



**Outside Counsel
CITY OF AUSTIN
RECOMMENDATION FOR COUNCIL ACTION**

AGENDA ITEM NO.: 13
AGENDA DATE: Thu 03/11/2004
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SUBJECT: Authorize negotiation and execution of an outside counsel contract with SCOTT, DOUGLASS & MCCONNICO, L.L.P., Austin, TX, in *S.R. Ridge Limited Partnership v. City of Austin and Stratus Properties, Inc.*, Cause No. A03CA832 SS in the U.S. District Court for the Western District of Texas, Austin Division, in an amount not to exceed \$60,000.

AMOUNT & SOURCE OF FUNDING: Funding in the amount of \$60,000 is available in the Fiscal Year 2003-2004 Approved Operating Budget of the Economic Development Fund

FISCAL NOTE: There is no unanticipated fiscal impact. A fiscal note is not required.

**REQUESTING Law
DEPARTMENT:**

**DIRECTOR'S
AUTHORIZATION:**

FOR MORE INFORMATION CONTACT: David Allan Smith, City Attorney, 974-2268; Dana Johnson, Acting Division Chief, 974-2171

PRIOR COUNCIL ACTION: N/A

BOARD AND COMMISSION ACTION: N/A

Council is requested to approve outside counsel fees and expenses up to \$60,000 for the services of Scott, Douglass & McConnico, L.L.P., in *S.R. Ridge Limited Partnership v. City of Austin and Stratus Properties, Inc.* This case concerns a claim that the City breached a 1996 agreement settling litigation over development rights on property located within the Edwards Aquifer Recharge Zone at Slaughter and MoPac, based on Wal-Mart's decision not to continue with development plans.