

# Contra Costa County



651 Pine Street, Third Floor  
Martinez, California 94553-1292  
(925) 335-1703

## MERIT BOARD

Charles Kreling, Chair  
Eizo Kobayashi  
Toni Warren  
James Mellander  
Dennis Reigle

Walter G. Treanor  
Chairman Emeritus  
1981-2002

### **CONTRA COSTA COUNTY MERIT BOARD**

#### **MINUTES OF MEETING**

*June 25, 2019*

<b>Presiding Staff</b>	<b>Charles Kreling</b>
<b>Members Present</b>	<b>Stacey Durocher</b> <b>Eizo Kobayashi, James Mellander, Toni Warren, Dennis Reigle</b>
<b>Counsel</b>	<b>Rebecca Hooley, County Counsel's Office</b>
<b>Others Present</b>	<b>Cynthia A. Schwerin, Deputy County Counsel, County Counsel's Office</b> <b>Janice L. Amenta, Deputy County Counsel, County Counsel's Office</b> <b>Jay Melaas, Vice President, Contra Costa County District Attorney's Association</b> <b>Chad Mahalich, Deputy District Attorney (Appellant)</b> <b>Lynn Soloway (Appellant)</b> <b>Michelle Full, Representative for Lynn Soloway</b> <b>Other members of the public were present</b>

#### **RECORDING OF MERIT BOARD MEETINGS**

**The Merit Board meetings are recorded and the audio recordings will be retained for a period of approximately ten years.**

#### **APPROVAL OF CONSENT ITEMS**

##### **A. Minutes of April 23, 2019**

**Chair Kreling asked if the Board Members had any changes or modifications to the minutes. There being none, Chair Kreling approved the minutes as submitted.**

**B. CONSIDER APPEAL OF CHAD MAHALICH, DEPUTY DISTRICT ATTORNEY, DISTRICT ATTORNEY'S OFFICE FROM REPRIMAND BASED ON POLITICAL RETALIATION - CONTINUED TO THE MERIT BOARD MEETING OF AUGUST 13, 2019.**

- 1. Chair Kreling noted receipt of the appeal of Chad Mahalich Deputy District Attorney, District Attorney's Office from reprimand based on political retaliation. Chair Kreling also noted receipt of correspondence from Cynthia Schwerin, Deputy County Counsel, County Counsel's office, representing the appointing authority, requesting that the Board deny Chad Mahalich's request for a hearing due to an ongoing investigation being conducted by the Affirmative Action Officer, and to dismiss his premature appeal until the investigation has been concluded.**

**Cynthia A. Schwerin, Deputy County Counsel, County Counsel's Office representing the appointing authority was present. Chad Mahalich, Deputy District Attorney (Appellant), and representative Jay Melaas, Vice President, Contra Costa County District Attorney's Association were also present.**

**After a brief discussion, Member Warren moved and Member Reigle seconded to continue the matter to the Merit Board meeting of August 13, 2019 due to discussions between parties for possible resolution.**

**AYES: Kobayashi, Mellander, Warren, Reigle, Kreling**

**C. CONSIDER APPEAL OF LYNN SOLOWAY, HEALTH PLAN NURSE, PROGRAM DIRECTOR, HEALTH SERVICES DEPARTMENT FROM REJECTION ON PROBATION.**

- 1. Consider correspondence received from Janice Amenta, Deputy County Counsel, County Counsel's office representing the appointing authority, requesting that the Board dismiss the appeal of Lynn Soloway because her appeal lacks probable cause to support discrimination.**

**Janice L. Amenta, Deputy County Counsel, County Counsel's Office representing the appointing authority was present. Lynn Soloway, Appellant and her representative, Michelle Full were also present.**

**After a lengthy discussion, Chair Kreling moved and Member Warren seconded to continue the matter to either the July 23, 2019 or August 13, 2019 Merit Board meeting to allow the appellant to refine and resubmit her appeal.**

**AYES: Kobayashi, Mellander, Warren, Reigle, Kreling**

**Merit Board**  
**June 25, 2019**

***There being no further business to consider, Chair Kreling adjourned the meeting at 7:26 pm.***

**DATED:** \_\_\_\_\_

**APPROVED:**   /s/   \_\_\_\_\_