

TIMELINE OF LA QUINTA ARTS FOUNDATION AND CITY OF LA QUINTA
NEGOTIATIONS REGARDING LA QUINTA ARTS FESTIVAL LOCATION

La Quinta Arts Foundation (LQAF) has been proud to present the # 1 in the nation ranked La Quinta Arts Festival in La Quinta since 1983. Much has changed during that time when the Festival was conceived by La Quinta's first Mayor Fred Wolff to attract residents and visitors to the newly formed city.

La Quinta Civic Center Park

The growth of the Festival caused the event to relocate three times since 1983 landing at La Quinta Civic Center Park from 2005 until the present.

From the 2005 move to La Quinta Civic Center, to facilitate parking for the Festival, LQAF secured parking permissions from privately owned vacant parcels adjacent to La Quinta Civic Center for parking for the Festival, among many other locations in proximity to the Civic Center.

September 16, 2008 - LQAF entered into a Facility Use Agreement with the City providing for use of the La Quinta Civic Center Park through March 10, 2013.

March 15, 2011 - The La Quinta Redevelopment Agency purchased the aforementioned vacant lots for \$3,869,000 from five individual owners for a stated purpose of: Resolution 2011- "Whereas, Agency staff have negotiated purchase and sale agreements (collectively, the "Agreements) with five (5) independent owners of residential real property located in the Village area of the City (collectively, the "Properties") for future public parking and/or road realignment purposes (collectively, the "Infrastructure Improvements") to facilitate access to the Village..."

December 18, 2013 - The Facility Use Agreement was amended to extend the term for five additional years through June 2018. The amendment also provided LQAF use of those certain parking properties now owned by the city. Included in the amended agreement was LQAF's payment to the City of \$54,000 to gravel stabilize the vacant properties for use of the Festival, Old Town businesses and other community events parking.

April 21, 2014 - In a letter to LQAF, the City issued *"Notice to Vacate Certain Parking Facilities in April 2015"* to LQAF to accommodate the Purchase and Sale Agreement between the City and Marvin Investments for commercial development of the parking properties. Due to a delay in the Marvin development project, La Quinta Arts Festival 2016 was presented at the Civic Center Campus with use of the adjacent parking areas.

April 17, 2015 - The City issued another *"Notice to Vacate Certain Parking Facilities in April 2016"*.

May 4, 2016 - The City issued a letter rescinding the *"Notice to Vacate Certain Parking Facilities in April 2016"*, and confirmed the Marvin project was not proceeding, which permitted use of the Civic Center Park and adjacent parking properties for the 2017 La Quinta Arts Festival.

May 2017 - LQAF and the City attempted unsuccessfully to negotiate an amendment to the Facility Use Agreement set to expire on March 31, 2018, since, with its future development goals, the City was unwilling to guarantee availability of those certain parking areas.

September 29, 2017 – In a meeting LQAF was notified of the City's impending street construction projects which they said would adversely impact production of the 2019 La Quinta Arts Festival.

April 4, 2018 - LQAF's Facility Use Agreement expired on March 31, 2018, at which time LQAF requested and received a one-year extension for use of La Quinta Civic Center Campus and adjacent parking areas with a guarantee the street development project would not commence until following the 2019 Festival.

May 7, 2018

Kathleen Fitzpatrick, La Quinta Council Member
Chair, SilverRock park project AdHoc Committee
City of La Quinta
78-495 Calle Tampico
La Quinta, CA 92253



Dear Kathleen:

The La Quinta Arts Foundation (LQAF) Board of Directors (Board) met April 23, 2018 to evaluate the prospect of La Quinta Arts Festival 2020 being held at the SilverRock Resort park project currently in preliminary design phase by the Ad Hoc Committee.

It is the Board's conclusion that the park project's ambitious and uncertain development timeline poses an extraordinary risk for LQAF as it conflicts with LQAF's contractual commitment making timeline, more than a year in advance. A project of this magnitude is apt to experience delays even without the added development coordination requirement with Montage and Pendry projects.

