

# City of Calistoga

## Staff Report

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**TO:** Honorable Mayor and City Council Members  
**FROM:** Kathy Flamson, City Clerk  
**DATE:** June 19, 2018  
**SUBJECT:** Consideration of a Resolution awarding a one-year contract to The Calistoga Tribune for publication of legal advertisements in an amount not to exceed \$15,000 for the period ending June 30, 2019 and authorizing the City Manager to execute the contract.

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APPROVAL FOR FORWARDING:

  
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Dylan Feik, City Manager

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1 **ISSUE:** Consideration of a Resolution awarding a one-year contract to The  
2 Calistoga Tribune for publication of legal notices for the period ending June 30,  
3 2018 and authorizing the City Manager to execute the contract.  
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5 **RECOMMENDATION:** Adopt Resolution.  
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7 **BACKGROUND:** Each year, in accordance with Public Contract Code §20169,  
8 cities that have more than one newspaper of general circulation must publish a  
9 notice inviting bids for the publication of legal notices. The City currently has two  
10 adjudicated newspapers within the City: The Weekly Calistogan, published by the  
11 Napa Valley Publishing Company, and The Calistoga Tribune. The Calistoga  
12 Tribune is the City's current provider.  
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14 **DISCUSSION:** On May 4, 2018, staff published a notice inviting written bids for  
15 legal advertising to be submitted to the City Clerk by Friday, June 8, 2018 at 10  
16 a.m. A Request for Proposal (RFP) was also sent to The Calistoga Tribune and  
17 Napa Valley Publishing Company on May 1, 2018. A proposal was received from  
18 The Calistoga Tribune on June 7, 2018. This was the only proposal received.  
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Proposal Evaluation

The City Clerk established the following as the criteria for review of the proposal received:

1. Completeness of proposal and responsiveness to the RFP.
2. Compliance with State and Federal requirements.
3. Circulation and coverage.
4. Frequency of publication.
5. Cost.

The following lists the Calistoga Tribune's response to the five criteria:

Criterion #1: Completeness of proposal and responsiveness to the RFP. Staff determined the proposal to be complete and responsive to the RFP.

Criterion #2: Compliance with State and Federal Requirements. State law requires publication of legal notices in a "newspaper of general circulation." The Calistoga Tribune meets this requirement of the State definition and the Federal requirement for publication of notices for projects or programs utilizing grant funding.

Criterion #3: Circulation and Coverage. The U.S. Postal Service "CASS Summary Report" (Form PS 3553) which was filed for the period of June 7, 2018 states that Calistoga Tribune's total Records Submitted for Processing was 939.

Circulation and Coverage (Postal Report). Following is data for the circulation amounts for May 2018:

742	Subscriptions mailed in-County
<u>129</u>	Subscriptions mailed out-County
871	Total

Criterion #4: Frequency of Publication. The Calistoga Tribune publishes one time per week (Fridays).

Criterion #5: Cost. The Calistoga Tribune prepared a sample legal advertisement and display advertisement and provided the cost to run each ad. The Calistoga Tribune proposes to charge \$12.75 per column inch for legal notices and display advertisements. The sample legal notice resulted in a cost of \$86.70. The sample display advertisement resulted in \$86.70.

60 **CONSISTENCY WITH CITY COUNCIL GOALS AND OBJECTIVES:** The  
61 recommended action of complying with Public Contract Code §20169 "...cities  
62 that have more than one newspaper of general circulation must publish a notice  
63 inviting bids for the publication of legal notices" to "... is consistent with Goal No.  
64 5, Objective No. 1 - 'Continue to provide a high standard in the delivery  
65 of...general municipal services; as well as Objective 3 - 'Promote and enhance  
66 communication and transparency.'

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68 **FISCAL IMPACT:** The estimated cost for publishing legal notices and display  
69 advertisements in Fiscal Year 2018/2019 is \$15,000, which is included in the  
70 Fiscal Year 2018/2019 budget. There is usually additional cost for publishing  
71 legal notices for development projects (which are paid for by the applicant).  
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73 **ATTACHMENTS:**

- 74 1. Draft Resolution  
75 2. Request For Proposal  
76 3. Calistoga Tribune Proposal  
77 4. Draft Professional Services Agreement

RESOLUTION NO. 2018-XXX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALISTOGA, COUNTY OF NAPA, STATE OF CALIFORNIA, AWARDING A ONE-YEAR CONTRACT TO THE CALISTOGA TRIBUNE FOR PUBLICATION OF LEGAL ADVERTISEMENTS IN AN AMOUNT NOT TO EXCEED \$15,000 FOR THE PERIOD ENDING JUNE 30, 2019 AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE CONTRACT

Authorizing Agreement No.

WHEREAS, the City of Calistoga (City) publishes legal notices in a newspaper of general circulation pursuant to California Government Code § 6060 et al; and

WHEREAS, each year, in accordance with Public Contract Code §20169, cities that have more than one newspaper of general circulation must publish a notice inviting bids for the publication of legal notices; and

WHEREAS, the City currently has two adjudicated newspapers within the City: The Weekly Calistogan, published by the Napa Valley Publishing Company, and The Calistoga Tribune; and

WHEREAS, on May 1, 2018, the City filed a Notice Inviting Written Bids for Legal Advertising, said bids to be submitted by Friday, June 8, 2018 at 10:00 A.M.; and

WHEREAS, the City determined that The Calistoga Tribune’s proposal is the only proposal received and is complete and responsive; and

WHEREAS, the City Council independently reviewed the staff report and bid proposal at its June 19, 2018, regular meeting; and

WHEREAS, the City desires to enter into an agreement with The Calistoga Tribune for City-wide legal advertising.

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Calistoga hereby authorizes the City Manager to execute an agreement substantially in accordance with the attached Professional Services Agreement for publication of legal notices and legal advertisements with The Calistoga Tribune in an amount not to exceed \$15,000, subject to review and approval by the City Attorney.

PASSED, APPROVED, AND ADOPTED by the City Council of the City at a regular meeting held this 19<sup>th</sup> day of June 2018 by the following vote:

- AYES:
- NOES:
- ABSTAIN:
- ABSENT:

CHRIS CANNING, Mayor

ATTEST:

KATHY FLAMSON, City Clerk