

Decorative Tree Lighting Policy

The Decorative Tree Lighting Policy ('policy') identifies criteria to be used when evaluating the installation of decorative tree lights within the City of Mesa ('City').

Decorative tree lighting projects ('tree lighting projects') that have been approved by the City Council prior to the implementation of this policy shall be permitted to move forward into design and construction.

1. Criteria

- A. Potential tree lighting projects under this policy will be limited to those that occur in partnership with another governmental agency or publicly-owned and operated education institution. The other governmental agency or publicly-owned and operated education institution is also referred to herein as the "property owner".
- B. The location proposed to receive a tree lighting project shall be located within the City of Mesa's limits and shall also be located within a defined and themed district or at a gateway location to the City.
- C. The trees proposed to receive lighting shall be located on the other (non-City) agency or education institution's property within an existing City public utilities and facilities easement (PUFE) or a public utility easement (PUE); or they must be located within City of Mesa right-of-way immediately adjacent to the agency or education institution's property. If such easement or right-of-way does not exist, the property owner must dedicate the necessary easement or right-of-way to the City at no charge.
- D. The trees proposed to receive lighting shall be existing mature or nearly mature trees that are privately maintained by the other governmental agency or education institution.
- E. Lighting provided by the City under this policy is limited to decorative lighting. The purpose of decorative lighting is not illumination of walkways or the roadway, and the decorative lighting shall not offset lighting requirements that the property owner is otherwise required to install or achieve for walkways or roadways.
- F. The requesting party should demonstrate that a tree lighting project will have some benefit for the City of Mesa.
- G. The City shall have the right to deny, or limit, a project based on its anticipated cost and/or benefit to the City.
- H. Should staff determine that a potential tree lighting project is warranted under this policy, a Budget Adjustment Request (B.A.R.) will be submitted to Mayor and City

Council as part of the next available budget cycle. The project will not proceed to final design or construction until the B.A.R is approved by Council.

- I. The City's ability to complete approved projects under this policy is dependent upon the City having authorized funding from City Council sufficient to accomplish the project. Compliance with this policy, or approval under this policy, is not, of itself, a commitment to fund a project.
- J. The relationship between the property owner (i.e., the other governmental agency or public education institution) and the City shall be as follows:
 - a. The City will design, construct, and oversee construction and acceptance of the tree lighting project.
 - b. The City will pay all costs, within reason, associated with bringing electrical power to the lighting site. The property owner is expected to allow connection to their onsite electrical power service, if necessary, to provide power for the decorative lights.
 - c. The property owner will take over ownership and full maintenance responsibilities for the tree lighting project after construction is completed and accepted by the City, and shall pay all utility and other costs associated with the decorative lighting thereafter. After turnover to the property owner, the City no longer has any responsibility, liability, obligations, or ownership of the tree lighting project.
 - d. Expansion or modification to the tree lighting project after the initial system is turned over to the property owner requires advanced approval from the City and shall be designed and constructed by the property owner at their expense. The City will not be an active partner to such projects, other than in our role as building permit administrator. Such expansion or modification projects will be subject to City permit fees and processes that are then in place for development projects.
 - e. Details of the full arrangement between the City and the property owner shall be set forth in a legally binding Intergovernmental Agreement (IGA), which shall be executed by the City and the property owner prior to the start of construction.

2. Approval

This policy shall become effective after approval by the City Council.

3. Amendments and Deviations

The City Manager, or designee, can, in writing, approve amendments and deviations from this policy.