

RESOLUTION NO. 2024-13

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
COACHELLA, CALIFORNIA, APPROVING THE CITY OF
COACHELLA TO JOIN THE JOINT POWERS AUTHORITY
EXECUTIVE COMMITTEE AND APPROVING THE AMENDMENT TO
THE SECOND AMENDED AND RESTATED JOINT POWERS
AGREEMENT WITH THE VISIT GREATER PALM SPRINGS (VGPS)**

WHEREAS, Visit Greater Palm Springs (VGPS), formerly the Greater Palm Springs Convention and Visitors Bureau (CVB), is a Joint Powers Authority operating under the Joint Exercise of Powers Act (California Government Code Section 6500 *et seq.*), located in the County of Riverside, State of California; and

WHEREAS, the VGPS was formed in 1989 and the operative legal document governing the VGPS as a joint powers authority is the Joint Powers Agreement (JPA), originally executed in 1989 and subsequently amended on multiple occasions, including on or about June 18, 2002, and most recently on or about January 20, 2016; and

WHEREAS, Section 24 of the JPA provides that the JPA may be amended from time to time by a two-thirds vote of the entire JPA Executive Committee and a unanimous vote of the VGPS members' legislative bodies in compliance with all applicable provisions of the Joint Exercise of Powers Act and all other applicable law; Section 24 has been renumbered to Section 27 in the Second Amended and Restated JPA; and

WHEREAS, Section 3 (Purpose) of the JPA provides that the purpose of the VGPS is to form a joint powers authority to jointly encourage, promote, and to do such other things as might be necessary to enhance, to the greatest extent possible, all aspects of the hospitality, convention and tourism industry in the Coachella Valley, and to attract visitors from national and international markets, all to the benefit of the VGPS Members and their constituents; and

WHEREAS, Section 8 (Additional Members) of the JPA provides that additional VGPS Members that qualify to join a joint powers authority under the Joint Exercise of Powers Act may be added as VGPS Members at any time by a two-thirds vote of the entire JPA Executive Committee and a unanimous vote of the VGPS Members' legislative bodies in compliance with all applicable provisions of the Joint Exercise of Powers Act and all other applicable laws; and

WHEREAS, Section 10 (JPA Executive Committee – Power and Duties) of the JPA currently authorize the JPA Executive Committee to appoint an advisory board (known as the Board of Directors) to conduct certain activities on behalf of the JPA; the JPA Executive Committee determines that it is in the best interest of the JPA to create a 501(c) (6) entity, formerly the Board of Directors, to manage the destination activities of the JPA as further set forth below; and

WHEREAS, Section 11 (Territorial Boundaries) of the JPA provides that VGPS territorial boundaries include the lands situated within the unincorporated areas of the Coachella Valley

situated in the County of Riverside and the lands situated within the jurisdictional boundaries of the cities of Cathedral City, Desert Hot Springs, Indian Wells, Indio, La Quinta, Palm Springs, Palm Desert, and Rancho Mirage. The territorial boundaries of VGPS may only be changed by a two-thirds vote of the JPA Executive Committee and a unanimous vote of the VGPS Members' legislative bodies; and

WHEREAS, Section 12 (Contributions) of the JPA sets forth the contribution amounts for JPA Members' participation in the JPA. Pursuant to the JPA, 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, on February 29, 2024, the VGPS Executive Committee adopted Resolution No. JPA 2024-002 approving the Second Amended and Restated JPA, and incorporated herewith by this reference, to:

(1) Amend Section 3 (Purpose) – to revise the purpose set forth in the JPA, to more broadly serve and benefit the VGPS Members and their constituents by developing strategies to diversify the regional economy; and

(2) Amend Section 8 (Additional Members) – to include the City of Coachella as a VGPS Member; and

(3) Amend Section 10 (JPA Executive Committee – Power and Duties) – to expand the territorial boundaries of the JPA to include the City of Coachella; and

(4) Amend Section 11 (Territorial Boundaries) – to create a 501(c) (6) entity, formerly the Board of Directors, to manage the destination activities of the JPA; and

(5) Add Section 24 (Voting) – to note that each JPA Member shall have an equal vote; motions considered by the JPA Executive Committee shall require majority of votes cast (more than half) to pass a motion; and in the event of a tie vote, the motion before the JPA Executive Committee shall be deemed defeated; and

(6) Amend language throughout for necessary updates and consistency; and

WHEREAS, on March 29, 2024, the Executive Committee adopted Resolution No. JPA 2024-003 approving an amendment to the Second Amended and Restated JPA, enclosed as and incorporated herewith by this reference to:

(7) Amend Section 12 (Contributions) to add the following subsections:

(a) Initial Membership Fee – consisting of an Entry Fee and Operation Fee based on the calculations set forth in Section 12(a) as detailed in Exhibit A; and

(b) Annual Contribution – to note that each VGPS Member shall pay to the JPA (i) the greater of \$35,000 each year, or (ii) the applicable contribution amounts as set forth in formula of VGPS JPA Second Amended and Restated Agreement.

NOW, THEREFORE, BE IT RESOLVED, that this City Council of the City of Coachella, California, as follows:

1. The recitals set forth hereinabove are true and correct; constitute the findings of the City Council; and are incorporated herewith by this reference.
2. Approve the City of Coachella to join the Joint Powers Authority (JPA) Executive Committee.
3. Approve the Amendment to the Second Amended and Restated Joint Powers Agreement with the Visit Greater Palms Springs (VGSP).
4. Appoint a council member to represent the City on the JPA Executive Committee.
5. Authorize the payment in the amount of \$35,327 for the entry and operation fee.
6. Authorize the City Manager to execute the agreement.

PASSED, APPROVED and ADOPTED this 24th day of April 2024.

Steven A. Hernandez
Mayor

ATTEST:

Angela M. Zepeda
City Clerk

APPROVED AS TO FORM:

Carlos Campos
City Attorney

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF COACHELLA)

I HEREBY CERTIFY that the foregoing Resolution No. 2024-13 was duly adopted by the City Council of the City of Coachella at a regular meeting thereof, held on the 24th day of April 2024 by the following vote of Council:

AYES:

NOES:

ABSENT:

ABSTAIN:

Delia Granados
Deputy City Clerk