

ITEM: AGREEMENT WITH 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, 2020 through June 30, 2021

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. 19-4575.

On May 16 and May 21, 2020, a notice inviting bid proposals was published in the Manteca Bulletin, requiring a response by 2:00 p.m. on May 29, 2020 to the Office of the City Clerk. Included in the bid packet was a sample legal advertisement that each company was to price and return based on their costs. The City Clerk received one bid proposal as outlined below.

ANALYSIS:

Generally, public notices required by various City and State laws must be published in a "newspaper of general circulation." 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.

CITY MANAGER'S REPORT
JUNE 8, 2020 CITY COUNCIL REGULAR MEETING
AGREEMENT FOR PUBLICATION OF LEGAL ADVERTISEMENTS FOR FY 20-21

Newspaper	Price per line	Lines per column inch	Price per column inch	Cost for sample ad	Lead time for publication	Publication days	City of Lathrop circulation
Manteca Bulletin	\$1.11	9	\$10.00	\$90.00	Two (2) Business Day	Monday - Saturday; no Holidays	384

REASON FOR RECOMMENDATION:

The City has been consistently doing business with the Manteca Bulletin for the last six (6) fiscal years. The proposal submitted by the Manteca Bulletin will continue to meet the needs of the City. Additionally, the Manteca Bulletin has provided ongoing flexibility in lead-time and quality customer service.

Most importantly, the Manteca Bulletin has maintained reasonable publication fees. Therefore, staff recommends Council approval of the agreement with the Manteca Bulletin for publication of legal advertisements for the period of July 1, 2020 through June 30, 2021.

FISCAL IMPACT:

Funds for advertising in FY 2020-21 are included as an estimate in the new fiscal budget based on prior year expense trends. Legal notices related to private and 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

CITY MANAGER'S REPORT
JUNE 8, 2020 CITY COUNCIL REGULAR MEETING
AGREEMENT FOR PUBLICATION OF LEGAL ADVERTISEMENTS FOR FY 20-21

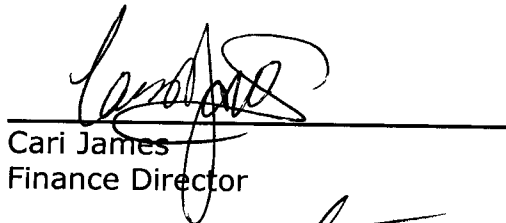
APPROVALS:



Teresa Vargas
City Clerk

5/30/2020

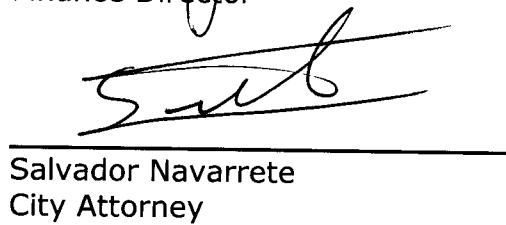
Date



Cari James
Finance Director

6/2/2020

Date



Salvador Navarrete
City Attorney

6-1-2020

Date



Stephen J. Salvatore
City Manager

6.3.2020

Date

RESOLUTION NO. 20-

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, 2020 THROUGH JUNE 30, 2021

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 29, 2020; 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, 2020 through June 30, 2021; and

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

PASSED AND ADOPTED this 8th day of June, 2020, by the following vote:

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 9

Price per column inch \$ \$10.00

Cost to publish "Attachment A" \$ \$90.00 *pricing increase include to length of legal compare to last year*

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

Required lead time for publication two days prior to publication

Example of lead time: For publication on July 15, 2020 (or your publishing day nearest), copy of notice would be required to be submitted no later than

Friday, July 10th by 1pm
(day, time, date)

Lead time for retractions or corrections 2 day prior to publication 1pm

City of Lathrop circulation 384

Total circulation 6400

Proposal submitted by: _____ Date 5/29/20

Manteca Bulletin
Company Name

531 E. Yosemite Ave., Manteca, CA 95336
Address, City, State and Zip Code

209-249-3500 209-249-5374 legals@mantecabulletin.com
Phone Number Fax Number E-mail

Liz Mora
Authorized Signature

Liz Mora Legal/Sales
Printed Name & Title



CITY OF LATHROP

"ATTACHMENT A" *(SAMPLE LEGAL AD)*

CITY OF LATHROP – PUBLIC HEARING NOTICE

Notice is hereby given that the City Council of the City of Lathrop will hold a Regular Meeting in the City Council Chamber at City Hall, 390 Towne Centre Drive, Lathrop, California, at 7:00 p.m., on Monday, August 10, 2020, to hold a public hearing regarding the following matter. ALL persons having an interest in this matter are invited to be present to testify in person, or to submit statements either in person at the meeting, or in writing prior to the hearing.

