

Pima County Clerk of the Board

Julie Castañeda

Melissa Manriquez
Deputy Clerk

Administration Division
130 W. Congress, 1st Floor
Tucson, AZ 85701
Phone: (520)724-8449 • Fax: (520) 222-0448

Management of Information & Records Division
1640 East Benson Highway
Tucson, Arizona 85714
Phone: (520) 351-8454 • Fax: (520) 791-6666

September 9, 2021

Bobby Retz
Westin La Paloma Resort
3660 E. Sunrise Drive
Tucson, AZ 85718

RE: Fireworks Display
Applicant: Westin La Paloma Resort
Date: December 6, 2021 at 8:30 p.m.
Location: 3660 E. Sunrise Drive

Dear Mr. Retz:

Notice is hereby given that the above-referenced application for a fireworks permit is scheduled to be heard before the Pima County Board of Supervisors on Tuesday, September 21, 2021, at approximately 9:00 a.m. or thereafter, to be held at the following location:

Pima County Administration Building
Board of Supervisors Hearing Room
130 W. Congress, 1st Floor
Tucson, AZ 85701

If you have any questions pertaining to this matter, please contact this office at (520)724-8449.

Sincerely,

A handwritten signature in black ink, appearing to read "Castañeda", is written over a horizontal line.

Julie Castañeda
Clerk of the Board

c: Sheriff's Department-Explosives Division
Fireworks Productions of Arizona



PIMA COUNTY PERMIT FOR FIREWORKS DISPLAY

ORGANIZATION:

Westin La Paloma Resort

ADDRESS:

3660 E Sunrise Dr. Tucson 85718

LOCATION OF DISPLAY:

3660 E Sunrise Dr. Tucson 85718

DATE AND TIME OF DISPLAY:

December 6, 2021 @ approx. 8:30pm

ALTERNATIVE DISPLAY DATE(s)/TIME:

PRODUCTION COMPANY:

Fireworks Productions of Arizona

Pursuant to Pima County Code 9.04.050, the Pima County Sheriff's Department has conducted a site inspection and recommends approval of the Permit for Fireworks Display. Conformance to the provisions on the attached *Pima County Fireworks Inspection Form* is required.

A handwritten signature in black ink, appearing to be "P. J. [unclear]", is written over a horizontal line.

Pima County Sheriff

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The Pima County Board of Supervisors approves the Permit for Fireworks Display for the location, date and time, or alternative date(s) and time, specified above. In the event a fire emergency is declared, adherence to any restriction(s) set forth in that declaration is required.

Dated this _____ day of _____, 20____.

ATTEST

Chairman, Pima County Board of Supervisors

CLERK OF THE BOARD

This permit is not transferable or assignable, must have the executed *Pima County Fireworks Inspection Form* attached and must be available for inspection prior to, during and after the fireworks display.



PIMA REGIONAL BOMB SQUAD

Pima County Sheriff's Department

1750 E Benson Highway, Tucson, AZ 85714

"Leadership Through Teamwork"



PIMA COUNTY FIREWORKS INSPECTION FORM

This inspection is being conducted pursuant to Pima County Code (PCC) 09.04.050. Its purpose is to assure compliance with NFPA 1123 and PCC 09.04.080. No permit will be recommended for approval unless the display meets the requirements of both standards; a person violating these provisions is guilty of a class three misdemeanor. The "Site Representative" and "Operator's Representative" signing this document assume criminal and civil responsibility for compliance with these provisions.

