

## **RESOLUTION 26-R-061**

### **A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS AUTHORIZING A CONTRACT AMENDMENT WITH MAGIC IN THE SKY, LLC TO PERFORM FIREWORK SHOWS FOR THE JULY 4<sup>TH</sup> JUBILEE.**

**WHEREAS**, the City staff of the City of Schertz (the “City”) authorized a contract with Magic in the Sky, LLC at the May 20, 2025 meeting via Resolution 25-R-05 to perform the fireworks show for the July 4<sup>th</sup> Jubilee; and

**WHEREAS**, City staff and the City Council Subcommittee on Jubilee recommended an enhanced fireworks display to commemorate the 50<sup>th</sup> July 4<sup>th</sup> Jubilee and the America 250 Celebration; and

**WHEREAS**, an amendment is needed to the original contract to authorize additional annual expenditures.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS THAT:**

Section 1. The City Council hereby authorizes the City Manager to amend the service agreement with Magic in the Sky, LLC, to perform firework shows, as set forth in Exhibit A.

Section 2. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the City Council.

Section 3. All resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

Section 4. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 5. If any provision of this Resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Resolution and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City Council hereby declares that this Resolution would have been enacted without such invalid provision.

Section 6. It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Chapter 551, Texas Government Code, as amended.

Section 7. This Resolution shall be in force and effect from and after its final passage, and it is so resolved.

PASSED AND APPROVED on the \_\_\_\_ day of \_\_\_\_\_, 2026.

CITY OF SCHERTZ, TEXAS

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Ralph Rodriguez, Mayor

ATTEST:

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Sheila Edmondson, TRMC

City Secretary

## **EXHIBIT A**

**AMENDMENT ONE**

This Amendment No. 1 (the "Amendment") is made to the Service Agreement previously entered by and between the City of Schertz (the "City") and Magic in the Sky, LLC (the "Contractor") on June 13, 2025.

**WHEREAS**, the City and Contractor have entered into an Agreement (the "Agreement") for the Contractor to design, choreograph and execute fireworks display for the City of Schertz Jubilee; and

**WHEREAS**, the City has requested additional services from the Contractor for the City of Schertz 50<sup>th</sup> Annual Jubilee celebration;

NOW, THEREFORE, the City and Contractor agree to amend the Agreement as follows:

***Exhibit A - Budget*** of the Agreement is replaced and superseded by the following verbiage

Total annual cost will generally not exceed \$23,000. The City may, at its discretion, request additional services not included in the scope of the Agreement. If additional services are requested by the City, Contractor will provide a price proposal for those additional services for the City's consideration and approval. Additional services will generally not exceed \$10,000 in any given year.

All other requirements, terms, and conditions in the Agreement that are not hereby amended are to remain in full force and effect.

IN WITNESS WHEREOF, the PARTIES hereto, acting under the authority of their respective governing bodies, have caused this amendment to be duly executed as of this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

**CITY OF SCHERTZ:**

**MAGIC IN THE SKY, LLC:**

By: \_\_\_\_\_

By: \_\_\_\_\_

Name: Steve Williams

Name: \_\_\_\_\_

Title: City Manager

Title: \_\_\_\_\_