

RESOLUTION NO. 20131212-139

WHEREAS, the Texas Department of Transportation (TXDOT) plans to remove a Live Oak tree with a 43-inch diameter near the intersection of Highway 290 and William Cannon to facilitate a construction project; and

WHEREAS, although this tree would qualify as a Heritage Tree, it is not subject to the protections of City Code Chapter 25-8, Subchapter B, Article 1, Division 3 (*Heritage Trees*) because it is located in a TXDOT right-of-way; and

WHEREAS, the Urban Forest Replenishment Fund ("UFRF") and the Urban Forest Grant Fund ("UFGF") were established to promote tree conservation and other projects that benefit Austin's urban forest and help to preserve and enhance Austin's urban tree canopy; and

WHEREAS, on October 16, 2013, the Urban Forestry Board voted to recommend the use of money from UFGF to assist with costs associated with transplanting this tree; and

WHEREAS, urgent consideration of additional funding is needed because, after the Urban Forestry Board voted in favor of transplanting the tree, TXDOT stated that the deadline for removing the tree is December 31st, 2013,

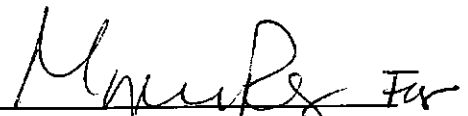
WHEREAS, although the tree remains a candidate for transplanting, it poses significant technical challenges due to the surrounding street and sidewalk uses and the resulting pressure on the root system; **NOW, THEREFORE**,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

The City Manager is directed to consider the viability of transplanting the Live Oak tree identified in the foregoing recitals prior to TXDOT's deadline of December 31, 2013, and is authorized to expend funds for that purpose from UFRF, UFGF, or other appropriate funding source, in an amount not exceed \$85,000.

ADOPTED: December 12, 2013

ATTEST:


Jannette S. Goodall
City Clerk