



## Legislation Text

---

**File #:** 26289, **Version:** 1

---

### Fiscal Note

Expenses of \$25,000 for the display are included within the 2012 Parks Division Adopted Operating Budget, fully offset by anticipated donations. Total City costs associated with the event are projected at \$40,000, to be fully offset by donations. No additional appropriation is necessary.

### Title

Authorizing the Mayor and City Clerk to enter into an Agreement between the City and Bartolotta Fireworks Company, Inc. for the fireworks display at Elver Park.

### Body

WHEREAS, since 1985, the City and sponsoring organizations have worked together to provide Madison area visitors and residents with an Independence Day celebration at Elver Park (the "Event"); and

WHEREAS, in 2012 the City is managing the Event, with a sponsorship from Woodman's; and

WHEREAS, in 2012 the City expects to incur \$40,000 in expenditures related to the Event; and

WHEREAS, attendance at the Event has increased and requires substantial City resources to ensure a safe and orderly celebration; and

WHEREAS, Bartolotta Fireworks Company, Inc. ("Bartolotta") is willing to provide the fireworks display for the Event on July 3, 2012 at Elver Park.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Clerk are hereby authorized to execute an Agreement between the City and Bartolotta Fireworks Company, Inc. for the fireworks display for the Event, subject to the following terms and conditions:

1. Bartolotta shall provide qualified pyrotechnicians who will deliver, set-up, execute and take down the fireworks display. Bartolotta shall conduct an after display search of the grounds in an effort to locate and dispose of unexploded fireworks.
2. Bartolotta shall provide evidence of liability coverage, including workers compensation insurance for its employees, with policy amounts and coverage as determined by the City's Risk Manager.
3. The cost of the display to be provided by Bartolotta shall be \$25,000, except that if the Event is cancelled, the cost to the City shall be labor and restocking charges only.
4. The City and Bartolotta agree that the City shall manage and arrange all aspects of the Event relating to police and fire protection, enforcement of standards for fireworks displays, EMS coverage, traffic control and enforcement of park rules.

AND, BE IT FINALLY RESOLVED THAT any contributions in excess of expenses will be carried forward to the 2013 event.