

BY-LAWS OF THE GMA-15 COMMITTEE

Each district with jurisdiction within Groundwater Management Area 15 adopting these by-laws shall adopt a resolution to that effect and forward a copy of the fully-executed resolution to the *GMA-15 Administrator*.

SECTION 1: INTENT AND PURPOSES

- 1.01** It is the intent and purpose of the *Member Districts* to fulfill the applicable requirements of Texas Water Code § 36.108, 36.1083, 36.1084, and 36.1086, including establishing desired future conditions (DFCs) for the relevant aquifers within *Groundwater Management Area 15*.
- 1.02** In order to fulfill such requirements, *Member Districts* recognize the need to adopt by-laws as authorized by Texas Water Code §36.057 and Government Code chapter 791 to authorize the Representatives of the Member Districts to perform joint planning as the GMA-15 Committee and the designation of a GMA-15 Administrator.
- 1.03** *Representatives of the Member Districts* shall participate in joint planning activities in a manner that best represents the interest of their respective *Member Districts*. Therefore, each *Representative of a Member District* shall have approval from their respective Board of Directors for the following:
- a. Commitment of district funds in accordance with an budget established by the *GMA-15 Committee*, for payment of governmental functions or services provided under these by-laws provided that any payments or funds used to perform governmental functions or services must come from current revenues available to the *Member Districts*.
 - b. Decisions related to the establishment of the "Desired Future Conditions of the Aquifers" within the management area.
- 1.04** Each *Representative of a Member District* shall report to their respective Board of Directors at least quarterly on the progress of joint planning and shall include a financial report, if a financial report was made available at the previous meeting of the *GMA-15 Committee*.

SECTION 2: JOINT PLANNING

- 2.01** The *GMA-15 Committee* shall meet at least annually to review the management plans of *Member Districts*, the accomplishments of the management area, and proposals to adopt new or amend an existing *Desired Future Condition*. In reviewing the management plans, the *GMA-15 Committee* shall consider the issues required by Texas Water Code § 36.108(c).
- 2.02** At least every five years after the adoption or amendment of a DFC, the GMA-15 Committee shall consider groundwater availability models and other data or information related to the management area and shall propose for adoption *Desired Future Conditions* for the relevant aquifers within the management area.
- 2.03** As part of the process for developing a *Desired Future Condition Proposed for Adoption*, the *GMA-15 Committee* shall consider the issues required by Texas Water Code § 36.108(d), 36.108(d-1) and (d-2) for each *Desired Future Condition for Consideration*.
- 2.04** The designation of a *Desired Future Condition for Consideration* as a *Desired Future Condition for Distribution* must be adopted by a two-thirds vote of the members of *GMA-15*

Committee. The *GMA-15 Administrator* shall distribute each *Desired Future Condition for Distribution* to each *Member District* which shall begin a 90-day comment period as required by Texas Water Code § 36.108(d-2).

- 2.05 After the earlier of 1) the date on which each *Member District* has submitted a district summary for a *Desired Future Condition for Distribution* or 2) the expiration of the 90-day public comment period for a *Desired Future Condition for Distribution*, the *GMA-15 Committee* shall hold a meeting to review the summaries, consider any suggested revisions to a *Desired Future Condition for Distribution* submitted by a *Member District*, and consider the designation of a *Desired Future Condition for Distribution* as a *Desired Future Condition Proposed for Adoption*.
- 2.06 A *Desired Future Condition Proposed for Adoption* shall be adopted by resolution approved by two-thirds of members of the *GMA-15 Committee*.
- 2.07 The *GMA-15 Committee* shall produce an *explanatory report* for each approved *Desired Future Condition* that includes the items required by Texas Water Code § 36.108(d-3). The *GMA 15 Administrator* shall submit each explanatory report, proof that notice was posted for the Joint Planning Meeting described in Subsection 2.06, and the resolution approving the *Desired Future Condition* to the Texas Water Development Board and each *Member District* not later than the 60th day after the date on which the *GMA-15 Committee* adopted the approved *Desired Future Condition*.
- 2.08 The *GMA-15 Committee* may request that the Texas Commission on Environmental Quality and the Texas Water Development Board make technical staff available to serve in a non-voting, advisory capacity to assist with the development of *Desired Future Conditions*. Further, the *GMA-15 Committee* may establish a non-voting, advisory subcommittee as authorized by Texas Water Code § 36.1081(b).
- 2.09 In the event that a petition under Texas Water Code § 36.1083 is filed regarding an approved *Desired Future Condition*, the *Member Districts* responding to the challenged *Desired Future Condition* may participate in a joint response through the *GMA-15 Administrator*. The *GMA-15 Administrator* may participate in defending the challenged *Desired Future Condition* and shall take actions required by Texas Water Code § 36.1083.

