

**Tehama County Groundwater Sustainability Agency
Groundwater Commission
Bylaws**

Article I. General Provisions

- Section 1. The Tehama County Groundwater Sustainability Agency Groundwater Commission shall be a Commission with both decision-making and advisory responsibilities pertaining to groundwater management in the seven, or quantity thereafter modified to, subbasins or portions thereof for which the Tehama County Flood Control and Water Conservation District has been designated as the Groundwater Sustainability Agency under the Sustainable Groundwater Management Act.
- Section 2. The Executive Director or designee of the Tehama County Flood Control and Water Conservation District shall serve as staff to the Commission and shall assist the Commission in presenting information and reports to the District Board of Directors (hereinafter "Board" or "Board of Directors").
- Section 3. The Commission will operate on principles of collaboration. Commission members are sought who are committed to work together with other interests for the long-term benefit of Tehama County groundwater resources and the people who rely on these resources.
- Section 4. Specific goals of the Commission shall include, but are not limited to the following:
- Lead communication, outreach, and engagement efforts within the basin.
 - Develop and assist with the implementation of Groundwater Sustainability Plans (GSPs), and complete 5-year GSP updates.
 - Monitor, evaluate, and report progress towards achieving sustainability goals.
- Section 5. The members of the Commission shall receive as compensation the sum of twenty-five dollars each for their attendance at each regular meeting or special meeting, not to exceed fifty dollars each per month. In addition thereto, each member shall be allowed reasonable travel expenses as provided by the Tehama County Travel Policy for official travel approved by the Commission, provided that appropriations therefor have been included in the District budget.

Article II. Powers and Duties of the Commission

- Section 1. The Commission shall oversee the development of a Groundwater Sustainability Plan(s) pursuant to Water Code sections 10727 et seq., and any amendments thereto, and any implementing rules and regulations of the District. The Commission shall make a written recommendation to the Board of Directors on the adoption or amendment of a Groundwater

Sustainability Plan(s) or any implementing rule or regulation of the District. A recommendation for approval shall be made by the affirmative vote of not less than a majority of the total membership of the Commission. The Commission shall hold at least one public hearing before approving a recommendation on the adoption or amendment of a Groundwater Sustainability Plan(s) or any implementing rule or regulation of the District.

- Section 2. The Commission shall conduct investigations to determine the need for groundwater management, monitor compliance and enforcement, or propose or update fees or other revenue measures, and make recommendations to the Board of Directors thereon.
- Section 3. The Commission shall review all proposed District grant applications relating to groundwater management and advise the Board of Directors regarding grant funding opportunities.
- Section 4. In the event that the District establishes any discretionary permitting or similar regulations relating to sustainable groundwater management, it is the intent of the Board of Directors to provide for such permits to be issued by the Commission, subject to appeal to the Board of Directors.
- Section 5. In the event that the District establishes an administrative enforcement hearing process pursuant to Water Code section 10732, subdivision (b)(2), it is the intent of the Board of Directors to provide for such enforcement hearings to be conducted and decisions rendered by the Commission, subject to appeal to the Board of Directors.
- Section 6. The Commission shall provide ongoing advice to the Board of Directors regarding any other matters relevant to the management of groundwater in Tehama County.

Article III. Membership

- Section 1. Membership of the Commission shall consist of eleven voting members as set forth in this Article.
- Section 2. The following members shall serve at the pleasure of their respective appointing authority:
- One member appointed by the City Council of the City of Red Bluff.
 - One member appointed by the City Council of the City of Corning.
 - One member appointed by the City Council of the City of Tehama.
 - One member appointed by the Board of Directors of the El Camino Irrigation District.
 - One member appointed by the Board of Directors of the Los Molinos Community Services District.
 - One member appointed by the Board of Directors of the Rio Alto Water District.

Section 3. Five members shall be appointed by the Board of Directors of the Tehama County Flood Control and Water Conservation District, upon recommendation of the majority of the members of the Commission then appointed and serving.

Section 4. The Commission and Board of Directors shall take into consideration all of the following criteria when recommending and appointing members. These criteria are neither exclusive nor mandatory, and the Board of Directors may deviate from these criteria upon recommendation of the Commission for good cause.

- One member should be a resident, property owner, or groundwater user within Tehama County Supervisorial District 1.
- One member should be a resident, property owner, or groundwater user within Tehama County Supervisorial District 2.
- One member should be a resident, property owner, or groundwater user within Tehama County Supervisorial District 3.
- One member should be a resident, property owner, or groundwater user within Tehama County Supervisorial District 4.
- One member should be a resident, property owner, or groundwater user within Tehama County Supervisorial District 5.
- Two members should represent the interests of agencies or districts that supply surface water.
- Two members should represent the interests of private groundwater pumpers.
- One member should represent the interests of the general public.

