

RESOLUTION R-05-21

A RESOLUTION APPROVING AN ADDENDUM TO THE TEN YEAR VENDING CONTRACT WITH PEPSI AMERICAS, INC. EXEMPTING THE FIRST STATE SOCCER PARK FROM THE VENDING AGREEMENT AND AUTHORIZING THE MAYOR AND CITY CLERK TO THE SIGN THE ADDENDUM HEREIN ATTACHED

Whereas: The City of Conway and Pepsi Americas, Inc. previously entered into a ten year agreement for the provision of cold beverage vending services in all city buildings, facilities, and venues, and

Whereas: First State Soccer Park was not in existence when the vending contract between the City of Conway and Pepsi Americas, Inc. was entered into, and

Whereas: Pepsi Americas, Inc. has subsequently entered into a separate ten year agreement with the Conway United Soccer Association and First State Bank for the provision of cold beverages which also includes field sponsorship and other considerations between those parties, and

Whereas: It is appropriate to clarify the authority of the city agreement in light of the existence of the separate agreement concerning the soccer park,

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CONWAY, ARKANSAS THAT

Section 1. The addendum is hereby approved as attached herein stating the First State Soccer Park and the entities managing and operating that park shall not be considered as under the jurisdiction of the City of Conway 's agreement with Pepsi Americas and therefore are excluded from its provisions.

Section 2. The Mayor and City Clerk are hereby authorized to sign the addendum to become a part of the ten year agreement with Pepsi Americas.

PASSED this 26th day of July, 2005

APPROVED:


Mayor Tab Townsell

ATTEST:


City Clerk/Treasurer Michael O. Garrett

ADDENDUM A

For the purposes of the vending agreement between the City of Conway, Arkansas and Pepsi Americas, Inc., First State Soccer Park in Conway is not considered as under the jurisdiction of the agreement and is therefore exempt from the provisions contained therein. This addendum shall become a part of the provisions of the agreement between the City of Conway and Pepsi Americas, Inc. and shall be in full force and effect from its signing throughout the remaining term of the original agreement.