

**City of Culver City, California
Agenda Item Report**

Meeting Date: 07/08/2013		Item Number: <u>A-2</u>	
CITY COUNCIL AGENDA ITEM: (1) Discussion of the Designation of one Adjudicated Newspaper (Also Known as a Newspaper of General Circulation) for Publication of Notices and Other Matters for the City; (2) (If Desired) Authorization to Staff to Obtain Competitive Quotations for Newspaper Advertising Rates; and (3) Designation of the Three Official Posting Places in the City to be Used for Posting of Notices as Required by Law.			
Contact Person/Dept.: Martin R. Cole, Assistant City Manager/City Clerk		Phone Number: (310) 253-6000	
Fiscal Impact: Yes ☐ No ☒		General Fund: Yes ☐ No ☐	
Public Hearing: ☐		Action Item: ☒ Attachments: ☐	
Commission Action Required: Yes ☐ No ☒		Date: _____	
Public Notification: (E-mail) Agenda and Meetings – City Council (07/02/2013)			
Department Approval: Martin R. Cole (07/02/13)		City Attorney Approval: Carol Schwab (by H. Baker) (07/02/13)	
Chief Financial Officer Approval: Jeff Muir (07/02/13)		City Manager Approval: John M. Nachbar (07/02/13)	
<u>RECOMMENDATION:</u> Staff recommends the City Council (1) discuss the designation of one newspaper for publication of notices and other matters for the City, (2) (if desired) authorize staff to obtain competitive quotations for newspaper advertising rates, and (3) update the designation of three official posting places in the City. <u>BACKGROUND:</u> Section 621 (Publishing of Legal Notices) of the City Charter provides that the City Council "...shall designate one newspaper circulated in the City for the publication of all notices and other matters required to be published in a newspaper..." Further, Section 621 also states: "...The charges for such publications in the designated newspaper shall not exceed the rates charged to the general public for similar publications..." Staff has reviewed the record to find last time the City Council made such designation. The last reference to the City's adjudicated newspaper appears in City Council minutes of a meeting in the 1970's. Given the time period that has elapsed since then, the Assistant City Manager/City Clerk is recommending the City Council discuss updating that designation to ensure the designation is current and the prices charged for the publishing of notice remains competitive and in compliance with the requirements of Section 621.			

City of Culver City, California
Agenda Item Report

Section 621 also provides: "...All legal notices or other matters required to be published shall also be posted in at least three public places within the City..." Staff was unable to find a reference in the record as to when the City Council last designated the three official public places within the City used for such purposes. As a matter of practice, the City Clerk's Office posts such items in the following places: (1) in the City Clerk's Office (2) on the bulletin board located outside of the City Council Chambers, and (3) at the Veterans Memorial Complex.

DISCUSSION:

Designation of a Newspaper of General Circulation (Adjudicated Newspaper)

The City Clerk's Office records contain copies of the court judgments that designate the Culver City News and the Culver City Observer as a "Newspaper of General Circulation." Currently the Culver City News is the City Council designated newspaper of general circulation.

Staff recommends the City Council authorize staff to obtain competitive quotations from both newspapers (and any others that may be properly adjudicated but not known by staff at this time), including a requirement to confirm their continued status as a "Newspaper of General Circulation" in Culver City. The quotations would be presented to the City Council for consideration and award of a contract for publication services. Consistent with Section 621 of the City Charter, staff would also confirm that the rates quoted do not exceed the rates charged to the general public for similar publications.

Alternately, the City Council may determine to take no action, in which case the Culver City News would remain the designated newspaper. In the case the City Council determines to take no action, staff will prepare a resolution for consideration at the next Council Meeting which would designate the Culver City News as the "Newspaper of General Circulation" for the City.

Designation of Three Public Places for Official Posting

As noted above, the City Clerk's Office has a standing practice to post notices at three public places in the City. To further improve Culver City's extensive public notification processes, the Assistant City Manager/City Clerk recommends the City Council designate the following places as Official Posting Locations in the City:

- (1) The Bulletin Board outside of the City Council Chambers
- (2) The Bulletin Board at Syd Kronenthal Park (Eastern Culver City)

City of Culver City, California
Agenda Item Report

(3) The Bulletin Board at Veterans Memorial Park (Western Culver City)

These official, legally required notifications are supplemented by the City's electronic notification system that, collectively, have almost 10,000 subscribers, as well as other courtesy notices that are frequently published by various Departments on various items.

In the case the City Council designates three posting places this evening, staff will prepare a resolution memorializing such designation for consideration at the time the quotations for publishing are presented to the City Council.

FISCAL ANALYSIS:

The actions requested of the City Council this evening do not create a fiscal impact. Should the City Council take the recommended action, when the quotations are presented to the City Council, staff will include any related fiscal impacts.

MOTIONS:

That the City Council

1. Discuss the designation of one newspaper as a "Newspaper of General Circulation" for the City; and,
2. (If Desired) Authorize the City Manager to obtain competitive quotations for newspaper publication services from "Newspapers of General Circulation" in the City; and,
3. Discuss the designation of three Official Posting Locations within the City; and,
4. Direct the City Manager to present a proposed resolution documenting the designation of the selected newspaper and official posting locations, with the resolution to return to the City Council at the time it considers the quotations for newspaper publication services (or at a City Council meeting within the next 30 days in the case the City Council determines to not solicit such quotations).