



RESOLUTION NO. 35111

1 WHEREAS, in 1998, pursuant to Resolution No. 33906, the City entered
2 into an Operating Agreement ("Agreement") for the design, construction, and
3 operation of a first-class regional golf learning center on a City-owned parcel of
4 land adjacent to Tacoma's landfill, and

5 WHEREAS Family Golf, Inc. designed, constructed, and commenced
6 operation of Tacoma Firs Golf Center under said Agreement, and

7 WHEREAS Family Golf, Inc. filed for Chapter 11 bankruptcy protection in
8 May 2000, and continued to operate the Tacoma Firs Golf Center under the
9 authority of the Bankruptcy Court, and

10 WHEREAS, as part of Family Golf, Inc.'s bankruptcy, the Bankruptcy
11 Court recently approved the purchase by Tacoma Firs Golf Center, LLC of
12 Family Golf, Inc.'s rights and interest in the Agreement for operation of the
13 Tacoma Firs Golf Center, and

14 WHEREAS the previous Agreement is outdated due to changed
15 circumstances, and it is in the best interests of the new operator, Tacoma Firs
16 Golf Center, LLC., and the City to enter into an updated agreement for the
17 continued operation of the golf center, driving range, and associated facilities
18 adjacent to the Tacoma Landfill; Now, Therefore,

19 BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

20 That the proper officers of the City are hereby authorized to execute an
21 operating agreement with Tacoma Firs Golf Center, LLC, for the purposes
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1 hereinabove enumerated, said document to be substantially in the form of the
2 proposed operating agreement on file in the office of the City Clerk.

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4 Adopted MAR 27 2001

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6 *Mike Crowl*
7 Mayor

8 Attest:

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10 *Doris Soum*
11 City Clerk

12 Approved as to form and legality:

13 *[Signature]*
14 Assistant City Attorney

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REQUEST FOR ORDINANCE OR RESOLUTION

CITY CLERK USE

Request #:	0
Ordinance #:	
Resolution #:	

1. DATE: March 2, 2001

2. REQUESTING DEPARTMENT/DIVISION/PROGRAM Public Works/Solid Waste	3. CONTACT PERSON (for questions): Karen Larkin	PHONE/EXTENSION 591-5525
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4. PREPARATION OF *Res.* IS REQUESTED FOR THE CITY COUNCIL MEETING OF TUESDAY 3-27-01

5. SUMMARY TITLE/RECOMMENDATION: (A concise sentence, as it will appear on the Council Agenda)

Approval to enter into a operating agreement with Tacoma Firs Golf Center, LLC, for operation of the golf driving range & associated facilities adjacent to the Tacoma Landfill.

6. BACKGROUND INFORMATION/GENERAL DISCUSSION: (Why is this request necessary? Are there legal requirements? What are the viable alternatives? Who has been involved in the process?)

Family Golf previously operated the Tacoma Firs Golf Center under an agreement, which included its original construction. Family Golf is in bankruptcy and through the bankruptcy course, "Tacoma Firs Golf Center, LLC" purchased the operating agreement. The previous agreement is outdated and it is in the interest of both the new operator and the City to enter into an updated agreement for continued operation of the golf center.

7. FINANCIAL IMPACT: (Future impact on the budget.)

8. LIST ALL MATERIAL AVAILABLE AS BACKUP INFORMATION FOR THE REQUEST AND INDICATE WHERE FILED:

Source Documents/Backup Material	Location of Document
Original Agreement	City Clerk's Office
New Agreement	City Clerk's Office

9. FUNDING SOURCE: (Enter amount of funding from each source)

Fund Number & Name:	State \$	City \$	Other \$	Total Amount

RECEIVED
 2001 MAR -6 PM 3:19
 CITY CLERK'S OFFICE
 Acct #

If an expenditure, is it budgeted? Yes No Where? Org #

10. ATTORNEY CONTACT: (Enter Name of Attorney that you've been working with)

Cheryl Carlson

11. Department Director/Utility Division Approval <i>William Lopez</i>	Approved as to Availability of Funds <i>[Signature]</i> Director of Finance	<i>Nancy Fowler</i> City Manager/Director Utilities Approval
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Resolution No. 35111

Adopted: MAR 27 2001

Maker of Motion: McDavid

Seconded: Moss

Roll Call Vote:

MEMBERS	AYES	NAYS	ABSTAIN	ABSENT
Mr. Dahl	✓			
Mr. De Forrest	✓			
Mr. Evans	✓			
Dr. McGavick	✓			
Mr. Miller	✓			
Ms. Moss	✓			
Mr. Phelps	✓			
Ms. Scarbrough	✓			
Mayor Crowley	✓			

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