Section 5. No two members should be officers, employees, or agents of the same agency, district, or public or private corporation.

Section 6. All Commission members shall exercise their independent judgment on behalf of the interests of the residents, property owners, and the public as a whole in furthering the purposes and intent of this ordinance.

Article IV. Membership Qualifications and Responsibilities

Section 1. All Commission members shall have technical expertise in a water-related field, preferably involving local groundwater issues. Members should be residents of Tehama County, and/or be employed in Tehama County, and have an economic interest in preservation, protection and enhancement of the groundwater resources of Tehama County.

Article V. Nomination Criteria for Members Appointed by the Tehama County Flood Control and Water Conservation District Board of Directors

Section 1. The Groundwater Sustainability Agency will call for nominations annually in September at a regular Tehama County Flood Control and Water Conservation District Board of Directors meeting and publish in the newspaper at least twice. Nomination forms will be made available through the District office in Gerber and posted on the District's website for individuals seeking appointment to a vacant position.

Section 2. Individuals can nominate themselves. Nomination forms shall provide:

- Sufficient information relative to application Process.
- Address and phone number and email.
- Education and career highlights.
- Training or experience.
- Knowledge of groundwater issues.
- Demonstrated commitment to cooperative solution development.
- Area of interest to be represented.

Section 3. The nominations will be provided to the District Board of Directors from the Commission for review and appointment.

The positions appointed by the Board will be nominated and seconded by Board members and voted upon by the entire Board.

- All members appointed to the Commission must meet with the approval of at least a majority of the voting Board members.
- In making their appointments to the Commission, the Board shall strive to appoint a body that reflects geographically balanced representation in the county.
- When considering appointments, the Board will appoint members who, in the opinion of the Board, best represent the areas of concern.

Article VI. Vacancies

Section 1. All vacancies shall be filled pursuant to the Maddy Local Appointive List Act of 1975 (Government Code sections 54970 et seq.).

Article VII. Term of Service

Section 1. The term of office of such Commissioners shall be four years, except that the initial five members appointed under Article III, Section 3 shall classify themselves by lot, with one member serving a term of one year, one member serving a term of two years, one member serving a term of three years, and two members serving a term of four years, so that the Commissioners' terms are evenly staggered.

Those terms having been previously chosen by lot are determined and the expiration dates of those initial terms are as follows:

- Tehama County Supervisorial District One: 2018
- Tehama County Supervisorial District Two: 2020
- Tehama County Supervisorial District Three: 2019
- Tehama County Supervisorial District Four: 2017
- Tehama County Supervisorial District Five: 2020

The six agency appointed members serve at the pleasure of their respective appointing authority.

Section 2. Thereafter all members shall be appointed for the full term of four years, except when a position is vacated mid-term. The new member would be appointed for the remainder of the term.

Section 3. Terms shall end at midnight on the last day of the month and the new terms will begin the following day, on the first of the month.

Section 4. There are no term limits for Commissioners so long as each Commissioner satisfies the nomination and confirmation requirements set forth herein.

Section 5. Any member may be removed by a four-fifths vote of the Board of Directors after consultation with the Commission.

Article VIII. Meetings and Quorum

Section 1. Pursuant to the Ralph M. Brown Act, the Commission meets monthly, on the fourth Wednesday, at 8:30 a.m. Commission meetings shall be held at the Tehama County Board of Supervisors Chambers, 727 Oak Street, Red Bluff, CA 96080. The Executive Director of the District or designee has the authority to call additional meetings and cancel regular meetings as needed.

Section 2. The majority of the total Commission members shall constitute a quorum.

Article IX. Attendance

Section 1. The Chairperson of the Commission shall contact any Member who has exceeded 2 consecutive unexcused absences from regular Commission meetings or missed more than three meetings in an 18-month period due to unexcused absences.

If no response is received from the member within 30 days or if the member states that he/she does not wish to remain a member, the respective appointing authority shall be notified to remove the member and appoint a replacement in accordance with the respective procedure.

If the member states that he/she wishes to remain with the Commission, he/she shall be considered a member in good standing, unless otherwise provided by the respective appointing authority.