The Board is further concerned about the site's capacity to accommodate the immediate and long range needs of an event the scale of La Quinta Arts Festival. Namely, the insufficient project budget, its retention basin siting, limited infrastructure (power, data and connectivity, a secure building, containment security), circulation and access, insufficient parking (current minimum need 3,000 spaces–maximum from site plan is 1,500), and the overall economic feasibility.

As it should, the SilverRock park project is being designed to accommodate a wide range of needs and objectives of the City, the community at large, and the developer, and not for the specific needs of La Quinta Arts Festival. As a result LQAF's continued participation in the bi-weekly planning meetings is unwarranted.

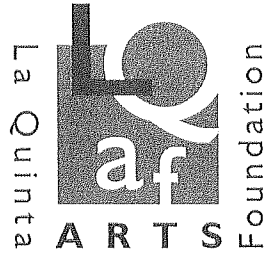
The 20,000 annual La Quinta Arts Festival patrons, plus participating artists have embraced the La Quinta Civic Center Park and extoll it as "the most beautiful festival site anywhere" – a main factor in the festival's continued national prominence. Understanding the city's impending street improvement project may adversely impact normal festival operations in 2020, LQAF would nonetheless like to explore options with the City for the La Quinta Arts Festival 2020 to remain at La Quinta Civic Center Park.

Regardless of the proposed SilverRock park's capacity to accommodate future La Quinta Arts Festivals, LQAF sees **many** opportunities to work with the City at the new park to present programs and activities that elevate the city's arts heritage, creates ongoing engagement and vitality, engages the desired demographic and renders the park the 'sought after' destination that the city envisions.

Sincerely,
La Quinta Arts Foundation
Its Board of Directors

May 14, 2018

Kathleen Fitzpatrick, La Quinta Council Member
Chair, SilverRock park project AdHoc Committee
City of La Quinta
78-495 Calle Tampico
La Quinta, CA 92253



Dear Kathleen,

Kay Wolff is a treasured and respected La Quinta Arts Foundation (LQAF) founder, however she has not been involved in the governance or operations of LQAF for nearly 20 years.

The sitting LQAF board of directors has sole decision-making authority for all matters. Involving Kay in a matter in which she is ill-informed is not appropriate. The board has not authorized her to represent the Foundation. Any and all communications from the City need to be addressed to the LQAF's board only. This is in fairness to Kay and in fairness to the board.

To reiterate and make clear our position, the timing of the SilverRock park development project does not align with LQAF's commitment making deadlines for 2020 as stated in our letter dated May 7, 2018. We will not involve LQAF time and resources in a speculative development project that may jeopardize La Quinta Arts Festival's stability and stature.

As requested in the letter of May 7, 2018, LQAF wishes to understand the impact and timing of the street construction project that the City has indicated would render the Civic Center Park unavailable for the 2020 La Quinta Arts Festival.

We await the City's formal response on whether La Quinta Civic Center Park will be available to LQAF to hold the 2020 festival under any circumstances.

Respectfully,

La Quinta Arts Foundation
Its Board of Directors



May 21, 2018

Kathleen Fitzpatrick, La Quinta Council Member
Chair, SilverRock park project AdHoc Committee
City of La Quinta
78-495 Calle Tampico
La Quinta, CA 92253

Dear Kathleen,

In response to your e-mail of May 15, 2018, likewise we value Kay Wolff's advice and counsel, she is La Quinta's treasure. For that reason to involve her at this late stage in our ongoing negotiations is not appropriate. Thank you for respecting that. We have worked diligently to ensure the legacy of La Quinta Arts Festival as evidenced by its continued national prominence and organizational stability.

The LQAF Board of Directors takes its responsibility to LQAF very seriously, and has spent appreciable time and effort to research and evaluate the proposed SilverRock park development project's suitability to hold La Quinta Arts Festival in 2020.

Our previous two letters address our concerns very explicitly. LQAF's representation at the initial AdHoc committee meetings detailed the needs of the festival. Simply stated, those requirements to hold the event as it has been presented cannot be met with the development timeline, site plan, and the published project budget, confirmed by the 4/6/2018 Hermann Design Group Priority List and Hermann Design Group Opinion of Probable Cost. We cannot reasonably plan a festival at a site that might not be completed in time.

