

The Guam Board of Registration for Professional Engineers, Architects and Land Surveyors
PEALS Board Regular Meeting
Thursday, May 30, 2019, PEALS Board Conference Room Suite 208 3:22 PM - 5:12 PM

Present: Gabriel A. Jugo PE SE, Chairman H. Mark Ruth, RA, Vice Chair
Maria Elizabeth V. Cristi, PE/Sec & Treas. Liza J. Provido, RA
Vincent P. Arriola, DPW Director Philip Villanueva, Public Member
Raymond C. Borja, Exec. Board Adm. Nixon Isaac, Board Investigator
Atty. Tom Keeler, AAG Marie Villanueva, Adm. Asst

Absent: Paul L. Santos, PLS, Member

Guest: Wayne Chargualaf, Glimpses Media
Gino Pangilinan, Self
Jose L. G. Garrido, Self Amelia Garrido, Self
Brent Wiese, Guam Building Code Council/AIA

Prior to the opening of today's meeting, BC Jugo administered Certificate Presentation for new Engineer Intern before the Board for Mr. Gino Geneel Manalo Pangilinan, EIT#322.

Item 1 Call to Order

Board's mission statement was announced. The meeting was called to order at 3:22 pm, as a quorum, was present.

Item 2. Oath Administration of New Registrant

2.A Pangilinan, Gino Geneel Manalo, EIT #322 – Presentation was administered prior to Board Meeting.

Item 3 Review March 26, 2019 – Board Regular Meeting Minutes

3.A Board review of March 26, 2019 – Regular Meeting Minutes

BM Villanueva joined the Board Meeting with his arrival.

3.B Board review of April 26, 2019 – PEALS Board Special Meeting Minutes

Sec & Treas Cristi moved it and seconded by BM Provido to approve minutes of March 26, 2019, and April 26, 2019, as noted with corrections.

Motion: Sec. & Treas. Cristi

2nd: BM Provido

Vote: 5/1 Motion Passed (BM Villanueva Abstained)

Item 4 EBA Reports and Updates

4.A Board Administrative Activities: March 16, 2019, thru May 10, 2019

Executive Board Administrator reported PEALS FY19 Revenue & FY18 Revenue previous year in comparison. AS400 breakdown of Year-To-Date Expenditures are at \$143,189, and Current Revenue collected at \$250,142.

Bank of Hawaii statements for March and April 2019 were presented. Balance of \$3,810.45, respectively. No checks were written.

FY18 Bi-Annual Report of Revenue and Registrant's breakdown was reviewed. EBA Borja has not submitted a copy to the OPA Office as he wanted Board's review prior to submission.

Item 5 Complaints

5.A Lorette T. Guerrero vs. Blas Atalig/Meliton S. Santos PLS #053 Case #2017-002

No further update was made available for the Board.

5.B Jose C. Benavente vs. Paul L. Santos, PLS #053 Case #2018-006

A Special Meeting was held on April 26, 2019. At that meeting, a motion was presented to the Board to retract the Board's previous decision, made at the January 22, 2019 Board meeting to proceed with an independent investigation of Case #2018-006; and to render a decision of "No Decision." The Board voted in favor of this motion and case against Paul L. Santos, PLS #053, is now closed.

5.C APC Construction vs. Jerry B. Estrella, PE No. 1680 Case #2019-001(On Base Project)

BI Isaac submitted his investigative report to the EBA on May 1, 2019. EBA determined "Merit" at today's meeting based on unprofessional conduct. A letter of Accusation and Statement of Charges will be sent to last known address as Mr. Estrella's license was not renewed before April 30, 2019, deadline and all attempts to contact him has been unsuccessful.

5.D Amelia & Jose Garrido vs. Meliton Santos, PLS CE275/PLS053 Case #2019-002

BI Isaac submitted his investigative report to the EBA on May 9, 2019. EBA gave no determination of Merit or No Merit in today's meeting.

Mr. and Mrs. Jose Garrido came before the Board to discuss their complaint and dismay with the services rendered by Mr. Blas Atalig, who is an employee of Mr. Meliton Santos. AAG Keeler stated that any additional information received by the Board of this regard must be indicated as a supplement, as BI Isaac's perimeter of investigation is limited to what was stated on the original complaint received on April 15, 2019.

Mr. & Mrs. Jose Garrido thanked the Board for its time and left the meeting stating they will be anxiously awaiting the determination to their case.

Item 6 Old Business

6.A PEALS Rules and Regulations

Public hearing of proposed changes to the Rules and Regulations will tentatively take place on June 24, 2019, at the Tamuning Mayor's Community Center. EBA Borja was assigned to confirm location, date, and time.

Item 7. New Business

7.A Vernon, Walter N. PE # EE957

Mr. Vernon applied to renew his Guam registration EE957 and disclosed a Florida – FEMC Case Nos. 2017059047. All requirements stipulated by the Florida Board had been accomplished. Guam Board approved his registration. Although, Board wanted to review his stipulation for ruminant purposes.

It was moved by VC Ruth and seconded by BC Jugo to approve renewed registration application of Mr. Vernon.

