

1 99-092022

2 **RESOLUTION: Authorize Consecutive Beverage Pouring Rights Agreement between**
3 **Winnebago County and Pepsi Bottling Group, LLC**

6 **TO THE WINNEBAGO COUNTY BOARD OF SUPERVISORS:**

7 **WHEREAS**, Pepsi Bottling Group, LLC (hereinafter referred to as "Pepsi") desires to enter into a
8 consecutive beverage pouring rights agreement with Winnebago County whereby Pepsi would to be the
9 official beverage of the Winnebago County Parks Department as has previously been the case since 2006
10 and would thereby be provided with exclusive sales and advertising rights at predetermined Parks
11 properties; and

12 **WHEREAS**, pursuant to this agreement, Lessees of Parks properties would agree to sell
13 exclusively Pepsi beverage products at events which they sponsor; and

14 **WHEREAS**, pursuant to this agreement, Pepsi would be granted rights allowing it to install and
15 maintain soda vending machines at predetermined Parks properties; and

16 **WHEREAS**, in exchange for both its financial and material support, Winnebago County would
17 extend to Pepsi certain promotional privileges including the right to post specified advertising related
18 materials at predetermined Parks properties; and

19 **WHEREAS**, in conjunction with this agreement, Pepsi would annually pay Winnebago County a
20 support payment of \$2,000.00, as well as a compensatory sum based upon the total amount of beverage
21 cases sold at Parks properties, multiplied by the beverage case commission rate applicable within any
22 given year over the term of the agreement;

24 **NOW, THEREFORE, BE IT RESOLVED** by the Winnebago County Board of Supervisors that it
25 hereby authorizes the Winnebago County Executive and Winnebago County Clerk to enter into an
26 agreement with Pepsi for beverage pouring rights at predetermined Parks properties which shall run
27 through July 31, 2027 and shall contain those major terms described above. A copy of the
28 aforementioned agreement is attached hereto and incorporated herein for reference.

30 **Fiscal note:** *No budget transfer is necessary. The agreement will produce revenue of approximately \$8,500
annually during the five-year term.*

31
33
34
35
36
37

Respectfully Submitted by,
PARKS & RECREATION COMMITTEE

Committee Vote: 5-0

38
39
40
41
42
43
44
45
46
47
48
49
50
51

Respectfully Submitted by,

PERSONNEL & FINANCE COMMITTEE

Committee Vote: 5-0

Vote Requirement for Passage: **Majority**

Approved by Winnebago County Executive this _____ day of _____, 2022.

Jonathan D. Doemel
Winnebago County Executive