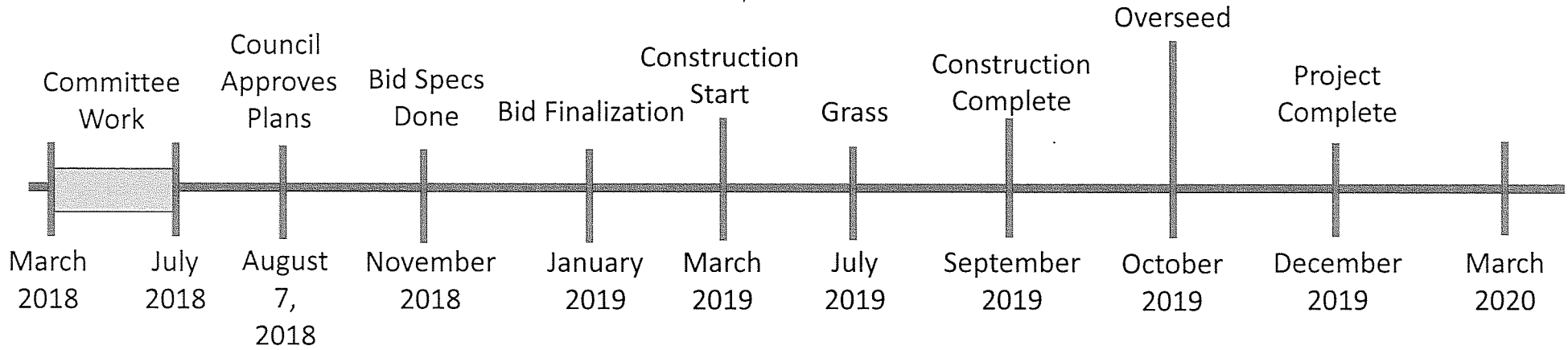
Further, suggestions of temporary 'fixes' to those specific needs, or that LQAF "invest" in the project, would be an imprudent stewardship of LQAF resources. LQAF would use the site for four days per year, but the park is being designed for year-round use by the SilverRock development and the general public.

