



AGENDA REPORT

TO: Edward D. Reiskin
City Administrator

FROM: Felicia Verdin
Assistant to the City
Administrator

SUBJECT: Official Newspaper

DATE: April 19, 2022

City Administrator Approval

Date: Apr 7, 2022

RECOMMENDATION

Staff Recommends That The City Council Adopt A Resolution Designating The East Bay Times and Oakland Post As Official Newspapers For The City Of Oakland.

EXECUTIVE SUMMARY

The proposed resolution is a companion item to a proposed ordinance ([Legistar # 21-0833](#)) submitted by Vice Mayor Rebecca Kaplan and approved by the City Council on Introduction on December 21, 2021. The resolution will meet the new requirements of Oakland Municipal Code Chapter 1.06, which would authorize the City Council to designate one or more newspapers of record for purposes of publishing public notices. At the time of completing this report, the East Bay Times and Alameda Publishing Corporation, which includes the Oakland Post were the only publications to fulfill the requirements of the ordinance and therefore two (2) newspapers are being recommended to serve as an official newspaper. The new ordinance does allow the City Council to make changes or add additional newspapers of record at any time via resolution. As more newspapers meet the requirements then staff can return to expand the list of official newspapers.

BACKGROUND / LEGISLATIVE HISTORY

Article XII, Section 1205 of the Oakland City Charter requires that City Council designate the time and conditions for providing public notice through publication of City matters, such as proposed ordinances, contract bid solicitations, public hearings and other matters as required by state or local law. Section 1205 also states that publication, if required, shall be in an official newspaper designated by the City Council.

Due to changes in the media landscape and news consumption, the City Council proposed changes to how an official newspaper can be designated. On November 19, 2019, the City Council approved Resolution No. [87942 C.M.S.](#), which submitted to the voters at the March 3, 2020 election a ballot measure (Measure R) to amend Article XII, Section 1205 of the Oakland Charter to allow the City Council to establish procedures for designating one or more official newspapers by ordinance. Measure R also removed the former criteria for designating a

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newspaper of record which included only newspapers printed and published in the City of Oakland with a daily circulation of 25,000. On March 3, 2020, 73.88% of Oakland voters approved Measure R.

At its meeting on December 21, 2021, the City Council adopted on first reading, a proposed ordinance (Legistar #21-0833) submitted by Vice Mayor Rebecca Kaplan to add Chapter 1.06 to the Oakland Municipal Code that will set the general provisions and requirements for establishing one or more official newspapers. The City Council is expected to adopt the ordinance on second reading at the April 19, 2022 City Council meeting, and this proposed resolution is submitted in tandem as the ordinance would go into effect immediately following final passage.

Per proposed Chapter 1.06.050, the requirements for qualifying as an official newspaper are as follows:

- An official newspaper must have a weekly readership of at least 5,000¹.
- At least one of the official newspapers must be available in both digital format and as a print publication.
- All official newspapers must possess a valid City of Oakland business license.

Proposed Chapter 1.03.060 authorizes the City Council to set one or more newspapers of record by resolution and allows the City Council to set additional newspapers of record at any time, also by resolution. Additionally, the ordinance stipulates that any notice that is posted to an official newspaper be posted to the City's website.

ANALYSIS AND POLICY ALTERNATIVES

In January 2022, City staff contacted over 20 local and regional publications sharing the ordinance, criteria and requirements for qualifying as a newspaper of record. The publications were instructed to submit verification of their Oakland readership and a copy of their business license.

- Bay Area News Group (East Bay Times)
- Daily Californian
- Daily Journal (intercityexpress.news.com)
- East Bay Express
- El Bohemio News
- El Observador
- El Tecolote
- India West
- Korean Hyundai News USA & Koglo Times
- Nikkei West
- Oakland Magazine
- Oakland Post News Group

¹ Readership is defined as the verified average number of Oakland residents that are digital subscribers or have a subscription (paid or unpaid) to a publication plus the number of average weekly sales of the publication within the City of Oakland.

