



## COUNCIL REPORT

**DATE:** June 24, 2025

**CATEGORY:** Consent

**DEPT.:** Finance and Administrative Services

**TITLE:** Newspaper Advertising Bid Award

### **RECOMMENDATION**

Award the contract for legal advertising for Fiscal Year 2025-26 to the San Francisco Daily LLC, doing business as *The Daily Post*, as the lowest responsive, responsible bidder in an amount of \$16,500 and authorize the City Manager or designee to execute subsequent change orders in an amount not to exceed \$8,500, for a total contract amount not to exceed \$25,000.

### **BACKGROUND**

The Mountain View City Charter (Charter) requires the City to conduct a bidding process each year to select a newspaper to publish official City notices. Section 1109 of the Charter states:

*"The council shall let annually contracts for the official advertising for the ensuing fiscal year. In the event there is more than one newspaper of general circulation published and circulated in the city, the council shall advertise for one day, setting forth distinctly and specifically the work contemplated to be done, and asking for sealed proposals therefor. The proposals shall specify the type and spacing to be used at the rate or rates named in the bids. The council shall let the contracts for such official advertising to the lowest responsible bidder publishing a newspaper in the city which is a newspaper of general circulation and has been in existence at the time of the awarding of the contract at least one year; provided, that the council may reject any or all bids and advertise for new bids."*

State Law also requires the City to provide notice of upcoming land-use decisions either by publishing the notice in a newspaper published in the City or by posting the notice at designated locations. The City meets its legal noticing obligations by posting the notices of hearings as required by State Law because there is no newspaper of general circulation in the City of Mountain View as defined by state law. In addition to satisfying the legal notice requirements, the City provides additional notice of agenda items by publishing them in the newspaper.

## **ANALYSIS**

The City has advertised and solicited bids for advertising for Fiscal Year 2025-26 to meet the intent of the Charter provision and provide notice of upcoming agenda items, in addition to posting notice at City facilities and on the City's website. The bid specification requested that the bid be based on one thousand one hundred inches (1,100") of advertising, and the notices will be placed in the legal notice section of the newspaper. Although staff contacted other potential bidders, the City received only one bid as follows:

- San Francisco Daily, LLC, d.b.a *The Daily Post*, in the amount of \$15 per column inch, no minimum charge, \$16,500 total.

For reference, the City awarded the bid to *The Daily Post* in the amount of \$11.50 per inch, no minimum charge, for an initial amount of \$12,650 with subsequent change orders in an amount not to exceed \$7,350 for a total amount of \$20,000, for Fiscal Year 2024-25.

Staff contacted *The Daily Post* to inquire about the cost increases compared to the previous fiscal year. The publication explained that print costs have steadily risen over time, with the past year being particularly difficult due to a significant increase in newsprint costs and prices. *The Daily Post* also emphasized that they have consistently delivered quality service to the City, including accommodating last-minute advertising requests whenever needed. Staff performed due diligence and determined that the bidder met the minimum requirements of the bid and, therefore, it is recommended that the bid be awarded to the lowest responsive and responsible bidder, *The Daily Post*. Awarding the bid to *The Daily Post* will enable the City to place notices of City agenda items in the newspaper five days per week.

The City's noticing requirements generally include solicitation of purchasing and construction bids, municipal elections, public meetings, and public hearings, including land-use hearings. For the past several years, the City has averaged 34 City Council meetings per year, in addition to Regular Meetings of advisory bodies. The City also has a policy that establishes additional timelines for notifying the community of upcoming agenda items. Publishing information in the newspaper is essential since data services (used by vendors and contractors) collect information for their clients from the newspaper. The information is also accessible online.

The placement of notices in the legal advertising section of *The Daily Post* for public meetings may also be supplemented with additional ads in the following: *Mountain View Voice*, the *San Jose Mercury News*, *La Oferta* when non-English-language noticing is required, and direct mailings to residents, email, traditional agenda subscriptions, local-access television ads, and notices on the City's website.

*The Daily Post*, in combination with other noticing approaches used by the City, is an efficient means of reaching the target audience for which different notices are intended.

**FISCAL IMPACT**—Sufficient funding for legal advertising costs is included in the Fiscal Year 2025-26 Recommended Budget.

**LEVINE ACT**

California Government Code Section 84308 (also known as the Levine Act) prohibits city officials from participating in any proceeding involving a “license, permit, or other entitlement for use” if the official has received a campaign contribution exceeding \$500 from a party, participant, or agent of a party or participant within the last 12 months. The Levine Act is intended to prevent financial influence on decisions that affect specific, identifiable persons or participants. For more information see the Fair Political Practices Commission website: [www.fppc.ca.gov/learn/pay-to-play-limits-and-prohibitions.html](http://www.fppc.ca.gov/learn/pay-to-play-limits-and-prohibitions.html)

Please see below for information about whether the recommended action for this agenda item is subject to or exempt from the Levine Act.

**EXEMPT FROM THE LEVINE ACT**

- ☒ Competitively bid contract
- ☒ Contract valued under \$50,000

**ALTERNATIVES**—Reject all bids and readvertise for new bids.

**PUBLIC NOTICING**—Agenda posting.

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