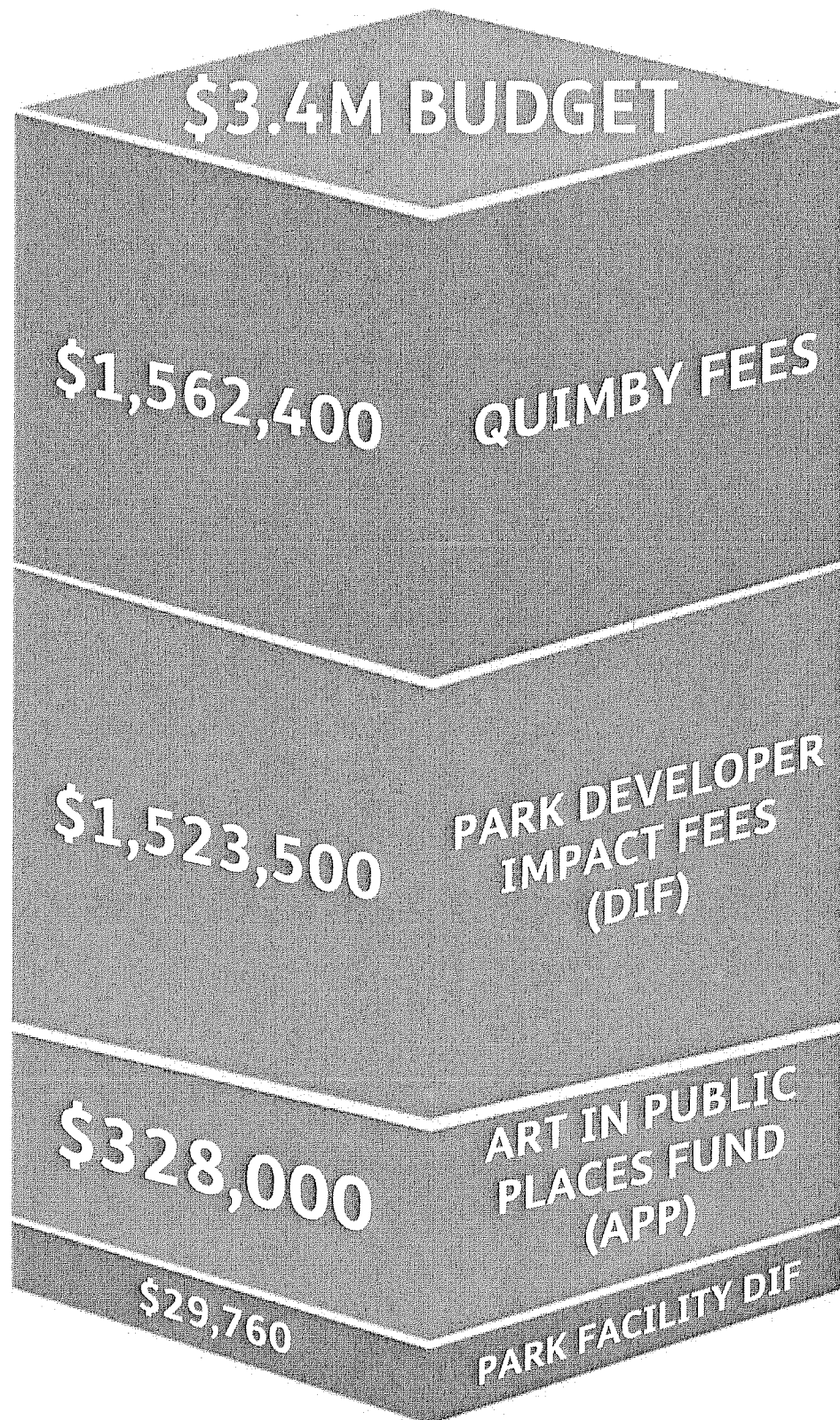
As the SilverRock park development project unfolds, we will be anxious to see if it ultimately meets the needs and objectives of La Quinta Arts Festival. What remains outstanding for us, is the City's response to our request regarding 2020 use of La Quinta Civic Center Park. We look forward to the City's response.

Respectfully,

La Quinta Arts Foundation
It's Board of Directors

SILVERROCK EVENT SITE AD-HOC COMMITTEE TIMELINE





HERMANN DESIGN GROUP - PRIORITY LIST

SilverRock Resort - Park Venue Site
La Quinta, California
Required Element

Date Revised: 4/6/2018
Revised By: CH

RANK: 1 - 5 (5 highest importance)

PRIORITY RATING	DESCRIPTION	UNIT	BUDGET
SITE PREPARATION			
	Grading/Import	CY	\$ 30.00
SITE CONSTRUCTION & AMENITIES			
	Lake Area	SF	\$ 15.00
	Permanent Art	EA	\$ 75,000.00
	Amphitheater - Grass, Seatwalls, Shade Cover	EA	\$ 650,000.00
	Secondary Restroom	EA	\$ 300,000.00
	Perimeter Wall	LF	\$ 125.00
	Trash Enclosure with Cover	LS	\$ 30,000.00
	Restroom Building	EA	\$ 300,000.00
	Metal Roof Shade Structure - 16' Diameter	EA	\$ 18,000.00
	Bike Racks	EA	\$ 1,500.00
	Benches	EA	\$ 1,500.00
	Table w/ Benches - 7' Diameter	EA	\$ 2,500.00
	Drinking Fountain	EA	\$ 6,500.00
	Trash Receptacles	EA	\$ 1,500.00
	Dog Waste Station	EA	\$ 1,200.00
	Tubular Steel Fence & Gates	LF	\$ 95.00
	Steel Edging	LF	\$ 12.00
	Concrete Mow Curb	LF	\$ 10.00
	Stabilized D.G. Paths - 5' Wide	SF	\$ 5.00
	Concrete Sidewalk - 10' and 8' Wide	SF	\$ 8.00
	Drop Off Area Interlocking Pavers	SF	\$ 10.00
	Entry Drive Interlocking Pavers	SF	\$ 10.00
	Parking Lot - Paving (Includes C&G)	SF	\$ 7.00
	Parking Lot - Signage	EA	\$ 800.00
	Parking Lot - Paint Striping	LF	\$ 2.25
	Parking Lot - Handicap Curb Cut Ramp	SF	\$ 15.00