SECTION 3: POWERS AND DUTIES

- 3.01 The *GMA-15 Committee* shall have only the power granted by Texas Water Code § 36.108, 36.1083, 36.1084, and 36.1086 necessary to carry out the purposes of these by-laws.
- 3.02 The *GMA-15 Committee* shall have no duty to take any action, except as specifically provided for in these by-laws, as it may be amended by written agreement.
- 3.03 By approval of these by-laws, the *Member Districts* agree to comply with and abide by these by-laws.
- 3.04 All actions shall be approved by majority vote by the *GMA-15 Committee* present at a meeting, each *Member District* having one vote. Exceptions to this requirement are for votes on approving a financial commitment of the *GMA-15 Committee*, which shall be approved by a two-thirds vote of the *GMA-15 Committee* present..
- 3.05 The *Member Districts* have the authority to contract with third parties as provided by Texas Water Code § 36.1086 for the purposes authorized in Texas Water Code § 36.1086.

SECTION 4: ADMINISTRATION

- 4.01** The *GMA-15 Committee* shall elect a Chairman, Vice Chairman, and Treasurer at a meeting of the *Representatives of Member Districts*. The Chairman shall preside at meetings of *Representatives of Member Districts*, appoint special committees and sub-committees, and, with input from the *Member Districts*, schedule meetings of *Representatives of Member Districts*, and set the agenda for meetings. An election may be held for Chairman, Vice Chairman, and Treasurer of the *GMA-15 Committee* at any meeting of the *Representatives of Member Districts*.
- 4.02** The *GMA-15 Committee* shall elect a *Representative of Member Districts* to the Region K, Region L, Region N, and Region P Regional Water Planning Groups at a meeting of *Representatives of Member Districts*. In determining individuals who are eligible to serve in these positions, the *GMA-15 Committee* shall follow the guidelines established by the Texas Water Development Board. An election may be held for representatives to regional water planning groups at any meeting of the *Representatives of Member Districts*.
- 4.03** The *GMA-15 Committee* may select an administrator to perform such administrative duties as shall be required including providing notice for meetings for the *GMA-15 Committee*, preparing meeting minutes, and maintaining the records of the *GMA-15 Committee*. The *GMA-15 Administrator* may be an individual, a *Member District*, or another entity. The selection of the *GMA-15 Administrator* may occur at any meeting of the *Representatives of Member Districts*.
- 4.04** If the *GMA-15 Committee* resolves to hire an entity to serve as the *GMA-15 Administrator*, the duties and compensation of such an entity shall be determined by the *GMA-15 Committee*.
- 4.05** Meetings of the *GMA-15 Committee* shall be held in accordance with the Texas Open Meetings Act, Chapter 551, Government Code. The *GMA-15 Administrator* shall be responsible for providing notice of a meeting. Notice of meetings shall be provided in accordance with Texas Water Code § 36.108 (e) - (e-3). Each Member District shall give notice of each meeting in accordance with the Texas Water Code § 36.108 (e)- (e-3).
- 4.06** The *GMA-15 Committee* may establish a fiscal year, adopt an annual budget, and establish an equitable method for the *Member Districts* to fund the joint planning activities.
- 4.07** The *GMA-15 Committee* may adopt procedures that more fully describe the administrative responsibilities and procedures of the *GMA-15 Committee* and *GMA-15 Administrator*. These by-laws prevail as the established policy of the *GMA-15 Committee* in any conflict between these by-laws and the administrative procedures.