PUBLIC HEARING (PUBLISHED NOTICE) TO INTRODUCE AN ORDINANCE ADDING CHAPTER 10.25 OF THE LATHROP MUNICIPAL CODE RELATING TO VEHICLE PARKING IN YARDS OF RESIDENTIAL AREAS

The City Council to Consider the Following:

1. Hold a Public Hearing; and
2. First Reading and Introduction of an Ordinance to the City Council of the City of Lathrop adding Chapter 10.25 of the Lathrop Municipal Code Relating to Vehicle Parking in Yards of Residential Areas.

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 public hearing 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 Department, 390 Towne Centre Drive, Lathrop, CA 95330. Phone: (209) 941-7430, Fax: (209) 941-7449, or E-mail: [website pwk@ci.lathrop.ca.us](mailto:pwk@ci.lathrop.ca.us)

TERESA VARGAS, CITY CLERK, CITY OF LATHROP



CITY OF LATHROP

SAMPLE

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 _____, 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 _____ agree as follows:

1. **Independent Contractor Status:** The _____ is an independent contractor. Nothing in this agreement shall, in any way, be construed to mean that the _____ any of its agents or employees are agents, employees or representatives of the City.
2. **Services to be Provided:** The _____ 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 _____ 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 _____ 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 _____ 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, 2020 or upon acceptance of this agreement by both parties, whichever is later, and shall terminate at the end of the fiscal year, June 30, 2021.
6. **Payment:** The _____ 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, City Clerk
City of Lathrop
390 Towne Centre Drive
Lathrop, CA 95330

Correspondence/notices regarding this agreement should be directed to:

Teresa Vargas
City Clerk
City of Lathrop
390 Towne Centre Drive
Lathrop, CA 95330

NAME LIZ MORA
TITLE Legal/Sales
NEWSPAPER Manteca Bulletin
ADDRESS 531 E. Yosemite Ave.
City, Zip code Manteca, 95336

Approved as to Form:

City of Lathrop, City Attorney

Salvador Navarrete

Date

Accepted by:

City of Lathrop, City Manager

Stephen J. Salvatore

Date

Attested by:

City of Lathrop, City Clerk

Teresa Vargas

Date

Contractor:

NAME OF NEWSPAPER Manteca Bulletin, TITLE Legal/Sales

NAME

Date

Liz Mora

5/24/20

Nov 12

**"ATTACHMENT A"
(SAMPLE LEGAL AD)**

**CITY OF LATHROP – PUBLIC HEARING
NOTICE**

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pwk@ci.lathrop.ca.us

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

Publication Date:

MB# Sample Legal Ad



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# SAMPLE Legal Ad

Contact:		Sales Rep:	MB - Liz Mora	Order Date:	5/29/2020
Address:	CITY OF LATHROP/CITY CLERK Attn: Teresa Vargas 390 TOWNE CENTRE DRIVE LATHROP CA 95330	Phone:	209-941-7431	Order Number:	106601
		Email:	tvargas@ci.lathrop.ca.us	Tear Sheets:	1
		Fax:	209-941-7229	Advertiser No:	150

Start Date	End Date	No. of Runs	No. of Publications	Description	Classification	Ad Size	Price
5/30/2020	5/30/2020	3	3	MB# SAMPLE Legal Ad	Miscellaneous Legals	5.8188 Inches	\$90.00

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

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Run Count: 3	Publication Count: 3	SubTotal:	\$90.00
		Total Price:	\$90.00

Authorization To Run Advertisement

_____	_____
Printed Name	Signature



CITY OF LATHROP

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RECITALS

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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.
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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.
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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. Billing statements shall be submitted to:

Teresa Vargas, City Clerk
City of Lathrop
390 Towne Centre Drive, Lathrop, CA 95330
tvargas@ci.lathrop.ca.us



CITY OF LATHROP

Correspondence/notices regarding this agreement should be directed to:

Teresa Vargas, CMC
City Clerk
City of Lathrop
390 Towne Centre Drive
Lathrop, CA 95330

Liz Mora
Legal Advertising
Manteca Bulletin
531 E. Yosemite Avenue
Manteca, CA 95336

Approved as to Form:

City of Lathrop, City Attorney

Salvador Navarrete Date

Accepted by:

City of Lathrop, City Manager

Stephen J. Salvatore Date

Attested by:

City of Lathrop, City Clerk

Teresa Vargas Date

Contractor:

Manteca Bulletin, Legal Advertising Representative

Liz Mora Date

Manteca Bulletin, Business Manager

Tamara Foreman Date