PRIORITY RATING	DESCRIPTION	UNIT	BUDGET
ELECTRICAL			
	400 Amp Pedestal	EA	\$ 20,000.00
	Conduit and Wire	LF	\$ 10.00
	Misc Circuiting	LS	\$ 20,000.00
	Parking Lot Lighting	EA	\$ 7,000.00
	Park Pole Lighting	EA	\$ 7,000.00
	Site Lighting - Uplights and Bollards	EA	\$ 4,500.00
	Utility Transformer Pad	EA	\$ 3,000.00
LANDSCAPE			
	California Fan Palm - 8'-12' BTH - Skinned	EA	\$ 1,500.00
	24" Box Tree	EA	\$ 325.00
	36" Box Tree	EA	\$ 850.00
	Weed Abatement-Turf Areas only	SF	\$ 0.05
	Soil Prep/Fine Grade-Turf Areas Only	SF	\$ 0.10
	Shrub and Ground Cover Areas Park area only	SF	\$ 1.00
	Turf Area - Sprigs	SF	\$ 1.25
	Crushed Rock / Cobble - 8" Minus-Desert Landscape Area	SF	\$ 2.50
	Decomposed Granite - 3/8"- 3/4"- park area landscape only	SF	\$ 1.75
LANDSCAPE IRRIGATION			
	Irrigation Control/Backflow/Flow Sensor/Master Valve/Pump	LS	\$ 15,000.00
	Irrigation System - Shrub / Drip-Park areas	SF	\$ 1.50
	Irrigation System - Turf Spray	SF	\$ 1.25

CONTINGENCY	10%
GENERAL CONDITIONS*	15%

NOT INCLUDED

Inflation Beyond 2018
 Professional Service Fees
 Utility Company Service Charges
 Data Cable
 Shrub and Ground Cover Areas (slopes and other disturbed areas)
 Retention area landscape (Slopes and Bottom)

*** GENERAL CONDITIONS INCLUDE:**

Mobilization, Bonds, Insurance
 Temporary Fencing, Cleanup, Recycling,
 General Contractor Fee, and
 Overhead and Administration

HERMANN DESIGN GROUP - PRELIMINARY OPINION OF PROBABLE COST

Silver Rock Resort - Park Venue Site Concept II

La Quinta, California

Date Last Revised:

4/9/2018

Revised By:

CH

DESCRIPTION	QTY	UNIT	PRICE	EXTENDED
SITE PREPARATION				
Grading/Import (estimate only)	2,500	CY	\$ 30.00	\$ 75,000
SITE PREPARATION TOTAL				\$ 75,000
SITE CONSTRUCTION AND AMENITIES				
Restroom	1	LS	\$ 300,000.00	\$ 300,000
Conduit runs for ,Dry utilities	3,000	LF	\$ 12.00	\$ 36,000
Sewer Line	1,000	LF	\$ 18.00	\$ 18,000
Potable Water Line	1,000	LF	\$ 15.00	\$ 15,000
Bike Racks	2	EA	\$ 1,500.00	\$ 3,000
Benches	8	EA	\$ 1,500.00	\$ 12,000
Drinking Fountain	1	EA	\$ 6,500.00	\$ 6,500
Trash Receptacles	2	EA	\$ 1,500.00	\$ 3,000
Dog Waste Station	2	EA	\$ 1,200.00	\$ 2,400
Tubular Steel Fence & Gates	2,600	LF	\$ 100.00	\$ 260,000
Steel Edging	3,000	LF	\$ 12.00	\$ 36,000
Drive Approach	2	EA	\$ 3,500.00	\$ 7,000
Interlocking pavers Main Drive	10,000	SF	\$ 10.00	\$ 100,000
Interlocking pavers at drop off	7,500	SF	\$ 10.00	\$ 75,000
5' Wide Stabilized D.G. Paths	3,500	SF	\$ 5.00	\$ 17,500
10' Wide Concrete Sidewalk	21,500	SF	\$ 10.50	\$ 225,750
8' Wide Concrete Sidewalk	13,500	SF	\$ 8.50	\$ 114,750
Parking Lot - Signage	4	EA	\$ 800.00	\$ 3,200
Parking Lot - Handicap Curb Cut Ramp	300	SF	\$ 15.00	\$ 4,500
Parking Overflow - Class 2 Base	155,500	SF	\$ 2.00	\$ 311,000
Secondary Access Drive Class 2 Base	25,000	SF	\$ 2.00	\$ 50,000
SITE CONSTRUCTION AND AMENITIES TOTAL				\$ 1,600,600
SITE ELECTRICAL				
400 Amp Pedestal	1	EA	\$ 15,000.00	\$ 15,000
Conduit and Wire	3,000	LF	\$ 12.00	\$ 36,000
Misc Circuiting	1	LS	\$ 15,000.00	\$ 15,000
Site Lighting - Pole lights	15	EA	\$ 7,000.00	\$ 105,000
Site Lighting - Uplights	16	EA	\$ 1,500.00	\$ 24,000
Utility Transformer Pad	1	EA	\$ 12,000.00	\$ 12,000
SITE ELECTRICAL TOTAL				\$ 207,000

