

JOINT POWERS AUTHORITY EXECUTIVE COMMITTEE

RESOLUTION NO. JPA 2024-003

Gary Gardner, Chair
City of Desert Hot Springs

Waymond Fermon, Vice Chair
City of Indio

Mark Carnevale
City of Cathedral City

Greg Sanders
City of Indian Wells

Linda Evans
City of La Quinta

Jan Harnik
City of Palm Desert

Jeffrey Bernstein
City of Palm Springs

Steve Downs
City of Rancho Mirage

V. Manuel Perez
County of Riverside

A RESOLUTION OF THE JOINT POWERS AUTHORITY EXECUTIVE COMMITTEE OF VISIT GREATER PALM SPRINGS APPROVING AN AMENDMENT TO SECTION 12 OF THE AMENDED AND RESTATED JOINT POWERS AGREEMENT REGARDING CONTRIBUTION SCHEDULE FOR JOINT POWERS AUTHORITY MEMBERS

WHEREAS, Visit Greater Palm Springs (VGPS) is a Joint Powers Authority ("JPA") operating under the Joint Exercise of Powers Act (California Government Code §§6500 et seq.), located in the County of Riverside, State of California; and

WHEREAS, the JPA Executive Committee serves as the governing body of VGPS; and

WHEREAS, the JPA Executive Committee adopted the Joint Powers Agreement ("Amended and Restated Agreement") on January 20, 2016 ("JPA Agreement"); and

WHEREAS, section 12 of the JPA Agreement sets forth the contribution amounts for JPA Members' participation in the JPA. Pursuant to the JPA Agreement, the contribution amounts may only be changed or amended with a unanimous vote of the JPA Executive Committee and a unanimous vote of the JPA Members' legislative bodies; and

WHEREAS, in accordance with the above referenced sections of the JPA Agreement, the JPA Executive Committee now desires to revise the JPA Members' contribution amounts as set forth below.

NOW, THEREFORE, BE IT RESOLVED by the JPA Executive Committee of Visit Greater Palm Springs as follows:

Section 1. Recitals.

That the Recitals set forth above are true and correct.

Section 2. JPA Member Contributions.

That the JPA Executive Committee hereby approves and adopts the following amendment to section 12 ("Contributions") of the JPA Agreement:

(a) Initial Membership Fee. Each new JPA Member shall pay to the JPA a one-(1) time entry fee and operation fee calculated as follows:

- (i) Entry Fee: The "Entry Fee" shall be calculated by multiplying the new JPA Member's current fiscal year's gross revenue estimate by .55%.
- (ii) Operation Fee: The "Operation Fee" shall be calculated by multiplying the Entry Fee by 15.62%.

The sum of the Entry Fee and the Operation Fee is due within thirty (30) days of a new JPA Member joining the JPA.

(b) Annual Contribution. Each JPA Member shall pay to the JPA (i) the greater of \$35,000 each year, or (ii) the applicable contribution amounts as set forth in the formula below, which may only be modified by a two-thirds vote of the entire JPA Executive Committee and a unanimous vote of the JPA Members' legislative bodies. JPA Members' legislative bodies shall, at a minimum, make quarterly payments of the annual contribution to VGPS.

A contribution from each of the JPA Members is a funding mechanism equal to:

- .0015 x Gross Room Rental Revenue for Lodging Establishments excluding Convention Hotels, and
- .0035 x Gross Room Rental Revenue for Convention Hotels

(c) The Gross Room Rental Revenue described herein shall not include any transient occupancy tax rebate incentives provided by the JPA Members.

Section 3. Initial Membership Fee for the City of Coachella.

That the Entry Fee and Operation Fee for the City of Coachella for Fiscal Year 2023/2024 is \$35,327 which has been calculated as follows:

Entry Fee:	\$5,555,555	x .	.55%	=	\$30,555
Operation Fee	30,555	x	15.62%	=	4,772
Initial Membership Fee					\$35,327

Section 4. That the President/Chief Executive Officer of VGPS and/or his designee shall take all reasonable steps to seek the approval of the amendment to section 12 of the JPA Agreement by the legislative bodies of the JPA Members.

Section 5. Severability.

That the Executive Committee declares that, should 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 6. Repeal of Conflicting Provisions.

That all the provisions heretofore adopted by Visit Greater Palm Springs or the Executive Committee that are in conflict with the provisions of this Resolution are hereby repealed.

Section 7. Effective Date.

That this Resolution shall take effect immediately upon its adoption.

Section 8. Certification.

That the Clerk of the Executive Committee shall certify as to the adoption of this Resolution and shall cause the same to be processed in the manner required by law.

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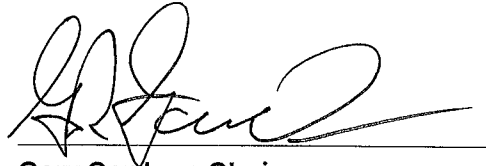
PASSED, APPROVED AND ADOPTED at a special meeting of the Joint Powers Authority (JPA) Executive Committee of Visit Greater Palm Springs, held on the 29 day of March, 2024, by the following vote:

AYES: 8 - Gary Gardner, Waymond Fermon, Greg Sanders, Linda Evans, Jan Harnik, Jeffrey Bernstein, Steve Downs, Joaquin Tijerina (Riverside County)

NAYES: 0


ABSENT: 1 - Mark Carnevale (Cathedral City)

ABSTAIN: 0



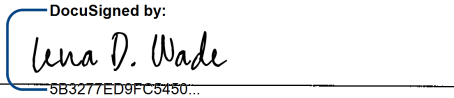
**Gary Gardner, Chair
Executive Committee
Visit Greater Palm Springs**

ATTEST:



Sarah Goslin, Clerk for the Executive Committee

APPROVED AS TO FORM:

DocuSigned by:

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Lena D. Wade, General Counsel