



## Legislation Details (With Text)

**File #:** 0506-2022      **Version:** 1

**Type:** Ordinance      **Status:** Passed

**File created:** 2/10/2022      **In control:** Public Utilities Committee

**On agenda:** 3/7/2022      **Final action:** 3/9/2022

**Title:** To authorize the Director of the Department of Public Utilities to modify an agreement between the City of Columbus, PFK Company I, LLC, and PFK Company II, LLC (collectively, "PFK"), and Tamarack Enterprises I, L.P., and Tamarack Enterprises II, L.P. (collectively, "Tamarack"), in order to update the Limestone Mining Plan to allow for the expansion of Area 3 and Area 4 and to allow for the removal of the sand, gravel, and limestone barrier between Areas 1 and 2, combining those two areas into one mining cell (\$0.00).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 0506-2022 Water-Hartman Farms Agreement Mod 1-25-22, 2. 0506-2022 Revised Exhibit D 11-24-21

Date	Ver.	Action By	Action	Result
3/9/2022	1	CITY CLERK	Attest	
3/8/2022	1	MAYOR	Signed	
3/7/2022	1	COUNCIL PRESIDENT	Signed	
3/7/2022	1	Columbus City Council	Approved	Pass
2/28/2022	1	Columbus City Council	Read for the First Time	

### BACKGROUND:

PFK Company I, LLC, and PFK Company II, LLC (collectively, "PFK"), and Tamarack Enterprises I, L.P., and Tamarack Enterprises II, L.P. (collectively, "Tamarack"), each own an undivided one half (½) interest in the property located on the Parsons Avenue Water Plant South Wellfield Aquifer, commonly known as "Hartman Farm," which is a major source of construction aggregates for Columbus and Central Ohio. The purpose of this legislation is to authorize the Director of Public Utilities to modify the agreement with PFK Companies I & II and Tamarack Enterprises I & II to optimize joint use of the portion of Hartman Farm zoned Excavation and Quarrying District, as a water supply for the City and as a source of mined minerals for the owner and mining operator. The original agreement, signed March 26, 2008, described the long term transition of the property from its current state, allowing continuous use as a water supply during mineral extraction, eventually resulting in a large quarry that will increase the water resources of the City to support future growth. The Water/Hartman Farms Agreement is a long term agreement spanning decades of mining activities. Occasionally, the agreement will need to be modified to encompass the changing conditions at the site. This agreement modification is necessary to update the Limestone Mining Plan to allow for the expansion of Area 3 and Area 4 and to allow for the removal of the sand, gravel, and limestone barrier between Areas 1 and 2, combining those two areas into one mining cell.

**FISCAL IMPACT:** There is no fiscal impact.

To authorize the Director of the Department of Public Utilities to modify an agreement between the City of Columbus,

PFK Company I, LLC, and PFK Company II, LLC (collectively, "PFK"), and Tamarack Enterprises I, L.P., and Tamarack Enterprises II, L.P. (collectively, "Tamarack"), in order to update the Limestone Mining Plan to allow for the expansion of Area 3 and Area 4 and to allow for the removal of the sand, gravel, and limestone barrier between Areas 1 and 2, combining those two areas into one mining cell (\$0.00).

**WHEREAS**, PFK Company I, LLC, and PFK Company II, LLC (collectively, "PFK"), and Tamarack Enterprises I, L.P., and Tamarack Enterprises II, L.P. (collectively, "Tamarack"), each own an undivided one half (½) interest in the property located on the Parsons Avenue Water Plant South Wellfield Aquifer, commonly known as "Hartman Farm"; and

**WHEREAS**, the City entered into an agreement with PFK and Tamarack, signed March 26, 2008, that describes the long term transition of the property from its current state, allowing continuous use as a water supply during mineral extraction, eventually resulting in a large quarry increasing the water resources of the City to provide for future growth.; and

**WHEREAS**, the City, PFK, and Tamarack wish to modify the agreement to optimize joint use of the portion of Hartman Farm zoned Excavation and Quarrying District as a water supply for the City, and as a source of mined minerals for the owner and mining operator; and

**WHEREAS**, the agreement modification is necessary to update the Limestone Mining Plan to allow for the expansion of Area 3 and Area 4 and to allow for the removal of the sand, gravel, and limestone barrier between Areas 1 and 2, combining those two areas into one mining cell; and

**WHEREAS**, it has become necessary in the usual daily operation of the Department of Public Utilities to authorize the Director to modify the agreement with PFK Company I, LLC, and PFK Company II, LLC (collectively, "PFK"), and Tamarack Enterprises I, L.P., and Tamarack Enterprises II, L.P. (collectively, "Tamarack"), for the Division of Water, for the preservation of the public health, peace, property and safety; now therefore,

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

**SECTION 1.** That the Director of the Department of Public Utilities, be and hereby is authorized to modify the agreement with PFK Company I, LLC, PFK Company II, LLC, Tamarack Enterprises I, L.P., and Tamarack Enterprises II, L.P., detailing the long term transition of a portion of the property located on the Parsons Avenue Water Plant South Wellfield Aquifer, commonly known as "Hartman Farm", to update the Limestone Mining Plan to allow for the expansion of Area 3 and Area 4 and to allow for the removal of the sand, gravel, and limestone barrier between Areas 1 and 2, combining those two areas into one mining cell.

**SECTION 2.** That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.