Article X. Election of Chairperson and Vice Chairperson

Section 1. The Chairperson and Vice Chairperson shall be elected each year at the first meeting of the Commission and shall assume the duties of such office immediately following the election. There is no limit to the number of terms that an individual can serve.

Section 2. The Chairperson or Vice Chairperson may be removed from office and relieved of duties by a majority of the Board of Directors.

Article XI. Duties of Chairperson

Section 1. The Chairperson shall preside at all meetings of the Commission and perform duties consistent with the procedures outlined herein.

Section 2. In the absence of the Chairperson, the Vice Chairperson shall execute the duties of Chairperson.

Section 3. The presiding officer shall maintain order and decorum and decide questions of procedure (following past practice of the Commission) subject to the right of the Commission to make the final determination. He/she shall call the meeting to order promptly at the appointed hour and conduct the meeting as prescribed by the laws of the State of California.

Section 4. For any motion voted on by the Commission where the vote results in a tie, the Chairperson will re-open discussion on the topic. Once discussion has been exhausted a second vote will be taken. If the vote remains a tie, the motion will fail having not received a majority vote.

Article XIII. Secretarial Assistance

Section 1. The functions of this office will be performed by an assigned Tehama County Flood Control and Water Conservation District employee, designated by the Executive Director of the District or designee.

Section 2. This employee is not a voting member of the Commission. In the event District resources preclude this, the office of Secretary shall be established with the duties in this Article.

Section 3. The Secretary to the Commission will attend all meetings of the Commission, and any ad-hoc meetings when requested.

- Section 4. The Secretary shall maintain a record of all sessions and Commission attendance.
- Section 5. The agenda for regular and special meetings shall be prepared by the Executive Director or designee in conformance with Brown Act requirements and distributed by staff to each Commission member. Copies of the agenda shall be posted in accordance with the Brown Act and made available at each meeting for the public. Meeting agendas and materials will be posted on the District's website.

Article XIV. Technical Resources

- Section 1. The Commission may use the existing Technical Advisory Committee (TAC) as a resource to provide technical expertise as the need arises. The TAC will be a valuable resource for both the District Board and Commission during the development of the Groundwater Sustainability Plan(s).
- Section 2. If a need arises outside of the capabilities of the TAC, the Commission shall make recommendations to the District Board for the purpose of obtaining and utilizing resources drawn from a "Technical Pool".
- Section 3. The Technical Pool shall consist of a list of individuals or groups employed with local, state and federal resource agencies, consultants, environmental groups, local businesses and industry, and other areas.
- Section 4. Any such recommendation that would incur a financial cost to the District must be first approved by the Board of Directors.
- Section 5. Technical Pool participants will work with staff and the Commission to provide additional technical support where needed.
- Section 6. The Executive Director of the District or designee shall act as the liaison between the Commission and the Technical Pool.

Article XV. Committees

- Section 1. The Commission may form ad-hoc committees and standing committees. Staff shall serve in an advisory capacity to any such Committees. The Chairperson shall appoint committee members with the concurrence of the individual appointed.
- Section 2. All standing committees shall comply with the Ralph M. Brown Act, set forth in the California Government Code sections 54950-54963, inclusive.
- Section 3. Standing Committee: May be established by the Commission as needed. A "standing committee" has either "continuing subject matter jurisdiction" or a regular meeting time and is comprised solely of less than a quorum of members of the body.
- Section 4. Ad Hoc Committee: May be established by the Commission as needed. An "ad hoc" committee has a specific task or assignment and the Committee

does not survive completion of the task and is comprised solely of less than a quorum of the members of the body. Ad hoc committees are not subject to the Brown Act.

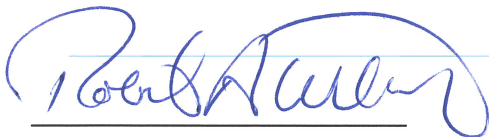
Article XVI. Miscellaneous Provisions

Section 1 The Ralph M. Brown Act, set forth in the California Government Code sections 54950-54963, inclusive, shall govern all meetings of the Commission and its Standing Committees.

Section 2. These Bylaws may be altered, amended, suspended, or repealed by the Tehama County Flood Control and Water Conservation District Board of Directors. The Commission may recommend such changes to the Board of Directors for their consideration.

Approved by the Tehama County Flood Control and Water Conservation District Board of Directors on March 20, 2017 in Red Bluff, CA

Revised Bylaws approved by the Tehama County Flood Control and Water Conservation District Board of Directors on July 20, 2020 in Red Bluff, CA 96080



Chairman

07/20/2020

Date