

**NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 2018-1490**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
NIPOMO COMMUNITY SERVICES DISTRICT ELECTING TO
BECOME SUBJECT TO THE CALIFORNIA UNIFORM PUBLIC
CONSTRUCTION COST ACCOUNTING ACT PROCEDURES**

WHEREAS, prior to the passage of Assembly Bill No. 1666, Chapter 1054, Statutes of 1983, which added Chapter 2, commencing with Section 22000, to Part 3 of Division 2 of the Public Contract Code, existing law did not provide a uniform cost accounting standard for construction work performed or contracted by local public agencies; and

WHEREAS, Public Contract Code section 22000 et seq., the Uniform Public Construction Cost Accounting Act ("Act"), establishes such a uniform cost accounting standard;

WHEREAS, the Commission established under the Act has developed uniform public construction cost accounting procedures for implementation by local public agencies in the performance of or in the contracting for construction of public projects; and

WHEREAS, the Act applies to any "public agency whose governing board has by resolution elected to become subject to the uniform construction cost accounting procedures set forth in Article 2 (commencing with Section 22010) and which has notified the Controller of that election," as set forth in Public Contract Code section 22030; and

WHEREAS, the Nipomo Community Services District ("District") is a California special district formed under the Community Services District Law (Govt. Code §61100 et seq.) and qualifies as a "public agency" under the Act;

WHEREAS, the District Board of Directors has determined that the procedures developed under the Act would be beneficial for the District and, therefore, supports the District's participation in the Act.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED by the Board of Directors of the Nipomo Community Services District, that:

1. The Nipomo Community Services District hereby elects under Public Contract Code section 22030 to become subject to the uniform public construction cost accounting procedures set forth in the Act and to the Commission's policies and procedures manual and cost accounting review procedures, as they may each from time to time be amended, and directs that the District General Manager notify the State Controller forthwith of this election.
2. In the event of a conflict with any other provision of law relative to bidding procedures, including any previously-adopted District purchasing policy, this Resolution and the procedures adopted herein shall prevail.

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Upon motion by Director Armstrong, seconded by Director Blair, on the following roll call vote, to wit:

AYES: Directors Armstrong, Blair, Woodson, Gaddis and Eby
NOES: None
ABSENT: None
CONFLICTS: None

the foregoing resolution is hereby passed and adopted this 14th day of November, 2018.




ED EBY
President of the Board

ATTEST:


MARIO E. IGLESIAS
General Manager and Secretary to the Board

APPROVED AS TO FORM:


WHITNEY G. McDONALD
District Legal Counsel