

RESOLUTION NO. 5526

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, APPROVING A SUSTAINABLE WATER SERVICE AGREEMENT BETWEEN STRYKER SUSTAINABILITY SOLUTIONS, INC., A DELAWARE CORPORTION, AND THE CITY OF CHANDLER ALLOCATING TIER II WATER FOR A MEDICAL DEVICE REPROCESSING FACILITY LOCATED AT 6635 WEST FRYE ROAD.

WHEREAS, Chandler City Code Chapter 52-45(A) limits all new potable water uses within the city to those that will not exceed the then-existing Tier I Water Use Allocation adopted by the city council; and

WHEREAS, Stryker Sustainability Solutions, Inc., a Delaware corporation ("Owner") holds a leasehold interest in 104,742 square feet of industrial space located at 6635 West Frye Road in Chandler, Maricopa County, Arizona where it intends to operate a medical device reprocessing facility (the "Property"); and

WHEREAS, Owner's proposed water usage will exceed the current Tier I Water Use Allocation; and

WHEREAS, Owner has filed a Sustainable Water Service Application for a Tier II Water Use Allocation under Chandler City Code, Chapter 52, Article VI and the Director of Public Works and Utilities has determined that the Property is eligible for a Tier II Water Use Allocation subject to certain terms and conditions as set forth in the Sustainable Water Service Agreement attached as Exhibit "A";

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Chandler, Arizona, as follows:

- Section 1. Approving the terms and conditions of the Sustainable Water Service Agreement attached as Exhibit "A" to this Resolution and incorporated herein by reference (the "Agreement").
- Section 2. Authorizing the Mayor of the City of Chandler to execute the Sustainable Water Service Agreement on behalf of the City of Chandler.
- Section 3. Consistent with the terms set forth in the Agreement, the Property shall be limited to no more than 64,000 gallons per day ("gpd") of water consisting of 12,000 gpd of Tier I Water and 52,000 gpd of Tier II Water based on a rolling three-year average of water use.

PASSED AND ADOPTED by the City Council of the City of Chandler, Arizona, this ____ day of _____, 2021.

ATTEST:

CITY CLERK

MAYOR

CERTIFICATION

I HEREBY CERTIFY that the above and foregoing Resolution No. 5526 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the ____ day of _____, 2021, and that a quorum was present thereat.

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY



Exhibit “A”

Sustainable Water Service Agreement