- | YES | NO | DATE OF INSPECTION: | |
|-------------------------------------|--------------------------|---------------------|---|
| ☒ | ☐ | 31 Aug | Launch site is more than (200') two hundred feet from the nearest permanent building, public highway, railroad, or other means of travel. Building is defined as a facility intended for occupancy or habitation. (09.04.080) |
| ☒ | ☐ | | Site plan submitted to inspecting authority (NFPA 1123 5.1.2.1) |
| ☒ | ☐ | | Site Plan includes dimensions of display, location of discharge site, spectator area, parking area, fall-out area, and associated distances (Attach Site Plan) (NFPA 1123 5.1.2.2) |
| ☒ | ☐ | | Minimum radius of display site equals 70 feet per inch shell diameter (NFPA 1123 5.1.3.1) |
| ☒ | ☐ | | Distance exemption required Reason: <u>Nine</u> (NFPA 1123 5.1.4.6) |
| ☒ | ☐ | | Launch site is more than (50') fifty feet from the nearest above ground telephone or telegraph line, tree or other overhead obstruction, or one hundred feet from a high-tension wire (09.04.080) |
| ☒ | ☐ | | Launch site is more than five hundred feet from a school, theater, church, hospital, or similar institution (09.04.080) |
| ☒ | ☐ | | Spectator site is more than (200') two hundred feet from the point at which the fireworks are to be discharged (09.04.080) |
| ☒ | ☐ | | Only authorized persons and those in actual charge of the display shall be allowed inside these lines or barriers during the unloading, preparation, firing and clean-up period of fireworks (09.04.080) |
| ☒ | ☐ | | Mortar rack set to be designed at as near vertical as possible (09.04.080) |
| ☒ | ☐ | | Fireworks display will be stopped during any storm or wind in which the wind reaches a velocity of more than ten miles per hour (09.04.080) |
| ☒ | ☐ | | All fireworks, articles and items at places of display shall be stored in a manner and in a place secure from fire, accidental discharge, and theft or other potential hazards, and in a manner approved by the governmental agency having jurisdiction. Storage method: <u>TUBES</u> (09.04.080) |
| ☒ | ☐ | | Any fireworks that remain unfired after the display is concluded shall be immediately disposed of or removed in a manner safe for the particular type of fireworks (09.04.080) |
| ☒ | ☐ | | Debris from the discharged fireworks will be properly disposed of by the operator before operator leaves the premises (09.04.080) |
| ☒ | ☐ | | Upon conclusion of the display the operator shall make a complete and thorough search for any unfired fireworks or pieces which have failed to fire or function and shall dispose of them in a safe manner and contact the bomb squad for assistance if necessary (09.04.080) |
| ☒ | ☐ | | Fire department scheduled for standby. Fire agency and POC: <u>Theresa Morris FD</u> (NFPA 1123 8.1.1) |
| ☒ | ☐ | | Evidence of all site crew meeting NFPA training requirements provided (NFPA 1123 8.1.3.3) |
| ☒ | ☐ | | Display site meets crowd control requirements including the use of ropes, boundary lines and/or spotters (NFPA 1123 8.1.2) |
| ☒ | ☐ | | Operator will conduct display in compliance with the provisions set forth in NFPA 1123 and Pima County Code 9.04 |
| ☒ | ☐ | | Permit approved by Sheriff's Department (09.04.050) |

Inspector

JG Morris

Site Representative

Bobby Retz

Operator's Representative

Troy Finney

Revised 28 OCT 2012

LA PATCOMA
-6 DEC-

CP 0821M1109PCKDF DD

0821M1109PCKDF DD

MERCHANTS
BONDING COMPANY

MERCHANTS BONDING COMPANY (MUTUAL) P.O. BOX 14498, DES MOINES, IA 50306-3498
PHONE: (800) 678-8171 FAX: (515) 243-3854

FIREWORKS DISPLAY BOND

Bond No. AZ 423905

KNOW ALL PERSONS BY THESE PRESENTS, that we

Fireworks Productions of Arizona LTD

as Principal, and MERCHANTS BONDING COMPANY (MUTUAL), a corporation organized under the laws of the State of Iowa, and duly authorized and licensed to do business in the State of Arizona, as Surety, are firmly bound unto Pima County

State of Arizona
in the sum of One Thousand Dollars DOLLARS (\$\$1,000.00) lawful money of the United States, to the payment of which sum, well and truly to be made, the Principal and Surety bind themselves, their and each of their heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS the above bounden Principal Fireworks Productions of Arizona LTD desires to have a permit for Fireworks Display and in order to have such display it is necessary for said Fireworks Productions of Arizona LTD

to execute a surety bond in the amount of One Thousand Dollars Dollars (\$ \$1,000.00) conditioned for the payment of all damages which may be caused to persons or property by reason of the permitted display as provided in Chapter 46, Arizona Legislative Session Laws of 1941.

NOW, THEREFORE, if the said Fireworks Productions of Arizona LTD well and truly observe, carry out, perform and comply with all requirements, terms and provisions of the Ordinances of the Board of Supervisors of Pima County, State of Arizona, conditioned for the payment of all damages which may be caused to persons or property by reason of the permitted display as provided in Chapter 46, Arizona Legislative Session Laws of 1941, for a period from 12:01 A.M. May 7, 2021 to 12:01 A.M. May 7, 2022 then this obligation to be void, and of no effect.