DESCRIPTION	QTY	UNIT	PRICE	EXTENDED
LANDSCAPE				
California Fan Palm 8'-12' BTH - Skinned	36	EA	\$ 1,200.00	\$ 43,200
24" Box Tree	50	EA	\$ 325.00	\$ 16,250
36" Box Tree	8	EA	\$ 850.00	\$ 6,800
Weed Abatement - (turf area)	200,000	SF	\$ 0.05	\$ 10,000
Soil Prep/Fine Grade - (turf area)	200,000	SF	\$ 0.10	\$ 20,000
Shrub and Ground Cover Area (park areas)	70,000	SF	\$ 2.00	\$ 140,000
Turf Area - Sprigs	200,000	SF	\$ 0.35	\$ 70,000
Crushed Rock / Cobble - 8" Minus	20,000	SF	\$ 2.50	\$ 50,000
Decomposed Granite - 3/8" (park area only)	70,000	SF	\$ 1.75	\$ 122,500
LANDSCAPE TOTAL				\$ 478,750
LANDSCAPE IRRIGATION				
Pump	1	LS	\$ 15,000.00	\$ 15,000
IR Control, Backflow, Flow Sensor, Master Valve	1	LS	\$ 7,500.00	\$ 7,500
Irrigation System - Shrub / Drip				
Drip - Park areas	70,000	SF	\$ 1.50	\$ 105,000
Irrigation System - Turf Spray	200,000	SF	\$ 1.25	\$ 250,000
IRRIGATION TOTAL				\$ 377,500
SUBTOTAL				\$ 2,738,850
CONTINGENCY		10%		\$ 273,885
GENERAL CONDITIONS*		15%		\$ 410,828
TOTAL				\$ 3,423,563

NOT INCLUDED

Inflation Beyond 2018
 Professional Service Fees
 Data Cable
 Shrub and Ground Cover Areas (Slopes)
 Retention Area - Slopes and Bottom
 Utility Company Service Charges
 Actual grading/import

* GENERAL CONDITIONS INCLUDE:

Mobilization, Bonds, Insurance
 Temporary Fencing, Cleanup, Recycling,
 General Contractor Fee, and
 Overhead and Administration

Date: June 4, 2018
To: Sherry Barkas, The Desert Sun
From: La Quinta Arts Foundation, It's Board of Directors
Re: Response to Questions Posed in Email of June 1, 2018

1. What is the primary reason that the Foundation does not want to move the Arts Festival?

The proposed SilverRock venue is not adequate to permit La Quinta Arts Foundation (LQAF) to stage its historic premier annual event. The La Quinta Arts Festival has enjoyed great success at Civic Center Park, capturing the coveted #1 in the Nation Fine Art Festival position in four of the last six years. The Civic Center Park (and associated infrastructure: power, water, data, access, parking, and facilities including the Wellness Center) afford LQAF the opportunity to present the event in the premier manner anticipated and expected by the artists and patrons. LQAF has indicated it is more than willing to consider relocation of the event as long as the proposed venue meets the needs of the event and is production cost permissive.

