

RESOLUTION NO. 5959

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, APPROVING A SUSTAINABLE WATER SERVICE AGREEMENT BETWEEN DIGITAL 2121 SOUTH PRICE, LLC, A DELAWARE LIMITED LIABILITY COMPANY, AND THE CITY OF CHANDLER ALLOCATING TIER II AND TIER III WATER FOR A DATA CENTER LOCATED AT 2121 S. PRICE 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, Digital 2121 South Price, LLC a Delaware limited liability company (“Owner”) holds owns property located at 2121 S. Price Road in Chandler, Maricopa County, Arizona on which it operates a data center (the “Property”); and

WHEREAS, Owner desires to further improve the Property and expand its water use; and

WHEREAS, Owner’s current and proposed Water usage exceeds the current Tier I Water Use Allocation for the Property; and

WHEREAS, Owner has filed a Sustainable Water Service Application 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 and Tier III 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 414,643 gallons per day (“gpd”) of water consisting of 63,080 gpd of Tier I Water, 234,172 gpd of Tier II Water, and 116,391 gpd of Tier III 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 November, 2025.

ATTEST:

CITY CLERK

MAYOR

CERTIFICATION

I HEREBY CERTIFY that the above and foregoing Resolution No. 5959 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the ____ day of _____, 2025, and that a quorum was present thereat.

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

gw

Exhibit “A”

Sustainable Water Service Agreement