

**THIS IS A DRAFT AND WILL BE REPLACED BY THE FINAL, SIGNED  
ORDINANCE OR RESOLUTION ADOPTED BY CITY COUNCIL.**

**AN ORDINANCE**

**AUTHORIZING THE FIFTH AMENDMENT AND EXTENSION OF THE  
ALAMODOME ADVERTISING LICENSE AGREEMENT WITH  
BOTTLING GROUP, LLC D/B/A PEPSI BEVERAGES COMPANY TO  
EXTEND THE TERM FOR 90 DAYS THROUGH FEBRUARY 22, 2016,  
WITH UP TO SEVEN ADDITIONAL 90-DAY EXTENSIONS AND  
ESTIMATED REVENUE TO THE CITY OF \$159,936.00.**

\* \* \* \* \*

**WHEREAS**, Ordinance No. 98468, approved by City Council on November 13, 2003, authorized an Alamodome Advertising License Agreement (“Agreement”) with Pepsi Beverages Company (“Pepsi”), including pouring rights, for an initial term of five years through November 22, 2008, and the Agreement has been amended and extended by City Council several times to be effective through November 22, 2015; and

**WHEREAS**, the Agreement has no additional extensions available and with the Convention Center Expansion Project and the Alamodome Renovations Project, as well as the recent solicitations for food and beverage service for both the Convention Center and the Alamodome, it is important to maintain continuity of service with the current contractor; and

**WHEREAS**, this Fifth Amendment to the Alamodome Advertising License Agreement (“Fifth Amendment”) extends the Agreement for 90 days, with up to seven additional 90-day extension options and provides that if a new contract for pouring rights is executed prior to the end of any of the extension options, the Agreement automatically terminates; **NOW THEREFORE:**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:**

**SECTION 1.** The terms and conditions of the Fifth Amendment are authorized and approved. The City Manager, or her designee, is authorized to execute the Fifth Amendment, a copy of which, previously executed by Pepsi, is attached to this Ordinance as Exhibit I.

**SECTION 2.** Funds generated by this Ordinance for advertising income will be deposited into Fund 29016000, Internal Order 245000000004 and General Ledger 4407734.

**SECTION 3.** Funds generated by this Ordinance for vending income will be deposited into Fund 29016000, Internal Order 245000000372 and General Ledger 4401880.

**SECTION 4.** Funds generated by this Ordinance for Convention Center vending income will be deposited into Fund 29006000, Internal Order 242000002880 and General Ledger 4809210.

**SECTION 5.** The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific SAP Fund Numbers, SAP Project Definitions, SAP WBS Elements, SAP Internal Orders, SAP Fund Centers, SAP Cost Centers, SAP Functional Areas, SAP Funds Reservation Document Numbers, and SAP GL Accounts as necessary to carry out the purpose of this Ordinance.

**SECTION 6.** This Ordinance shall take effect immediately upon the receipt of eight affirmative votes; otherwise it shall be effective ten days after its passage.

**PASSED AND APPROVED** this 12<sup>th</sup> day of November, 2015.

**M A Y O R**  
Ivy R. Taylor

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Leticia M. Vacek  
City Clerk

\_\_\_\_\_  
Martha G. Sepeda  
Acting City Attorney