

**CITY OF INGLESIDE  
MINUTES  
SPECIAL CITY COUNCIL MEETING  
MAY 5, 2010**

**1. Call meeting to order**

The meeting was called to order at 6:32 p.m. with Mayor Stella Herrmann presiding. Council Members present: Mayor Stella Herrmann, and Council Members Stewart Wilson, Elaine Kemp, Steve Diehl, Luis Lamas, Jacob Lopez, and Willie Vaden. City of Ingleside Staff present: City Manager Jim Gray and City Secretary Kimberly Drysdale. There were approximately 70 guests.

**2. Invocation**

**3. Pledge of Allegiance**

**4. Consideration and action of a Resolution regarding the designation of the City of Ingleside's official city newspaper.**

A Point of Order was made by Council Member Vaden requesting the Mayor to remove the agenda item and adjourn the meeting. He stated he feels this is retaliatory in nature by certain individuals and oppressive to the newspaper's First Amendment Rights of Free Speech. Council Member Vaden noted that there is a certain amount of legal protection when an individual is now aware they are violating certain laws; however, once they are aware something is illegal, they can be held legally responsible for statements and actions they take. He explained that if the City Council takes action against their Attorney's advice that TML-IRP may not represent them if a lawsuit is filed against them.

City Attorney Michael Morris stated that due to the political cartoon from the April 29, 2010 Coastal Bend Herald (the "Herald") being an attachment with the City Council packet for tonight's meeting, it could be considered as retaliation. The Government cannot restrict or retaliate against anyone's rights to free speech. He did not see any criminal violation by this agenda; however, he did counsel against any action being taken tonight because it could be viewed as retaliation. With regards to some of the questions as to whether the Coastal Bend Herald can be the City's official city newspaper, he explained that even though there are two Attorney General (AG) Opinions almost exactly like our current situation, he is still moving forward with a request for an AG Opinion for our City.

Mayor Herrmann and Council Members Wilson, Diehl, Lamas, Lopez, and Vaden each spoke varying points of interest. Council Member Diehl stated there was a standing Point of Order and Mayor Herrmann declared that at the Attorney's advice, no action would be taken at this meeting; it is now for discussion purposes only. At one point Council Member Vaden asked to make a motion and Mayor Herrmann declined to succeed the floor and stated that no action would be taken at this meeting. It was questioned why the Council would support the "Herald" when it was printing embarrassing political cartoons rather than supporting the Ingleside Index when it is printing questions and responses from the various candidates for the upcoming election. The Council was reminded that the purpose of the official city newspaper is to publish the public notices required by State Statutes to inform the public of things such as public hearings, the passing of Ordinances and Resolutions, request for RFPs and RFQs, election information, etc.

There were numerous speakers from the audience: Cynthia Wilson, Christina Herrera, Frank Fenton, Pete Perkins, Tammy Rimby, Buz Sawyer, Susan Price, Manuel Buentello, Cindy Bowers, Amador "Barney" Delgadillo, Jacob D. Lopez, Bill Bogart, and Corrie Kinman. Some speakers were outraged and offended by the political cartoon. Others stated that they didn't particularly agree or disagree with the cartoon; however, they either felt this did not require a special meeting or they didn't feel this should be discussed until the current contract is almost expired. Some speakers were worried this meeting appeared to be retaliatory in nature and concerned as to whether the Council was

putting the City in a position to be sued. Whereas others felt the cartoon exceeded the boundaries of common decency and therefore didn't feel the City is bound by the First Amendment Rights. There were differing opinions as to which newspaper provided better coverage of City business. Although nobody spoke in favor of the cartoon, there were mixed emotions regarding the ability of the governing body to "muzzle" the media. Statements were made that some individuals would no longer do business with the "Herald" or anyone who advertised in the "Herald" because they were so outraged. And another citizen/business owner stated she no longer wanted to have a personal business or build a home in this City because the politics in general were so ugly. It was questioned why the "Herald" has a contract with the City when this was not required in years past. Some individuals acknowledged that there have been issues with the Ingleside Index publishing requested items in a timely manner; however, they are under new management and feel they should be given another opportunity as the official city newspaper. There were those who felt this meeting was the wrong timing or way to address the situation and suggested that individuals should write letters to the editor expressing displeasure. Some members of the public urged the Council to agree to disagree and to act united with class and dignity.

No action was taken.

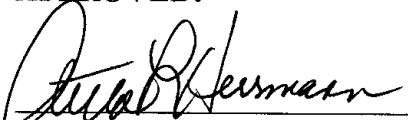
**5. Adjourn**

There being no further business, the meeting was adjourned at 7:55 p.m.

**ATTEST:**

  
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 Kimberly Drysdale, City Secretary

**APPROVED:**

  
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 Mayor Stella Herrmann