

BOARD MEETING DATE: June 4, 2021

AGENDA NO. 14

PROPOSAL: Appoint Members to South Coast AQMD Hearing Board

SYNOPSIS: The terms of office for the Hearing Board Attorney Member, Engineer Member and their alternates expire on June 30, 2021. A recruitment was opened from November 13, 2020 through January 8, 2021 to seek candidates for appointment to the new term beginning July 1, 2021 through June 30, 2024. An Advisory Committee appointed by some members of the Governing Board evaluated and ranked each candidate and recommended the top four attorney candidates and top four engineer candidates be interviewed by the Administrative Committee. The Administrative Committee interviewed the candidates at its meeting on May 14, 2021 and made a final recommendation. This action is to appoint members for the July 1, 2021 to June 30, 2024 term.

COMMITTEE: Administrative, May 14, 2021; Recommended for Approval

**RECOMMENDED ACTION:**

Appoint Robert Pearman as Attorney Member and Adrienne Konigar-Macklin as Alternate Attorney Member; and Reappoint Mohan Balagopalan as Engineer Member and appoint Maria Slaughter as Alternate Engineer Member to the South Coast AQMD Hearing Board for the term commencing July 1, 2021 to June 30, 2024.

Wayne Natri  
Executive Officer

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**Background**

The Hearing Board is a quasi-judicial body comprised of five members appointed by, but acting independently of, the Governing Board to provide relief from South Coast AQMD regulations under certain circumstances. The five members include one attorney, one engineer, one medical doctor and two public members. Each member, as

well as their alternates, serve a term of three years. The terms have staggered start dates so there is continuity on the Hearing Board.

The current term for the Attorney Member and Engineer Member expires on June 30, 2021. A recruitment was opened from November 13, 2020 to January 8, 2021 to seek candidates for appointment to the new term that commences July 1, 2021 through June 30, 2024. During the filing period, 20 applications were received for the Attorney Member and 10 for the Engineer Member that met the minimum qualifications. The incumbents for both positions requested reappointment.

Health and Safety Code Section 40501.1(b) requires the South Coast AQMD Governing Board appoint an Advisory Committee who has the responsibility to review candidates for Hearing Board appointments and make recommendations to the appropriate Governing Board committee. The Hearing Board Advisory Committee is composed of one representative appointed by each of the Governing Board members from the Counties of Los Angeles, Orange, Riverside and San Bernardino, and the City of Los Angeles. The Advisory Committee members for this recruitment are listed below.

<b>Representing</b>	<b>Member</b>
City of Los Angeles Council Member Joe Buscaino	Ray Regalado Los Angeles County Commission on Human Relations Department of Workforce Development, Aging and Community Services
County of Los Angeles Supervisor Sheila Kuehl	Diane Moss Former South Coast AQMD Governing Board Consultant
County of Orange Supervisor Lisa Bartlett	Lucy Dunn President & CEO Orange County Business Council
County of Riverside Supervisor V. Manuel Perez	Rodolfo Gutierrez RG2 Staffing
County of San Bernardino Supervisor Janice Rutherford	Dr. William Sterling President & CEO BCM Group

The Advisory Committee assessed and ranked the application materials of each candidate against a set of criteria that they approved. A panel of South Coast AQMD staff also evaluated and ranked the candidates, which the Advisory Committee requested to use as a cross reference and compare against their individual scores. The South Coast AQMD staff panel consisted of three Executive Council members; two evaluated the attorney candidates and three evaluated the engineer candidates. Of the

three panelists, one is Caucasian, one Hispanic and one Asian American; one female and two males.

On April 23, 2021, the Advisory Committee met to discuss the scores/rankings and decide on a short list of candidates to interview. One member was not able to rank the candidates, so the other Committee members agreed to proceed with the process. The Advisory Committee unanimously agreed to waive interviewing the candidates and recommended that the top four attorney candidates and top four engineer candidates move forward to the Administrative Committee for interviews. Subsequent to the Advisory Committee's recommendation, one attorney candidate withdrew from the interview process. The candidates are listed below in alphabetical order.

**Attorney Member Candidates**

- 1) Adrienne Macklin
- 2) Robert Pearman
- 3) Julie Prussack

**Engineer Member Candidates**

- 1) Mohan Balagopalan
- 2) Robert Pease
- 3) Maria Slaughter
- 4) Eric Witten

**Proposal**

After interviewing the three attorney candidates and four engineer candidates on May 14, 2021, the Administrative Committee recommends the Board appoint Robert Pearman as Attorney Member, appoint Adrienne Konigar-Macklin as Alternate Attorney Member, reappoint Mohan Balagopalan as Engineer Member and appoint Maria Slaughter as Alternate Engineer Member for the term commencing July 1, 2021 and ending June 30, 2024. The individuals recommended for appointment were subsequently contacted, and each indicated their willingness to serve. A summary of their qualifications follows.