Is there anything the city can say or do to convince the Foundation that SilverRock would be ready and all concerns for parking, etc. can be met?

No. The SilverRock park's proposed development timeline does not align with LQAF's commitment making production timeline. Should the SilverRock park development be delayed, LQAF could be faced with cancellation of the Festival with resulting injury to its reputation and a substantial financial loss due to then existing contractual liabilities. The LQAF Board is unwilling to assume this financial risk for the 2020 event.

2. How would parking be accommodated for Civic Center if The Village construction is ongoing and parking for the event is not available and Civic Center is difficult to access?

LQAF has written to the City to request information on the City's street construction project timeline and logistics. A better understanding of the construction impacts to all of the areas currently used for parking will allow LQAF to research alternatives. We await the City's response to our request for same.

3. How many years now has the festival been held at Civic Center?

La Quinta Arts Festival has been presented at La Quinta Civic Center since 2005 (See attached Timeline).

4. I'm confused by the letter to Mayor Pro Tem Fitzpatrick regarding Kay Wolff. Why was her reaching out "not appropriate?" I don't know what the communication was between the two, so I'm at a loss for what makes the communication inappropriate?

Kay Wolff is a treasured founder of LQAF. However Kay has not been involved in the day to day operations of LQAF for nearly twenty years. We felt it unfair to Kay and to the LQAF Board of Directors to insert her into ongoing long term negotiations with the City at the 11th hour. The LQAF Board of Directors has spent a substantial amount of time and effort on the matter, and preceding the outreach to Kay, had already met with, and delivered correspondence (attached letters of May 7, May 14, May 21, 2018) to the City addressing each of LQAF's concerns on the project.

5. **What is the Foundation's main concern/frustration with the city at this point with regard to the 2020 Arts Festival location? Because I get there impression there is frustration on both sides and I want to understand and fairly represent both.**

The main concerns are the uncertainty generated by the tight timeline for the construction of the proposed SilverRock park and a recognition by LQAF that, even if the SilverRock park is completed on the proposed schedule, the City's budget does not currently permit it to construct the infrastructure and facilities needed by LQAF to properly execute its premier event. LQAF's goal is to continue to serve our artists and public constituents with the highest level of professionalism and provide experiences that exceed patron expectation.

6. **If the city cannot/will not approve the 2020 Arts Festival be held at Civic Center, what will happen? Will the Foundation accept SilverRock as the venue or will you look to move the Arts Festival elsewhere? And by elsewhere, I mean in and/or out of La Quinta? Do you prefer to stay in La Quinta?**

LQAF currently intends to stage its premier event in 2020. If the Civic Center Park is not available for use in 2020, LQAF will be required either to cancel the Festival or seek an acceptable alternative venue. LQAF will address the issue of the 2020 Festival location after learning the City's decision and being afforded the opportunity to better understand the impacts of the street improvement project.

7. **Anything else you want to say that I am not thinking to ask?**

The LQAF Board takes its fiduciary duties to the organization very seriously. To make a commitment at this point, to hold the Festival for 2020 at a construction project which may or may not be realized or ultimately suitable would be irresponsible and have adverse consequence for LQAF. If the project comes to fruition and it is suitable to host the Festival in subsequent years, LQAF will be happy to consider that.

8. **Will you – or someone from the Foundation Board – be attending the council meeting Tuesday?**

No. LQAF believes that it has clearly stated its requests, concerns, and position in its letters of May 7, 14, 21, 2018 and prior discussions with City representatives. At this point the decision as to the availability of the Civic Center Park for the 2020 Festival is up to the City. Assuming that the City can adjust its proposed construction schedule to accommodate the timing of the 2020 Festival and agrees to maintain the currently existing facilities, infrastructure, access, and parking, LQAF will stage the 2020 Festival at the Civic Center Park.