

RESOLUTION NO. 320

**AUTHORIZING AN AGREEMENT WITH BOTTLING GROUP, LLC
REGARDING POURING RIGHTS AT THE CIVIC CENTER**

Introduced: 8/8/11

By Civic Center Committee:

WHEREAS, Resolution No. 357 for 2006 authorized a five year agreement renewal for pouring rights at the Civic Center between SMG and the Pepsi Bottling Group, LLC, now known and referred to as "Bottling Group, LLC", and

WHEREAS, The Manager of the Civic Center has requested authorization to amend and renew a five year agreement with Bottling Group, LLC regarding pouring rights at the Civic Center commencing January 1, 2012 and ending December 31, 2016, and

WHEREAS, The proposed five year agreement has been amended to exclude energy drinks from the exclusive right to distribute and sell all non-alcoholic beverages within the arena, and

WHEREAS, During the term of the pouring rights agreement, Bottling Group, LLC shall have the exclusive right to distribute and sell to the public all non-alcoholic beverages within the arena including all concession or vending locations, with the exception of the aforementioned energy drinks, and

WHEREAS, The renewal proposal submitted by Bottling Group, LLC reflects a commitment to pay \$135,000 annually for pouring rights which includes \$42,000 for advertising, \$48,000 for suite usage and a \$45,000 sponsorship fee, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into a five year agreement with the Bottling Group, LLC, 1 Pepsi Cola Drive, Latham, NY in the amount of \$135,000 annually regarding pouring rights at the Civic Center commencing January 1, 2012 and ending December 31, 2016, and, be it further

RESOLVED, That the County Attorney shall approve said agreement as to form and content, and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.

Adopted by unanimous vote. 8/8/11