS  
ON THE BAY VOLUNTEER FIRE DEPARTMENT, INC.**

The Board of Directors of On the Bay Volunteer Fire Department, Inc. will have a Special Called Meeting at 6 p. m. on the 1 day of February, 2002 at the Fire Department Building Starlight Dr., Ingleside on the Bay, Texas. Attached is a copy of the Agenda for this meeting.

*Jordan Edman*  
President

2/01/2002  
(Date)

**AGENDA**  
**BOARD OF DIRECTORS**  
**ON THE BAY VOLUNTEER FIRE DEPARTMENT, INC.**

*February 1*, 2002

1. Call to Order
2. Consideration of A Resolution Conveying and Transferring All Property of the Corporation To the City of Ingleside On the Bay; Authorizing the President to Execute Any and All Documents Required For Such Transfer.
3. Old Business
4. New Business
5. Adjourn



San Antonio Office  
Suite 1300  
112 East Pecan Street  
San Antonio, Texas 78205-1536  
(210) 227-8800

A Professional Corporation  
Corpus Christi Office  
Suite 900, North Tower  
800 North Shoreline Boulevard  
Corpus Christi, Texas 78401-3709  
(361) 693-8500

Houston Office  
Suite 400  
1800 Bering Drive  
Houston, Texas 77057  
(713) 650-6166

Telex: 778 444 - Fax: (361) 693-8600

Hal George  
Direct Dial: (361) 693-8650  
Internet Address: hgeorge@kleberg.com

January 29, 2002

Via Fax & Regular Mail

Ms. Diane Hosea, City Secretary  
City of Ingleside on the Bay  
P.O. Box B  
Ingleside, Texas 78362

Re: Volunteer Fire Department

Dear Ms. Hosea:


Enclosed please find the Ordinance for the City Council Agenda for February 5, 2002.

Also enclosed are the following materials for On the Bay Volunteer Fire Department, Inc.:

1. Notice of Special Called Meeting;
2. Waiver of Notice;
3. Agenda; and
4. Resolution Conveying and Transferring Property.

I think these are self explanatory. If you have any questions, please let me know.

Sincerely,



Hal George

HG/gv  
Enclosures  
152983.4

ORDINANCE  
 NO. 2001-08  
 City of  
 Ingleside on the Bay  
 AN ORDINANCE  
 DESIGNATING  
 AUTHORIZING THE  
 ESTABLISHMENT OF  
 INGLESIDE ON THE  
 BAY FIRE DEPART-  
 MENT  
 Pass on February 5, 2002.  
 A true copy of which is on  
 file with the City  
 Secretary.  
 Published in The Ingleside  
 Index on February 14, 2002.

THE STATE OF TEXAS  
 COUNTY OF SAN PATRICIO:

Before me, the undersigned authority, personally appeared

PATSY DICKEN of The Ingleside Index, who after being

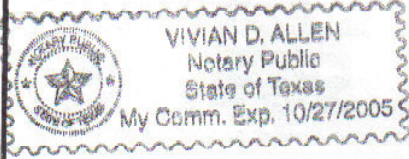
by me duly sworn, on his oath deposes and said:

1. That ~~he~~(she) is ADV. MANAGER of The Ingleside Index a weekly newspaper published in San Patricio County, Texas.

2. That the CITY OF INGLESIDE ON THE BAY ORDINANCE NO. 2001-08 authorizing establishment of fire department . submitted by Diane Hosea hereto annexed, was published in the regular issues of said Ingleside Index once each week for ONE (1) successive weeks said publications having been made on the February 14, 2002

3. That a printed copy of said Notice as the same appeared in said issues is attached hereto.

Patsy Dickson



Sworn to and subscribed before me this 18th

day of February ~~18~~ 2002  
Vivian D. Allen

PUBLICATION FEE: \$ 16.00 Notary Public, San Patricio County, Texas