

**RESOLUTION NO. 2016-\_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DESERT HOT SPRINGS, CALIFORNIA, ELECTING TO BECOME SUBJECT TO THE UNIFORM PUBLIC CONSTRUCTION COST ACCOUNTING ACT**

**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 California 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 Sections 22000 *et seq.*, the Uniform Public Construction Cost Accounting Act (the "Act"), establishes such a uniform cost accounting standard; and

**WHEREAS**, the California Uniform Construction Cost Accounting Commission (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

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF DESERT HOT SPRINGS DOES HEREBY RESOLVE AS FOLLOWS:**

**Section 1. Recitals.**

That the Recitals set forth above are true and correct and are hereby incorporated herein by this reference.

**Section 2. Election to Become Subject to the Uniform Public Construction Cost Accounting Act**

The City 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 Cost Accounting Policies and Procedures Manual, as they may each from time to time be amended.

**Section 3. Notification to State Controller**

The City Council hereby directs the City Clerk to notify the State Controller in writing forthwith of the City's election to become subject to the uniform public construction cost accounting procedures as set forth herein, and to file a copy of this Resolution with the State Controller by mailing it to the following address:

Office of the State Controller  
Division of Accounting and Reporting  
Local Government Policy Section  
P.O. Box 942850  
Sacramento, CA 94250

**Section 4. Severability.**

That if any provision, section, paragraph, sentence or word of this Resolution be rendered or declared invalid by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences or words of this Resolution as hereby adopted shall remain in full force and effect.

**Section 5. Repeal of Conflicting Provisions.**

That all the provisions heretofore adopted by the City Council that are in conflict with the provisions of this Resolution are hereby repealed.

**Section 6. Certification.**

That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original resolutions.

**Section 7. Effective Date.**

That this Resolution shall take effect immediately upon its adoption.

**PASSED AND ADOPTED** by the City Council of the City of Desert Hot Springs at a regular meeting held on the 7th day of March, 2017 by the following vote:

**AYES:**

**NAYS:**

**ABSENT:**

**ABSTAIN:**

[SIGNATURES FOLLOW ON THE NEXT PAGE]

**ATTEST:**

\_\_\_\_\_  
Jerryl Soriano, City Clerk

**APPROVED:**

\_\_\_\_\_  
Scott Matas, Mayor

**APPROVED AS TO FORM:**

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Jennifer A. Mizrahi, City Attorney