

## ITEM 4.7

### CITY MANAGER'S REPORT JUNE 10, 2024 CITY COUNCIL REGULAR MEETING

**ITEM:**                                   **AWARD AGREEMENT TO THE MANTECA BULLETIN  
FOR PUBLICATION OF LEGAL ADVERTISEMENTS**

**RECOMMENDATION:**   **Adopt Resolution Awarding Agreement to the  
Manteca Bulletin for Publication of Legal  
Advertisements for the Period of July 1, 2024  
through June 30, 2025**

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#### **SUMMARY:**

In accordance with Public Contract Code Section 20169, annually, before the beginning of the fiscal year in cities where there is more than one newspaper of general circulation, a notice inviting bid proposals and agreement for the publication of legal notices is required to be published in such a newspaper. The contract shall include the printing and publishing of all such legal notices during the fiscal year.

If there is only one such newspaper, the legislative body may contract with it without advertising for bids. However, there is no such newspaper operating directly within the City of Lathrop and staff relies on nearby adjudicated newspapers of general circulation to bid on the agreement yearly.

#### **BACKGROUND:**

Currently, the City of Lathrop is utilizing the legal advertising services of the Manteca Bulletin as the newspaper of general circulation, pursuant to Resolution No. 23-5298.

On May 15 and May 24, 2024, a notice inviting bid proposals was published in the Manteca Bulletin, requiring a response by 2:00 p.m. on May 31, 2024, to the Office of the City Clerk. Included in the bid packet was a sample legal advertisement that each potential advertising company was to price and return based on their costs. The City Clerk received one bid proposal, from the Manteca Bulletin, as outlined below.

#### **ANALYSIS:**

Generally, public notices required by various City and State laws must be published in a "newspaper of general circulation." The Manteca Bulletin, the only newspaper that provided a proposal has been adjudicated as a newspaper of general circulation within San Joaquin County.

Case law indicates that the City Council has the discretion to award the legal advertising agreement based on a totality of factors, including price, circulation, and publication dates. As noted in the table below, the Manteca Bulletin was the only bid proposal received and meets all the minimum requirements. Additionally, the Manteca Bulletin has been a consistent bidder throughout past fiscal years.

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**JUNE 10, 2024 CITY COUNCIL REGULAR MEETING**  
**AGREEMENT FOR PUBLICATION OF LEGAL ADVERTISEMENTS FOR FY 24-25**

<b>Newspaper</b>	<b>Price per line</b>	<b>Total Lines of Sample Ad</b>	<b>Price per column inch</b>	<b>Total Cost for Sample Ad</b>	<b>Lead time for publication</b>	<b>Publication days</b>	<b>Circulation / Subscribers</b>
<b>Manteca Bulletin</b>	\$1.62	65 Lines (of sample ad)	\$94.50 print \$10.50 online	\$105.00	Two (2) Business Days Minimum	Tuesday - Saturday; No Holidays;	90 paper subscribers registered; 5,939 total circulation (Prior FY customer data)

**REASON FOR RECOMMENDATION:**

The City has been consistently doing business with the Manteca Bulletin for the last ten (10) fiscal years. The Manteca Bulletin has provided consistent quality customer service, and assistance during urgent publication request. Additionally, the Manteca Bulletin has maintained reasonable publication fees, which are consistent with prior agreements. The proposal submitted by the Manteca Bulletin will continue to meet the needs of the City. Therefore, staff recommends City Council approval of the attached agreement with the Manteca Bulletin for publication of legal advertisements for the period of July 1, 2024 through June 30, 2025.

**FISCAL IMPACT:**

Funds for legal advertising in FY 2024-25 are included as an estimate in the new Fiscal Budget for 2024-25, based on prior year expense trends. Lastly, legal notices related to private and/or developer projects are requested for reimbursement from related developer accounts or as a one-time payment from private entities.