SIGNED, sealed and dated this 16th day of March, 2021.

Fireworks Productions of Arizona LTD
Principal

MERCHANTS BONDING COMPANY (MUTUAL)
By Shannon Lindeberg
Attorney-in-fact Shannon Lindeberg

REC-1621M039PCCKE-BD

MERCHANTS
BONDING COMPANY™
POWER OF ATTORNEY

Know All Persons By These Presents, that MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC., both being corporations of the State of Iowa (herein collectively called the "Companies") do hereby make, constitute and appoint, individually,

Shannon Lindeberg

their true and lawful Attorney(s)-in-Fact, to sign its name as surety(ies) and to execute, seal and acknowledge any and all bonds, undertakings, contracts and other written instruments in the nature thereof, on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

This Power-of-Attorney is granted and is signed and sealed by facsimile under and by authority of the following By-Laws adopted by the Board of Directors of Merchants Bonding Company (Mutual) on April 23, 2011 and amended August 14, 2015 and adopted by the Board of Directors of Merchants National Bonding, Inc., on October 16, 2015.

"The President, Secretary, Treasurer, or any Assistant Treasurer or any Assistant Secretary or any Vice President shall have power and authority to appoint Attorneys-in-Fact, and to authorize them to execute on behalf of the Company, and attach the seal of the Company thereto, bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof."

"The signature of any authorized officer and the seal of the Company may be affixed by facsimile or electronic transmission to any Power of Attorney or Certification thereof authorizing the execution and delivery of any bond, undertaking, recognizance, or other suretyship obligations of the Company, and such signature and seal when so used shall have the same force and effect as though manually fixed."

In connection with obligations in favor of the Florida Department of Transportation only, it is agreed that the power and authority hereby given to the Attorney-in-Fact includes any and all consents for the release of retained percentages and/or final estimates on engineering and construction contracts required by the State of Florida Department of Transportation. It is fully understood that consenting to the State of Florida Department of Transportation making payment of the final estimate to the Contractor and/or its assignee, shall not relieve this surety company of any of its obligations under its bond.

In connection with obligations in favor of the Kentucky Department of Highways only, it is agreed that the power and authority hereby given to the Attorney-in-Fact cannot be modified or revoked unless prior written personal notice of such intent has been given to the Commissioner-Department of Highways of the Commonwealth of Kentucky at least thirty (30) days prior to the modification or revocation.

In Witness Whereof, the Companies have caused this instrument to be signed and sealed this 16th day of March, 2021.

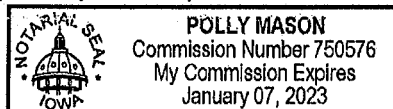


MERCHANTS BONDING COMPANY (MUTUAL)
MERCHANTS NATIONAL BONDING, INC.

By *Larry Taylor*
President

STATE OF IOWA
COUNTY OF DALLAS ss.

On this 16th day of March, 2021, before me appeared Larry Taylor, to me personally known, who being by me duly sworn did say that he is President of MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC.; and that the seals affixed to the foregoing instrument are the Corporate Seals of the Companies; and that the said instrument was signed and sealed in behalf of the Companies by authority of their respective Boards of Directors.



Polly Mason

Notary Public

(Expiration of notary's commission
does not invalidate this instrument)

I, William Warner, Jr., Secretary of MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC., do hereby certify that the above and foregoing is a true and correct copy of the POWER-OF-ATTORNEY executed by said Companies, which is still in full force and effect and has not been amended or revoked.

In Witness Whereof, I have hereunto set my hand and affixed the seal of the Companies on this 16th day of March, 2021.