- Oaklandside
- San Francisco Business Times
- San Francisco Chronicle
- Sing Tao Daily
- The Bay Area Reporter
- The Korea Times San Francisco
- Vietnam Daily News
- Vision Hispana
- World Journal

As of April 5, 2022, the East Bay Times and the Alameda Publishing Corporation (includes the Oakland Post) were the only publications to meet the requirements of the new ordinance. The East Bay Times is available in both print and online and has an average weekly readership of 72,544. The Oakland Post is available online and has a weekly circulation of 17,804.

Upon adoption of the proposed legislation, City staff will be instructed of the new requirements including the webpage dedicated to public notices as stipulated in Municipal Code Chapter 1.06.070. The webpage requirement is for all notices published in a newspaper of record to be simultaneously shared on the City's website which is accessible to the public at no cost.

Additionally, staff anticipates local publications will qualify and want to be considered as newspapers of record in the coming months. The local newspapers have been instructed to contact the City Clerk's Office to submit the required documentation (e.g., business license and readership statistics) and as more publications qualify, staff may return to modify the resolution as needed.

State the recommended policy action addressing the problem or question. Discuss the key issues, analysis of alternatives and rationale leading to the recommended policy action. Identify which Citywide priority (or priorities) are advanced by this recommended policy action. The priorities are 1) **holistic community safety**, 2) **housing, economic, and cultural security**, 3) **vibrant, sustainable infrastructure**, and 4) **responsive, trustworthy government**

FISCAL IMPACT

Fiscal impacts are not determined at this time. Increasing the number of publications that qualify as a newspaper of record will require City staff to publish public notices in multiple locations and each publication has their own advertising costs for publishing content.

Expenditures will need to be tracked over time to better assess the costs associated with this new ordinance. Finance staff compiled classified and legal advertisements expenditures by calendar year (**Table 1**) below. The information provides an overview of expenditures by the most common publications in the area and can be used as a basis for when new publications are added as newspapers of record.

Table 1: Classified and Legal Advertising Expenditures by Calendar Year (in dollars \$)

Publication	2017	2018	2019	2020	2021
Bay Area News Group	53,846	57,190	78,494	50,998	33,752
Daily Journal Corporation	39,499	105,487	123,425	75,383	89,399
Post Newspaper Group	14,345	23,043	21,953	18,385	7,865
San Francisco Chronicle Inc.	3,179	4,649	8,208	3,938	1,368
Sing Tao Daily	3,080	3,510	1,890	2,400	1,199

PUBLIC OUTREACH / INTEREST

City staff contacted over 20 local and regional publications in preparation of this report.

COORDINATION

This report was prepared in conjunction with the City Attorney's Office, Finance Department and City Clerk's Office.

SUSTAINABLE OPPORTUNITIES

Economic: As public notices include proposed ordinances, contract bid solicitations, public hearings and other matters as required by state or local law, increasing awareness by advertising in multiple publications means a wider audience for these matters. By growing the City's audience, more residents and businesses will be aware of potential contracting opportunities or other items that impact the local economy.

Environmental: There are no environmental opportunities associated with this report.

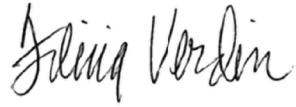
Race & Equity: Prior to Measure R, the requirements of publications to qualify as a newspaper of record included only those newspapers located in the City with a daily audience of 25,000. The new requirements are less stringent and open the doors to more non-English publications qualifying as a newspaper of record. The more publications that can qualify means greater diversity in where the City's public notices are advertised and seen.

ACTION REQUESTED OF THE CITY COUNCIL

Staff Recommends That The City Council Adopt A Resolution Designating The East Bay Times and Oakland Post As Official Newspapers For The City Of Oakland.

For questions regarding this report, please contact Felicia Verdin at fverdinoaklandca.gov.

Respectfully submitted,



Felicia Verdin
Assistant to the City Administrator