**ATTACHMENTS:**

- A. Resolution Awarding Agreement for Publication of Legal Advertisements
- B. Copy of Proposal Received by Manteca Bulletin
- C. Agreement with Manteca Bulletin for FY 2024-25

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**JUNE 10, 2024 CITY COUNCIL REGULAR MEETING**  
**AGREEMENT FOR PUBLICATION OF LEGAL ADVERTISEMENTS FOR FY 24-25**

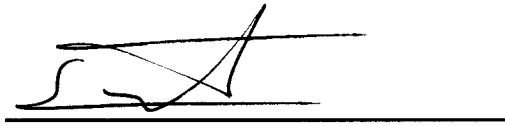
**APPROVALS:**

  
\_\_\_\_\_  
Teresa Vargas  
Government Services Director /  
City Clerk


6/4/24  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Cari James  
Finance Director

6/4/2024  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Salvador Navarrete  
City Attorney

6-5-2024  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Stephen J. Salvatore  
City Manager

6-5-24  
\_\_\_\_\_  
Date

**RESOLUTION NO. 24-**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LATHROP AWARDING AGREEMENT FOR PUBLICATION OF LEGAL ADVERTISEMENTS TO THE MANTECA BULLETIN FOR THE PERIOD OF JULY 1, 2024 THROUGH JUNE 30, 2025**

**WHEREAS**, a notice inviting bids was published in the Manteca Bulletin, the current newspaper of general circulation, requiring a response by 2:00 p.m. on May 31, 2024; and

**WHEREAS**, the City received one bid proposal from the Manteca Bulletin; and

**WHEREAS**, City staff recommends approval of the bid proposal submitted by the Manteca Bulletin as the bid proposal continues to meet the needs of the City based on its cumulative considerations of price and lead time for publications; and

**WHEREAS**, the Manteca Bulletin has been adjudicated within San Joaquin County as a newspaper of general circulation.

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of Lathrop hereby finds that the bid proposal submitted by the Manteca Bulletin continues to meet the needs of the City for legal advertising services for period of July 1, 2024 through June 30, 2025; and

**BE IT FURTHER RESOLVED** that the City Council awards an agreement to the Manteca Bulletin for legal advertising services for said period.

The foregoing resolution was passed and adopted this 10<sup>th</sup> day of June 2024, by the following vote of the City Council, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
Sonny Dhaliwal, Mayor

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Teresa Vargas, City Clerk

  
\_\_\_\_\_  
Salvador Navarrete, City Attorney



# CITY OF LATHROP

## BID PROPOSAL

Lines per column inch 65 lines / 6.640 / inch / 1.66 wide

Price per column inch \$ 94.50 - 10.50 on line

Total cost to publish "Attachment A" \$ 105

Day(s) of week published  Mon  Tues  Weds  Thurs  Fri  Sat  Sun  
(check all that apply)

Required lead time for publication EVERYthing must be submitted At least 2 days in advance

**Example of lead time:** For publication on July 10, 2024 (or your publishing day nearest), copy of notice would be required to be submitted no later than Friday, July 5 2024 before 11Am  
(day, time, date)

Lead time for retractions or corrections \_\_\_\_\_

City of Lathrop circulation  
(Separate by print and online subscribers) \_\_\_\_\_

Total circulation \_\_\_\_\_

Proposal submitted by: \_\_\_\_\_ Date \_\_\_\_\_

209 Multimedia Cooperation - Manteca Bulletin  
Company Name

1215 W. Center Street, Suite 203  
Address, City, State and Zip Code

209-249-3500 N/A legals@mantecabulletin.com  
Phone Number Fax Number E-mail

Liz Mora  
Authorized Signature Representative  
Liz Mora Legal Advertising  
Printed Name & Title



# CITY OF LATHROP

## "ATTACHMENT A" (SAMPLE LEGAL AD)

### CITY OF LATHROP PUBLIC HEARING NOTICE

Notice is hereby given that the City of Lathrop City Council will hold a Public Hearing at their next Regular Meeting to consider the following matter. Said meeting will be held at **7:00 p.m., Monday, August 12, 2024**, City Hall Council Chamber, 390 Towne Centre Dr., Lathrop, California; as noticed by the City. All persons having an interest in this matter are invited to be present to testify in person, or to submit statements in person at the meeting or in writing prior to the hearing.