SECTION 5: MISCELLANEOUS

- 5.01** Except as provided in these by-laws, these by-laws shall not be amended or modified other than by resolution approved by a two-thirds vote of the Member Districts.
- 5.02** These by-laws are entered into and executed in the State of Texas and all questions pertaining to their validity or construction shall be determined in accordance with laws of the State of Texas.

- 5.03 In case any provision of these by-laws is held illegal or invalid for any reason, said illegality or invalidity shall not affect the remaining provisions of these By-Laws.
- 5.04 These by-laws become effective on the date on which at least two-thirds of the districts subject to Texas Water Code chapter 36 located wholly or partially within *Groundwater Management Area 15* have adopted and executed the attached Resolution.

SECTION 7: DEFINITIONS

These terms shall have the following meaning when used in these By-Laws and the attached Resolution. The use of the singular covers the plural and the use of the plural covers the singular.

Desired Future Condition shall have the same meaning as defined in Texas Water Code § 36.001(30).

Desired Future Condition Proposal shall mean a statement regarding future conditions of a relevant aquifer proposed by a *Representative of a Member District* for consideration by the GMA-15 Committee.

Desired Future Condition for Consideration shall mean a Desired Future Condition Proposal approved by the GMA-15 Committee for impact evaluation including the factors identified in Texas Water Code § 36.108(d)(1-9),

Desired Future Condition for Distribution shall mean a *Desired Future Condition for Consideration* that the GMA-15 Committee approves for distribution to *Member Districts*.

Desired Future Condition Proposed for Adoption shall mean a *Desired Future Condition for Distribution* for which district summaries have been submitted to the *GMA-15 Administrator* and the GMA-15 Committee approves to be considered for adoption.

GMA-15 Administrator shall mean a Member District that *Representatives of Member Districts* elect to complete administrative tasks related to the joint planning efforts of Groundwater Management Area 15, including posting meeting notices and transmitting correspondence to the *Member Districts*.

GMA-15 Committee shall mean the association of all of the *Representatives of a Member District* and the *Member Districts* that adopt a resolution confirming these by-laws.

Member District shall mean a district subject to Texas Water Code Chapter 36 with jurisdiction within the boundary of Groundwater Management Area 15.

Representative of a Member District shall mean the presiding officer of the Board of Directors of a *Member District* or his designee, if authorized in writing.

RESOLUTION: 2023-2

A RESOLUTION APPROVING THE BY-LAWS OF THE GMA-15 COMMITTEE

WHEREAS, the GMA-15 Committee has been organized by the Member Districts to fulfill the requirements of Texas Water Code § 36.108, 36.1083, 36.1084, and 36.1086 including establishing "desired future conditions for the relevant aquifers" within GMA-15;

WHEREAS, the Member Districts of the GMA-15 Committee desire to fulfill the requirements of Texas Water Code § 36.108, 36.1083, 36.1084, and 36.1086 through mutual cooperation;

WHEREAS, the Member Districts of the GMA-15 Committee recognize that Groundwater Management Area 15 includes a geographically and hydrologically diverse area with a variety of land uses and a variety of water users; and

WHEREAS, the Member Districts of the GMA-15 Committee recognize the importance of coordinating their activities under these by-laws and sharing the expense of such activities.

NOW, THEREFORE, the attached By-Laws of the GMA-15 Committee are hereby approved on this 18th day of October 2023, by the Colorado County Groundwater Conservation District.


Board President, Travis Wegenhoft


Secretary, Sam Parks