

AGENDA



Recommendation for Council Action

AUSTIN CITY COUNCIL

Regular Meeting : February 15, 2018

Item Number: **013**

Law

Approve an ordinance on third reading 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.

Lead Department	Law Department
Fiscal Note	This item has no fiscal impact.
Prior Council Action	6/13/1996- Original settlement agreement approved by Council. 11/10/2016- First amendment to settlement agreement approved by Council. 12/14/2017- Ordinance passed on second reading.
For More Information	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.