**Attorney Member**

Robert (“Bob”) Pearman is an attorney, arbitrator and board member. He has a decades-long practice in the areas of public, transactional and litigation law, including environmental law work, now as Of Counsel to the Los Angeles law firm of Sanders Roberts LLP. Currently, he is on the State of California Architects Board, and a member of the Board of Directors of non-profit JVS SoCal. His arbitral posts include various panels of the American Arbitration Association, and the State of California Public Works Arbitration Panel, among others.

Formerly, Mr. Pearman was a gubernatorial appointee to the State of California Inspection and Maintenance Review Committee; Los Angeles County Assessment Appeals Board member; Board Member and Chair of the National Housing Law Project; and on the Executive Committee of state and local bar associations.

He is a graduate of the University of Pennsylvania, Wharton School, and Yale Law School.

### **Alternate Attorney Member**

Ms. Konigar- Macklin is a graduate of UC Irvine/Dartmouth College, where she obtained a B.A. in Social Ecology. She graduated from UC Hastings College of Law and Pepperdine University School of Dispute Resolution Certification Institute.

She has practiced over 34 years and is currently serving as General Counsel for San Diego County Office of Education through her own practice. She has handled construction and environmental issues and represented public agencies. She most notably negotiated a \$118 million-dollar settlement on behalf of a local public school district for environmental damage. She also worked on securing playground and clean outdoor space for children living in the inner city.

She was also appointed as an Administrative Law Judge in 2010 for the State of California by Governor Jerry Brown and served as a Commissioner for the Los Angeles County Commission on Families and Children for the 2<sup>nd</sup> Supervisory District.

She is in her fourth term as an elected official and is the Immediate Past President of the School Board for the Pomona Unified School District. She is the President of the California State University Dominguez Hills/ M. Dymally Public and Political Policy Advisory Board. She has devoted her legal career to protecting and securing the educational rights of children and has been at the forefront of addressing educational inequities.

She is a Past President of the California Association of Black Lawyers, Black Women Lawyers of Los Angeles and member of Alpha Kappa Alpha, Sorority, Inc. She is a frequent guest speaker on educational equity, ethics, organizational effectiveness, women's empowerment issues, mentoring and spirituality.

### **Engineer Member**

Mohan Balagopalan was appointed as the Engineer member to the South Coast AQMD Hearing Board in 2018 and is the current Vice-Chair. Mr. Balagopalan brings over 37 years of engineering experience to the Hearing Board, that included 32 years at South Coast AQMD in the Permitting Division. Prior to his retirement, he served as the Senior Permitting Manager for the Mechanical and Chemical teams, and the Permit Streamlining & Administration Team. Mr. Balagopalan holds a B.S. in Mechanical Engineering and a Master of Business Administration (MBA). He holds a Certificate in Hazardous Materials Management from UCR and a Certificate in Six Sigma, Yellow Belt from California State University Fullerton.

Mr. Balagopalan is passionate about teaching and has over two decades of teaching experience on courses related to air quality permitting and dispersion modeling at UC Riverside Extension Program. He also taught for a few years at Loma Linda University, School of Public Health. After his retirement and before joining the Hearing Board, he taught courses nationally at other air pollution agencies for the National Air Compliance Training Program. He is currently a non-tenured Clinical Instructor at the School of Public Health, Loma Linda University. He is Certified instructor by U.S.EPA on Computer Aided Management of Emergency Operations (CAMEO). In 2020, Mr. Balagopalan was appointed to the University of California, Riverside Extension Design Thinking Advisory Board.

### **Alternate Engineer Member**

Dr. Maria Slaughter has over 25 years of experience in engineering and environmental health and safety and has worked in a wide variety of industries including oil, printing, aerospace, education, and municipal government.

Her interest in the intersectionality of technical operations and sustainability was piqued in college when she led a nationally sponsored team in a competition to convert a vehicle from internal combustion to battery powered. Subsequently, she held responsibility for air compliance in two air districts and acted as the liaison to several regulatory agencies. Over the course of her career, Dr. Slaughter has completed multi-million dollar projects and implemented a myriad of programs within the environmental arena including a recycling effort that was the impetus for nine consecutive awards from the Environmental Protection Agency.

Dr. Slaughter holds a Bachelor's of Science degree in Mechanical Engineering from CSU Northridge, a Master's of Science degree in Civil / Environmental Engineering from Loyola Marymount University, an MBA from Pepperdine University, and a Doctorate in Education from CSU Long Beach. Additionally, she has attained a variety of certifications including Project Management Professional, Six Sigma Green Belt and Black Belt, Certified Energy Manager, and Asbestos Management Contractor / Supervisor / Inspector. Dr. Slaughter has also been an adjunct professor for more than a decade, served on technical and educational committees and is currently a small business owner as well as an alternate member of both the State of California and County of Los Angeles Citizen's Redistricting Commissions.

### **Fiscal Impacts**

Sufficient funds are budgeted each year to compensate those who serve on the Hearing Board.