



## Legislation Details (With Text)

**File #:** 29474      **Version:** 1      **Name:** Rhythm & Booms 2013 Agreement  
**Type:** Resolution      **Status:** Passed  
**File created:** 3/12/2013      **In control:** COMMITTEE ON THE ENVIRONMENT (ended 6/2020)  
**On agenda:** 3/19/2013      **Final action:** 4/16/2013  
**Enactment date:** 4/17/2013      **Enactment #:** RES-13-00297  
**Title:** Authorizing the Mayor and the City Clerk to enter into an agreement with Madison Fireworks Fund, Inc. and/or Madison Festivals, Inc. to provide for the 2013 Rhythm & Booms Independence Day firework celebration at Warner Park.  
**Sponsors:** Paul R. Soglin, Satya V. Rhodes-Conway, Anita Weier

**Indexes:**

**Code sections:**

**Attachments:** 1. 2013 Final Agreement, 2. Rhodes-Conway Comments to BPC.pdf, 3. 29474 Input provided to the BPC 4.10.13.pdf

Date	Ver.	Action By	Action	Result
4/16/2013	1	COMMON COUNCIL	Adopt with the Recommendation(s)	Pass
4/15/2013	1	COMMITTEE ON THE ENVIRONMENT (ended 6/2020)	Return to Lead with the Following Recommendation(s)	Pass
4/10/2013	1	BOARD OF PARK COMMISSIONERS	RECOMMEND TO COUNCIL WITH THE FOLLOWING RECOMMENDATIONS - REPORT OF OFFICER	Pass
4/8/2013	1	BOARD OF ESTIMATES (ended 4/2017)	Return to Lead with the Recommendation for Approval	Pass
3/19/2013	1	BOARD OF PARK COMMISSIONERS	Refer	
3/19/2013	1	BOARD OF PARK COMMISSIONERS	Refer	
3/19/2013	1	COMMON COUNCIL	Refer	Pass
3/12/2013	1	Attorney's Office	Referred for Introduction	

### Fiscal Note

This Agreement provides for the City to fund \$55,000 in City agency base costs and requires no cash contribution from the City. In 2012, the City funded \$77,000 in City agency base costs and contributed cash of \$16,886, for a total City contribution of \$93,886 paid from the Room Tax Fund.

The City agency base costs are funded through a transfer from the Room Tax Fund to General Fund Revenues. The 2013 Adopted Budget includes an anticipated transfer of \$78,300, which is \$23,300 more than required by this Agreement. Therefore, Room Tax Fund expenditures and General Fund Revenues are anticipated to be \$23,300 less than budgeted. In addition, individual agency budgets include revenue received from the event organizer. This Agreement has no net impact on the General Fund because the loss in General Fund Revenues will be offset by the revenue received from the organizer or decreased expenditures by the agencies. No cash contribution is included in the 2013 Budget, which is consistent with this Agreement.

### Title

Authorizing the Mayor and the City Clerk to enter into an agreement with Madison Fireworks Fund, Inc. and/or Madison Festivals, Inc. to provide for the 2013 Rhythm & Booms Independence Day firework celebration at

Warner Park.

**Body**

WHEREAS, since 1996 the City has worked with the Madison Fireworks Fund, Inc. (MFF) to put on an Independence Day celebration at Warner Park known as Rhythm & Booms; and,

WHEREAS, over time, the City's costs related to Rhythm & Booms have grown and efforts have been undertaken by the City and MFF to reduce the size and scope of the event in order to rein in costs; and,

WHEREAS, MFF's operations and ownership of the Rhythm & Booms event are expected to be taken over by Madison Festivals, Inc. (MFI), who has expressed the desire to hold the 2013 Rhythm & Booms event at Warner Park.

NOW THEREFORE BE IT RESOLVED, that the City agrees that MFF/MFI may use Warner Park to hold the 2013 Rhythm & Booms event on Wednesday, July 3, subject to the following conditions: there shall be no rain out date; the City shall be reimbursed for the contribution of services to the event in excess of \$55,000; the firework show shall cost no more than \$100,000, shall last no longer than 30 minutes, shall go no later than 11:00 p.m. and may include a Wisconsin Air National Guard F-16 flyover; MFF/MFI may no longer refer to the event as the "largest firework display in the Midwest"; MFF/MFI shall be responsible for all clean up related to the event; and MFF/MFI shall agree to indemnify the City and carry insurance naming the City as an additional insured, but also require its firework contractor to indemnify the City and name the City as an additional insured in its insurance coverage.

BE IT FURTHER RESOLVED, that the Mayor and the City Clerk are authorized to execute an agreement with Madison Fireworks Fund and/or Madison Festivals, Inc. for the 2013 Rhythm and Booms Event consistent with the above noted terms in a form approved by the Risk Manager and the City Attorney.