

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) Each new JPA Member shall pay to the JPA a one-(1) time fee of \$_____ upon commencing membership in the JPA and within five (5) working days of the date of a written demand for payment from VGPS.

(b) Each JPA Member shall pay to the JPA (i) the greater of \$_____ 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. 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 4. 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 5. 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 6. Effective Date.

That this Resolution shall take effect immediately upon its adoption.

Section 7. 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.

[Remainder of this page intentionally left blank.]

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

AYES:

NAYES:

ABSENT:

ABSTAIN:

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

ATTEST:

Sarah Goslin, Clerk for the Executive Committee

APPROVED AS TO FORM:

Lena D. Wade, General Counsel