

North Santa Clara Resource Conservation District

An independent special district of the State of California

To: NSCRCD Board of Directors
Cc: Julie Gantenbein, District Counsel
From: Stephanie Moreno, District Manager/District Clerk
Subject: Consent Agenda Item 8.3: *Designate President Maitski and Vice President Loera as the District's Labor Negotiators for Calendar Year 2026.*
Meeting Date: January 8, 2026

Recommendation:

Approve the consent agenda item designating President Maitski and Vice President Loera as the District's labor negotiators for calendar year 2026.

Background:

Before the Board may consider any merit-based changes to the District Manager's compensation, it must first designate its labor negotiators in open session and follow the procedure outlined below.

The Brown Act allows the Board of Directors to hold a closed session to discuss changes to compensation for unrepresented employees such as the District Manager, but requires the designation of its labor negotiators in open session.¹ It has been the past practice of the Board to appoint the President and Vice President as the labor negotiators for compensation discussions with the District Manager.

After appointment, the labor negotiators will schedule a meeting with the District Manager to discuss potential changes to compensation. They will then report those discussions and their recommendations to the Board in closed session under the title "Conference with Labor Negotiators". Once negotiations have concluded, any discussion and potential action to formally approve any changes to District Manager compensation would need to be held in open session.

Attachment: Government Code §54957.6

¹ Government Code §54957.6



GOVERNMENT CODE - GOV

TITLE 5. LOCAL AGENCIES [50001 - 57607] (*Title 5 added by Stats. 1949, Ch. 81.*)

DIVISION 2. CITIES, COUNTIES, AND OTHER AGENCIES [53000 - 55821] (*Division 2 added by Stats. 1949, Ch. 81.*)

PART 1. POWERS AND DUTIES COMMON TO CITIES, COUNTIES, AND OTHER AGENCIES [53000 - 54999.7] (*Part 1 added by Stats. 1949, Ch. 81.*)

CHAPTER 9. Meetings [54950 - 54963] (*Chapter 9 added by Stats. 1953, Ch. 1588.*)

54957.6. (a) Notwithstanding any other provision of law, a legislative body of a local agency may hold closed sessions with the local agency's designated representatives regarding the salaries, salary schedules, or compensation paid in the form of fringe benefits of its represented and unrepresented employees, and, for represented employees, any other matter within the statutorily provided scope of representation, subject to all of the following conditions:

(1) Prior to the closed session, the legislative body of the local agency shall hold an open and public session in which it identifies its designated representatives.

(2) The closed session shall be for the purpose of reviewing its position and instructing the local agency's designated representatives.

(3) The closed session may take place prior to and during consultations and discussions with representatives of employee organizations and unrepresented employees.

(4) Any closed session with the local agency's designated representative regarding the salaries, salary schedules, or compensation paid in the form of fringe benefits may include discussion of an agency's available funds and funding priorities, but only insofar as these discussions relate to providing instructions to the local agency's designated representative.

(5) The closed session shall not include final action on the proposed compensation of one or more unrepresented employees.

(6) For the purposes enumerated in this section, a legislative body of a local agency may also meet with a state conciliator who has intervened in the proceedings.

(b) For the purposes of this section, the term "employee" shall include an officer or an independent contractor who functions as an officer or an employee, but shall not include any elected official, member of a legislative body, or other independent contractors.

(*Amended by Stats. 2025, Ch. 327, Sec. 20. (SB 707) Effective January 1, 2026.*)