

## **Publication of City of Oxnard Legal Notices**

### **First Final Report of January 1996**

#### REASON FOR INVESTIGATION

The Grand Jury conducted an inquiry into a citizens complaint 95- 20 regarding the publication of the City of Oxnard legal notices in the Spanish language newspaper VIDA which is available free at newsstands throughout the city. The complaint charges that access to the legal notices is severely restricted because they are not likely to be looked for in a Spanish language newspaper by the English speaking public. In addition, the complaint asserts that the official language of the State of California is the English language and municipal governments should adhere to this law in their publications.

#### PROCEDURE FOLLOWED

- The investigation consisted of an interview with County Counsel, Oxnard City Clerk, and City Attorney and a review of the legal requirements for the publication of legal notices.
- A citywide survey was conducted in order to ascertain the availability of the newspaper from newspaper racks. The locations surveyed were randomly selected in order to obtain a representative sampling of those locations most likely to be visited by the general public for their shopping and purchasing needs. These locations were shopping centers, markets, libraries, gasoline stations, post offices, malls and curbside rack displays.

#### FINDINGS

- The public contract code requiring that competitive bids be taken from newspapers of general circulation within Oxnard was observed.
- The legal notices are printed in English but published in the weekly Spanish language newspaper, VIDA.
- The inquiry revealed that the contract let by the city is legal and contains no irregularities. However, the investigation showed that the newspaper is not as readily available as is claimed.
- Of the 76 geographically separate locations surveyed, a total of 369 newspaper racks were counted. Racks for the newspaper VIDA were found at only 8 of the 76 locations. Based on this finding, the newspaper is available at 11 percent of the locations. Some of the VIDA racks did not have any newspapers in them at the time of the survey.
- The newspaper is available on a subscription basis for \$52 per annum, however, this information does not appear in any part of the newspaper.

#### RECOMMENDATIONS

The Grand Jury recommends to the City of Oxnard that these findings be seriously considered in all future proposal evaluations and selection. In addition, the Grand Jury recommends that the City request the newspaper to display the availability and terms of the subscription option.

RESPONSE

Due from elected officials within 60 days and from public officials within 90 days.

## **Update - Publication of Legal Notices**

The response to the 1995-1996 Grand Jury Interim Final Report did not adequately address the issue of the relatively poor availability of the newspaper in public places.

### **PROGRESS TO DATE**

The newspaper VIDA, in which the City of Oxnard legal notices are published, is available home delivered at a cost of \$65 per year. This information did not appear at the time the survey was conducted. It does appear in recent editions of the newspaper.

Recent editions of the newspaper devote a substantial amount of space to the publication of newsworthy items printed in English.

### **RECOMMENDATIONS**

The 1995-1996 Grand Jury recommends that the availability of the newspaper contracted to publish the legal notices of the city be taken into consideration and become a part of the contract evaluation process.

### **RESPONSE REQUIRED**

Oxnard City Council