

2 **RESOLUTION: Authorize Beverage Pouring Rights Agreement Between Winnebago**
3 **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 beverage
8 pouring rights agreement with Winnebago County whereby Pepsi would become the official beverage of the
9 Winnebago County Parks Department and would thereby be provided with exclusive sales and advertising rights on
10 predetermined Parks properties; and

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

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

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

22 **WHEREAS**, in conjunction with this agreement, Pepsi would annually pay Winnebago County a support
23 payment of \$1,500.00 as well as a compensatory sum based upon the total amount of beverage cases sold on Parks
24 properties multiplied by the beverage case commission rate applicable within any given year over the term of the
25 agreement; and,

27 **NOW, THEREFORE, BE IT RESOLVED** by the Winnebago County Board of Supervisors that it hereby
28 authorizes the Winnebago County Executive and Winnebago County Clerk to enter into an agreement with Pepsi
29 Bottling Company LLC for beverage pouring rights on Winnebago County Parks Department properties, which said
30 agreement shall run through December 31, 2020, and shall contain those major terms described above. A copy of
31 the aforementioned agreement, attached hereto, is made a part of this Resolution and incorporated herein by
32 reference.

34 ***Fiscal Note: Average revenue derived from previous 5-year agreement is \$10,000 annually. The estimated***
35 ***revenue for the upcoming 5-year agreement is \$12,000 annually (including aforementioned***
36 ***\$1,500.00 support payment).***

38 Respectfully submitted by:
39 **PARKS AND RECREATION COMMITTEE**

40 Committee Vote: **3-0**

41 Respectfully submitted by:
42 **PERSONNEL AND FINANCE COMMITTEE**

43 Committee Vote: **5-0**

44 Vote Required for Passage: **Majority of Those Present**

46 Approved by the Winnebago County Executive this ____ day of _____, 2016.

48 _____
49 Mark L Harris
50 Winnebago County Executive