PUBLIC HEARING (PUBLISHED NOTICE) TO CONSIDER AN ORDINANCE AMENDING TITLE 10, CHAPTER 10.24, SECTION 10.24.030 DESIGNATED NO PARKING AREAS OF THE LATHROP MUNICIPAL CODE

Council to Consider the Following:

1. Hold a Public Hearing; and
2. Introduction and First Reading of an Ordinance of the City Council of the City of Lathrop to Consider Amending Title 10, Chapter 10.24, Section 10.24.030 Designated No Parking Areas of the Lathrop Municipal Code

If you challenge any decision of the City Council in court, you may be limited to raising only those issues you or someone else raised at the meeting described in this notice, or in written correspondence delivered to the City Council at, or prior to, the meeting.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please call (209) 941-7230. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility.

For more information, contact the Public Works Development Department, 390 Towne Centre Drive, Lathrop, CA 95330. Phone: (209) 941-7430. Fax: (209) 941-7449. E-mail: [website\\_pwk@ci.lathrop.ca.us](mailto:website_pwk@ci.lathrop.ca.us).

**TERESA VARGAS, MMC**  
**CITY CLERK OF THE CITY OF LATHROP**



# MANTECA BULLETIN

P.O. BOX 1958, • 531 E. YOSEMITE AVE., MANTECA, CA 95336-1958 • MAIN 209-249-3500 • FAX - 209-249-3559

CITY OF LATHROP/CITY CLERK

**Classified Insertion Order**

MB# Quote Sample Legal Ad " ATTACHMENT A"

<b>Contact:</b>	<b>Sales Rep:</b> MB - Liz Mora	<b>Order Date:</b> 5/16/2024
<b>Address:</b> CITY OF LATHROP/CITY CLERK 390 TOWNE CENTRE DRIVE Attn: Teresa Vargas LATHROP CA 95330	<b>Phone:</b> 209-941-7431 <b>Email:</b> tvargas@ci.lathrop.ca.us <b>Fax:</b> 209-941-7229	<b>Order Number:</b> 146503 <b>Tear Sheets:</b> 1 <b>Advertiser No:</b> 150

Start Date	End Date	No. of Runs	No. of Publications	Description	Classification	Ad Size	Price
6/29/2024	6/29/2024	3	3	MB# Quote Sample Legal Ad " ATTACHMENT A"	Miscellaneous Legals	6.6354 Inches	\$105.00

Publications: 209M - Marketplace 209, MB - Manteca Bulletin, MB - Manteca Bulletin Online

CITY OF LATHROP "ATTACHMENT A" (SAMPLE LEGAL AD) CITY OF LATHROP PUBLIC HEARING NOTICE Notice is hereby given that the City of Lathrop City Council will hold a Public Hearing at their next Regular Meeting to consider the following matter. Said meeting will be held at 7:00 p.m., Monday, August 12, 2024, City Hall Council Chamber, 390 Towne Centre Dr., Lathrop, CA, as noticed by the City. All persons having an interest in this matter are invited to be present to testify in person, or to submit statements in person at the meeting or in writing prior to the hearing. PUBLIC HEARING (PUBLISHED NOTICE) TO CONSIDER AN ORDINANCE AMENDING TITLE 10, CHAPTER 10.24, SECTION 10.24.030 DESIGNATED NO PARKING AREAS OF THE LATHROP MUNICIPAL CODE Council to Consider the Following: 1. Hold a Public Hearing; and 2. Introduction and First Reading of an Ordinance of the City Council of the City of Lathrop to Consider Amending Title 10, Chapter 10.24, Section 10.24.030 Designated No Parking Areas of the Lathrop Municipal Code If you challenge any decision of the City Council in court, you may be limited to raising only those issues you or someone else raised at the meeting described in this notice, or in written correspondence delivered to the City Council at, or prior to, the meeting. In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please call (209) 941-7230. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility. For more information, contact the Public Works Development Department, 390 Towne Centre Drive, Lathrop, CA 95330. Phone: (209) 941-7430. Fax: (209) 941-7449. Email: website\_pwk@ci.lathrop.ca.us. TERESA VARGAS, MMC CITY CLERK OF THE CITY OF LATHROP Publication Date: 06/29/24 Quote

