

# AGENDA



## Recommendation for Council Action

### AUSTIN CITY COUNCIL

Regular Meeting: December 7, 2017

Item Number: **031**

#### Law

Approve second and third reading of an ordinance authorizing execution of the first amendment to a settlement agreement relating to the development of property located at 6409 City Park Road (Champion Tract); amending Ordinance No. 960613-J; modifying provisions of the Lake Austin Watershed Regulations in Ordinance No. 840301-F; and modifying provisions of the Hill Country Roadway Regulations in City Code Chapter 25-2.

<b>Lead Department</b>	Law Department
<b>Fiscal Note</b>	This item has no fiscal impact.
<b>Prior Council Action</b>	6/13/1996- Original settlement agreement approved by Council. 11/10/2016- First amendment to settlement agreement approved by Council.
<b>For More Information</b>	Mitzi Cotton, Assistant City Attorney, (512) 974-2179

#### Additional Backup Information:

On June 13, 1996 Council approved an ordinance authorizing a settlement and compromise agreement with Josie Ellen Champion, Juanita Champion Meier, and Mary Margaret Champion Roberson relating to development of property, including the property located at 6409 City Park Road, referenced in the agreement as tract 3 ("Original Agreement"). The owners desire to amend the settlement agreement and associated ordinance to restrict development of the

eastern portion of the property and to further modify regulations applicable to the property.

On November 10, 2016 Council approved an ordinance authorizing the first amendment to the Original Agreement. The November 2016 action was challenged in court based on insufficient posting language. The trial court recently ruled in favor of the Plaintiff, voiding the prior Council action. This action would approve the First Amendment to the Original Agreement and the code modifications necessary to effectuate the First Amendment.