Motion: VC Ruth

2nd: BC Jugo

Vote: Not Taken. The applicant's renewal registration was settled, as the majority of the Board Members approved. (Refer to the applicant's folder).

7.B Fain, Jr. William H. RA275

Mr. Fain renewed his Guam architectural registration and disclosed a Nevada – Case number 18-037N. The Engineering Board Members deferred to the Architect Board Members to clarify “Zoning Analysis”, as Planners and Architects could perform this task. This is not specific to a discipline.

The questions expected to be clarified: Does it involve Design Work? Zoning Analysis? Planning? When is a license required? What constitutes Architecture without a license? Would Mr. Fain’s disclosure fall under that scrutiny on Guam? The accusation of the case was based on the Nevada law. The understanding on Guam for the Architecture requirement allows for Design work, planning, and zoning analysis. What was cited in Nevada Board is not an illegal practice on Guam.

VC Ruth explained that generally, an Architect is hired after a design development has been approved, and plan drawings are made for the permit process. A seal is required for professional responsibility in the Architectural field. No Guam licenses are given for Zoning or Master Planning.

It was moved by BC Jugo and seconded by Sec. & Treas. Cristi to approve Mr. Fain’s renewal registration for the license of RA275.

Moved: BC Jugo

2nd: Sec. & Treas. Cristi

Vote: 6/0 Motion Passed

7.C Duenas, Camacho & Associates Inc. – COA application request for 4 to be RME in full control

It was moved by BC Jugo and seconded by VC Ruth, to accept only one RME and advise DCA possibility of an amendment to the PEALS Law, per the intention of the law, to authorize only one RME in full control of any COA firm. BM Provido amended the motion to exclude that the PEALS Board will investigate the possibility of amending PEALS law.

Motion to Amend: BM Provido

2nd: [????]

Vote: 1/4 - 1 Abstained (Sec. & Treas. Cristi) Motion Failed

Motion to Original: BC Jugo

2nd: VC Ruth

Vote: 5/1 – Abstained (Sec. & Treas. Cristi) Motion Passed

7.D CNMI Board Request that their Civil Engineer (CE) applicants take the California Seismic Principles Exam (CSCS) through Guam

Mr. Roy P. Reyes, PE Board Chair of the Commonwealth of the Northern Marianas Island, submitted a letter to EBA Borja stating that, similar to Guam, the CNMI has adopted the California Seismic Exam as a requisite for licensing as a Civil Engineer. However, due to the minimal applicants (one CE license request every five years), the transition to computer-based testing (CBT) of the CSCS, the process has become more onerous. Having no facilities available on Saipan to administer the exam, the CNMI Board is considering the possibility of having applicant(s) receive the ATT test through Guam's existing agreement with California.

VC Ruth motioned to deny this request as EBA Borja stated the contract with California does not allow it. Board suggests CNMI Board have interested civil candidates apply through the Guam Board prior to obtaining a CNMI license to fulfill the requirement of passing the CSCS exam. BC Jugo seconded the motion and requested to amend to state we do want to assist, although contractually, it is not possible.

Motion: VC Ruth

2nd: BC Jugo

Vote: 6/0 Motion Passed

Item 8. Open Discussion, Information, and Announcements

8.A PEALS FY2019 Proposed Board Meeting Schedule

Proposed Rule and Regulations Public Hearing – June 24, 2019

Next PEALS Board Meeting – Tuesday, July 16, 2019

8.B NCEES Southern/Western Zone Meeting May 16-18, 2019

Attended by Board members Paul L. Santos and Maria E.V. Cristi

Following are Highlights:

-NCEES Council Records will eventually remove the designation Model Law Engineer (MLE) as NCEES made this designation without considering the individual's years of work experience under the direct supervision of a Registered Engineer.

-NCEES Council Records announced disclaimer that information received by state boards should not be regarded as NCEES approval.

AAG Keeler excused himself from the meeting at 4:54 PM.

8.C NCARB Annual Meeting on June 20 – 22, 2019 in Washington DC; NCARB Funding up to 4
Deadline for Registration has passed.

8.D NCEES Annual meeting on August 14-17, 2019 in Washington DC; NCEES funding up to 3
Deadline to attend is July 1, 2019.

8.E Interim PEALS EBA

DPW Director Vince Arriola has agreed to be the Interim EBA till a replacement has been selected. EBA Borja reported end date of employment with the Government of Guam is June 7, 2019. GG1 is still pending.

DPW Director Vince Arriola requested EBA to set aside at least two days so that they may discuss duty details before his separation date. EBA acknowledged.

8.F Guam Survey Board Member to serve in the NCEES FE and PLS Survey Committee

BM Santos has been selected to be part of this committee.

Item 9. Public Comment

Brent Wiese, GBCC/AIA came before the Board and announced the progress of the Guam Tropical Energy Code. A complimentary report was given to the new Governor's Office. They are very excited about it, and a Public Hearing should be scheduled soon on to becoming law. Copy of proposed code is available.

ICC 2009- 2018 / GCC Code update seminar is presently projected to occur in mid-November 2019. Final dates will be given as soon as established. The focus will be on the Building Code/Fire Code/Residential Code. International Code Council (ICC) will be bringing in an instructor to review each section and assist in hosting this event.