<b>Run Count:</b> 3	<b>Publication Count:</b> 3	<b>SubTotal:</b>	<b>\$105.00</b>
		<b>Total Price:</b>	<b>\$105.00</b>

### Authorization To Run Advertisement

Printed Name

Signature

**CITY OF LATHROP**

**"ATTACHMENT A"  
(SAMPLE LEGAL AD)  
CITY OF LATHROP  
PUBLIC HEARING NOTICE**

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**PUBLIC HEARING (PUBLISHED NOTICE)  
TO CONSIDER AN ORDINANCE  
AMENDING TITLE 10, CHAPTER 10.24,  
SECTION 10.24.030 DESIGNATED NO  
PARKING AREAS OF THE LATHROP  
MUNICIPAL CODE**

Council to Consider the Following:

1. Hold a Public Hearing; and
2. Introduction and First Reading of an Ordinance of the City Council of the City of Lathrop to Consider Amending Title 10, Chapter 10.24, Section 10.24.030 Designated No Parking Areas of the Lathrop Municipal Code

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website [pwk@ci.lathrop.ca.us](http://pwk@ci.lathrop.ca.us).

**TERESA VARGAS, MMC  
CITY CLERK OF THE CITY OF LATHROP**  
Publication Date: 06/29/24  
Quote





# ATTACHMENT 2

## CITY OF LATHROP

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### AGREEMENT FOR PUBLICATION OF LEGAL NOTICES

**THIS AGREEMENT** is between the City of Lathrop, a municipal corporation of the State of California (City), and the Manteca Bulletin, a newspaper of general circulation, as defined in Section 6008 of the Government Code.

### RECITALS

The City requires the services of a newspaper of general circulation for the purpose of publishing legal notices.

THEREFORE, the City and the Manteca Bulletin agree as follows:

1. Independent Contractor Status: The Manteca Bulletin is an independent contractor. Nothing in this agreement shall, in any way, be construed to mean that the Manteca Bulletin any of its agents or employees are agents, employees or representatives of the City.
2. Services to be Provided: The Manteca Bulletin shall provide services in connection with publishing legal notices for the City as specified in the attached proposal (Exhibit A). In addition, it is further agreed that the Manteca Bulletin will provide proof of each notice for approval by the City Clerk's Office or Planning Division prior to publication.

It shall be noted that this is a non-exclusive contract and the City retains the right to publish in other local newspapers as deemed necessary and advisable.

3. Termination: The City and the Manteca Bulletin agree that the City may terminate this Agreement at any time before the normal expiration of the term by giving thirty (30) days written notice.
4. Assignment: The Manteca Bulletin shall not assign this contract or any portion thereof without express written approval of the City.
5. Term: The term of this agreement shall commence July 1, 2024 or upon acceptance of this agreement by both parties, whichever is later, and shall terminate at the end of the fiscal year, June 30, 2025.
6. Payment: The Manteca Bulletin billing to the City shall contain the legal notice number, date published, number of lines, and cost per line as specified in attached Exhibit A.



# CITY OF LATHROP

7. Billing statements shall be submitted to:

Teresa Vargas, MMC  
Government Services Director / City Clerk  
City of Lathrop  
390 Towne Centre Drive  
Lathrop, CA 95330

Correspondence/notices regarding this agreement should be directed to:

Teresa Vargas, MMC, City Clerk  
Government Services Director  
City of Lathrop  
390 Towne Centre Drive  
Lathrop, CA 95330

Liz Mora, Representative  
Legal Advertising  
Manteca Bulletin  
1215 W. Center St., Suite 203  
Manteca, CA 95337

**Approved as to Form:**

City of Lathrop, City Attorney

  
\_\_\_\_\_  
Salvador Navarrete

*6-5-2024*  
\_\_\_\_\_  
Date

**Accepted by:**

City of Lathrop, City Manager

\_\_\_\_\_  
Stephen J. Salvatore

\_\_\_\_\_  
Date

**Attested by:**

Government Services Director / City Clerk

\_\_\_\_\_  
Teresa Vargas

\_\_\_\_\_  
Date

**Contractor:**

209 Multimedia Corporation – Manteca Bulletin

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date