



1 animal control, management, solid waste, cable television, communication and other similar  
2 professional functions which may be necessary for the operation of the City.”

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4 **SECTION 2:** Section 3.08.140 of Chapter 3.08 of Title 3 of the Colton  
5 Municipal Code is hereby amended to read as follows:

6 **“3.08.140 - Exceptions to competitive bidding—Non-Public Projects.**

7 In addition to the situations described in Sections 3.08.060 through 3.08.080,  
8 competitive bidding, either formal or informal, is not required for Non-Public Projects in the  
9 situations provided for in this section. Under such conditions, any alternative procedure,  
10 including no bidding, may be used with the City Manager's approval.

11 A. Emergencies. In situations determined by the Authorized Contracting Party to  
12 constitute an Emergency, as defined in Section 3.08.020.

13 B. No Competitive Market. When the City Council determines, in accordance  
14 with applicable law, that a competitive market does not exist and that no competitive  
15 advantage will be gained by the public bidding process.

16 C. Competitive Bidding Already Completed. When the Authorized Contracting  
17 Party determines that a competitive bid procedure has been conducted by another public  
18 agency (e.g. through CMAS or GSA) and the price to the City is equal to or better than the  
19 price to that public agency.

20 D. State Purchase. When the purchase is made on behalf of the City by the State  
21 Department of General Services.

22 E. Purpose of Bidding is Otherwise Accomplished. When the City Manager  
23 determines that it is in the best interest of the City and its administrative operations to  
24 dispense with public bidding for Non-Public Projects under this chapter. Prior City Council  
25 concurrence with the City Manager's determination shall be required for Non-Public Project  
26 purchases over one hundred thousand dollars.

27 F. No Bids Received. When no bids are received Non-Public Project formal or  
28 informal bidding procedures.

29 G. Electric Utility. Purchases authorized by Section 2.18.010 of this Code.

30 H. Expenses. The reimbursement<sub>-2-</sub> or payment of travel expenses and other  
31 employee expenses.

1 I. Insurance. The payment of any insurance premiums or claims, including  
2 employee medical payments.

3 J. Real Property. The purchase or lease of real property with City Council  
4 approval.

5 K. Banking. Banking services.

6 L. Otherwise Authorized. When otherwise authorized by this chapter or  
7 applicable law.”

8 **SECTION 3:** Section 6.16.025 of Chapter 6.16 of Title 6 of the Colton  
9 Municipal Code is hereby amended to read as follows:

10 **“6.16.025 – Award of approval for solid waste services.**

11 The City Council may provide for the collection, removal and disposal of solid waste  
12 within the City by means of exclusive or nonexclusive franchise, contract, license, permit, or  
13 otherwise. The City shall award such franchise, contract, license, permit, or otherwise  
14 pursuant to the procedures applicable to professional services under section 3.08.070. The  
15 authority to provide solid waste handling services may be granted under terms and conditions  
16 prescribed by the City Council by resolution or ordinance.”

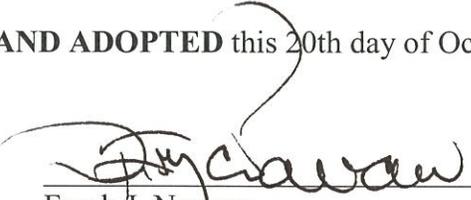
17 **SECTION 4:** Severability. If any section, subsection, subdivision, paragraph,  
18 sentence, clause or phrase of this Ordinance or any part thereof is for any reason held to  
19 unconstitutional, such decision shall not affect the validity of the remaining portion of this  
20 ordinance or any part thereof. The City Council of the City of Colton hereby declares that it  
21 would have passed each section, subsection, subdivision, paragraph, sentence, clause or  
22 phrase thereof, irrespective of the fact that any one or more section, subsection, subdivision,  
23 paragraph, sentence, clause or phrases be declared unconstitutional.

24 **SECTION 5:** This ordinance shall take force and effect thirty (30) after its  
25 adoption. This ordinance shall apply prospectively only and shall not affect any previous  
26 contract or franchise award.

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**SECTION 6:** The City Clerk shall certify to the adoption of this Ordinance and cause it, or a summary of it, to be published in a newspaper of general circulation printed and published within the City of Colton in accordance with law.

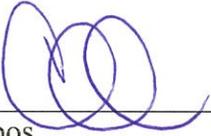
**PASSED, APPROVED, AND ADOPTED** this 20th day of October, 2015.

  
\_\_\_\_\_  
Frank J. Navarro  
Mayor Pro Tempore

ATTEST:

  
\_\_\_\_\_  
Carolina R. Padilla  
City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Carlos Campos  
City Attorney