

**A RESOLUTION REGARDING THE "LAND COMMITTEE,"
PROVIDING A CONFLICT CLAUSE AND SEVERABILITY CLAUSE;
AND ESTABLISHING AN EFFECTIVE DATE.**

WHEREAS, in 2010 the Board of Directors of the Lakeway Municipal Utility District established various committees to assist it in carrying out its duties, including the Land Committee; and

WHEREAS, the Board desires to memorialize the membership, qualifications, duties, responsibilities, and other matters pertaining to the Land Committee; and

WHEREAS, the Board finds it to be in the best interest of the public to establish the Land Committee as set forth herein.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE LAKEWAY MUNICIPAL UTILITY DISTRICT, THAT:

SECTION 1. The Land Committee ("Committee") shall be created as follows:

1. **Membership; Qualifications; Quorum.** The Committee shall be composed of three (3) members appointed by majority vote of the Board of Directors. All members shall own land within the boundaries of the District. No employees or Board members of the District or any person related to an employee or Board member in the first degree of consanguinity or affinity shall be eligible to serve as a member of the Committee. Committee members may continue to serve until their successors are appointed by the Board. A quorum shall consist of a simple majority of the total number of members of the Committee.
2. **Purpose and Duties:** The purpose of the Committee is to advise the Board of Directors on matters relating to district owned land and district land acquisition and disposition. It shall be the responsibility of the Committee to:
 - a. Maintain a current list of all land parcels owned by the District.
 - b. Maintain documentation on each parcel of land owned by the District that includes its general description, location, value, adjacent properties and any other relevant data and report this data to the Board.
 - c. Coordinate with the Engineering and Operations Committee to determine what District land might be considered surplus.
 - d. Analyze potential uses of District land and help identify potential buyers for surplus property.

- e. Identify and recommend to the Board, ways to enhance the value of District land either for its own use or for its marketability.
 - f. Prepare a report for the Board twice a year and make recommendations as appropriate.
 - g. Assist in developing land-related RFP's, interview candidates and recommend approval of consultants, as directed by the Board President.
3. **Meetings.** The Committee shall meet at least quarterly, and more often if needed or requested by the Board. Meetings shall be held at the District's offices.
4. **Terms.** The terms of office shall be two (2) years. Committee members may be re-appointed to subsequent terms.
5. **Vacancies.** Any vacancies shall be filled for the unexpired term by the Board of Directors in accordance with the qualifications of Section 1(1) of this Resolution.
6. **Removal.** All committee members serve at the will of the Board, and any member may be removed by an affirmative vote of three (3) members of the Board of Directors. There shall be no requirement to show cause for removal.
7. **Officers.** The Committee shall designate from among its members a Chair. The Chair shall preside over the meetings, shall prepare minutes of every meeting and shall be responsible for transmitting the final copy of all minutes to the Finance/Administration Manager. Items needing Board action shall be transmitted as soon as possible to the Finance/Administration Manager for inclusion on the next available Board agenda.
8. **Advisory Nature of the Committee.** The Committee is advisory in nature and shall be responsible to and shall report to the Board of Directors. The Committee and its members have no authority to set policy, expend funds or make obligations on behalf of the Board of Directors and/or the Lakeway Municipal Utility District.
9. **Board Reports.** The Committee shall report on its activities to the Board at least semi-annually, and more often if needed or requested by the Board. The Board Report can be either oral or written and shall include a description of the activities of the committee for the preceding period and any on-going or outstanding activities or tasks. Committee meeting minutes may be used to satisfy this requirement.

10. **Board Liaison and Staff Support.** The Committee shall have the following Board and/or staff members to assist it with its work from time to time as may be necessary or desired by the Committee and/or the Board: one (1) Board member (who shall be designated by the Board President); and the General Manager. The Board Member and General Manager shall (a) not be regular or *ex officio* members of the Committee; (b) not have the right to vote; and (c) not be counted for purposes of determining the presence of a quorum.

SECTION 2. The current members of the Land Committee and the ending dates of their current terms are shown on "Exhibit A," which is attached hereto and incorporated herein by reference as if set forth in full. Upon the expiration of each of their current terms, new members shall be appointed or reappointed consistent with the qualifications set forth in Section 1(1) of this Resolution.

SECTION 3. The facts and recitations contained in the preamble of this resolution are hereby found and declared to be true and correct, and are incorporated by reference herein and expressly made a part hereof as if copied verbatim.

SECTION 4. This resolution shall be and is hereby declared to be cumulative of all other resolutions of the Board of Directors of the Lakeway Municipal Utility District on this subject, and this resolution shall not operate to repeal or affect any of such other resolutions, except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this resolution, in which event such conflicting provisions, if any in such other resolutions are hereby superseded.

SECTION 5. If any provision of this resolution or application thereof to any person or circumstance shall be held invalid, such invalidity shall not affect the other provisions, or application thereof, of this resolution which can be given effect without the invalid provision or application, and to this end the provisions of this resolution are hereby declared to be severable.

SECTION 6. The President is hereby authorized to sign this resolution and the Secretary to attest.

SECTION 7. This resolution shall become effective upon its adoption.

PASSED AND APPROVED on the 10 day of November, 2010.

LAKEWAY MUNICIPAL UTILITY
DISTRICT

By: Karl Ansbach
Karl Ansbach, President

ATTEST:

Oliver Hitchcock
Secretary