William Warner Jr.
Secretary



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

8/13/2021

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER The Partners Group Ltd 11225 SE 6th St., Suite 110 Bellevue WA 98004	CONTACT NAME: Janet Nau
	PHONE (A/C, No. Ext): 425-455-5640 FAX (A/C, No): 425-455-6727
	E-MAIL ADDRESS: jnau@tpgrp.com
	INSURER(S) AFFORDING COVERAGE
	INSURER A: T.H.E. Insurance Company
	INSURER B: Travelers Property Casualty Co of America
	INSURER C:
	INSURER D:
	INSURER E:
	INSURER F:

COVERAGES**CERTIFICATE NUMBER:** 1897139000**REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY ☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR ☒ \$2000 Deductible GEN'L AGGREGATE LIMIT APPLIES PER: ☒ POLICY ☐ PRO-JECT ☐ LOC	Y		CPP010586204	10/9/2020	10/9/2021	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 500,000 MED EXP (Any one person) \$ N/A PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 10,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
A	AUTOMOBILE LIABILITY ☐ ANY AUTO ☐ ALL OWNED AUTOS ☒ SCHEDULED AUTOS ☒ HIRED AUTOS ☒ NON-OWNED AUTOS			CPP010586204	10/9/2020	10/9/2021	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
A	UMBRELLA LIAB ☒ OCCUR ☒ EXCESS LIAB ☐ CLAIMS-MADE DED RETENTION \$			ELP001232904	10/9/2020	10/9/2021	EACH OCCURRENCE \$ 9,000,000 AGGREGATE \$ 9,000,000 \$ GL Only
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A	1K643590	10/9/2020	10/9/2021	☒ WC STATUTORY LIMITS ☐ OTHER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000
A	Auto Excess Liability - Occurrence			ELP001291102	10/9/2020	10/9/2021	Each Occurrence 4,000,000 Aggregate 4,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

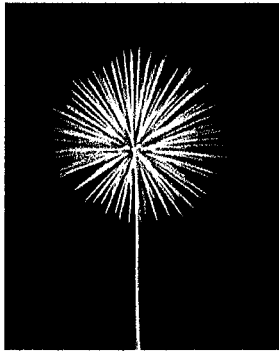
The following are included as Additional Insured on General Liability as their interest may appear as respects operations performed by or on behalf of the Named Insured, as required by written contract:
Date of Display: October 3 through December 6, 2021 per contracts written
Location of Display: Westin La Paloma Driving Range
Additional Insured(s): Pima County; Rural Metro Fire Department; Westin La Paloma Resort & Spa.

CERTIFICATE HOLDER**CANCELLATION**

Westin La Paloma Resort & Spa 3660 E. Sunrise Drive Tucson AZ 85718	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE

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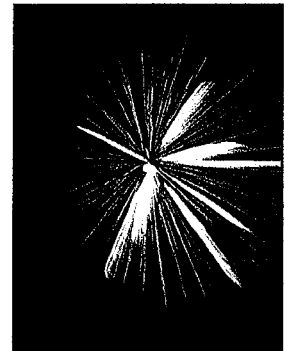
EXHIBIT A



**WESTIN LA PALOMA
FAM EVENT**

Monday, Dec. 6, 2021

8 - 10 Minutes



Total Aerial Effects 703

Total Shells 253

Total in Basins 450

Opening:

Your show begins with an impressive series of powerful booms and fiery color to excite and thrill the audience.

14 - 3" Assorted Color Shells

Aerial Display:

A large assortment of brilliantly-colored shells, including Chrysanthemums, Rings, Various Shapes, Waves, Crowns, Peonies, Strobes, Double Rings, Brocade Crowns, Diadems, and Crossettes in gorgeous Reds, Yellows, Blues, Greens, Silvers, and Golds.

Your Aerial Display will contain a total of **190** Aerial shells.

1 ½" - 3 FPA Premier Specialty Basins (100 – 300 Shots per Basin)

3" - 190 Chinese Fancy's & Specials

Grande Finale:

Your celebration will close in spectacular excitement as multiple styles of brilliantly-colored shells, rocket skyward growing and glowing in breath-taking Blues, Golds, Greens, Silvers, Yellows, Purples and Red.

Your Grand Finale consists of **49** Aerial shells:

Your Grand Finale: **49 - 3" shells.**

AUG1021M0308PC1K0F3D



Fireworks

Pyrotechnics

Flame Effects

DOB

Troy Finley

Gender

Male

$$H: \underline{5.9^*}$$

Weight 200 lbs

Har Gray

Eyes	Blue
------	------

Issued date

05-28-2019

Expres

05-28-2024

Conf

2019-1

[illegible]

Fire Marshal



Site Map

Maximum Shell Size: 3" Shells

Fireworks Productions of Arizona

480-948-0090

info@fireworksaz.com

AUG 17 21 AM 11 00 10 CLK OF 100