



The Guam Board of Registration for Professional Engineers, Architects and Land Surveyors  
**PEALS Board Regular Meeting**

Tuesday, March 9, 2021 East West Business Center Suite 207 3:07 PM – 4:19 PM

Present: Maria Elizabeth V. Cristi, Board Chair Masoud K. Teimoury, PE, Vice Chair  
Cedric Q.T. Cruz, Sec & Treas. Paul L. Santos, PLS,  
Vincent P. Arriola, DPW Director Cathyann C. Gogue, Public Member  
Catherine S. Gutierrez, Exec. Board Adm. Nixon Isaac, Board Investigator

Absent: Andrew T. Laguana, RA Member AAG, Atty. Tom Keeler

Guest: None

Item 1, Call to Order

BC Cristi called for introductions of attendees. A quorum was confirmed and the meeting was called to order at 3:07pm. The board's mission statement was announced.

Item 2, Proof of Due Notice of Meeting

- 2.A 1<sup>st</sup> Notice: 5 Working Days Pacific Daily News – Tuesday March 2, 2021
- 2.B 2<sup>nd</sup> Notice 48 Hours, Pacific Daily News – March 5, 2021

Item 3, NEW BUSINESS

None

Item 4, Review of Meeting Minutes of January 14, 2021

It was moved by BM Gogue and seconded by BM Santos, and unanimously carried to approve meeting minutes with corrections and clarification received by EBA Gutierrez no later than one week from today's meeting.

## Item 5 OLD BUSINESS

### 5.A Law, Rules and Regulations and Ethics Review

Next working session is scheduled for Tuesday, April 6, 2021 – 3PM. Location to be determined.

### 5.B Executive Session: Case #2017-002 Lorette T. Guerrero vs. Bals Atalig

It was moved by BM Gogue, seconded by BC Cristi, and unanimously carried to accept the recommendation provided by the Attorney General's advisement given on February 25, 2021, regarding PEALS Board Case# 2017-002 Lorette T. Guerrero vs. Blas Atalig. No action was noted to be taken by the Board.

## Item 6, EBA Report

### 6.A Board Administrative Activities

#### 6.A.1 Office Space Lease Agreement – Update

EBA Gutierrez presented to the board a Memorandum of Understanding and Agreement (MOU) drafted by Guam Economic Development Authority (GEDA) and the Guam PEALS Board for office space rental located at the ITC building suite 511. The board reviewed the MOU and concurred to move forward. The MOU was to take effect on April 1, 2021.

DPW Director Arriola stated that DPW personnel would assist with the relocation. He instructed EBA Gutierrez to provide notice of moving dates for planning and coordination. EBA Gutierrez acknowledged.

#### 6.A.2 National Council of Examiners for Engineering and Surveyors (NCEES) Announcements

Wester Zone virtual meeting will start ton May 06, 2021 with New members

May 12 – Welcoming Event Reception

May 13 – Zone Interim Meeting

NCEES State of the Council Meeting -

August 19-20, 2021 – New Orleans Limited to only two (2) delegates per Board; one (1)

(MBA – EBA Gutierrez) and one (1) Board Member. The Board is to decide who will attend.

Item 6, EBA Report (cont.)

6.A.3 Financial Report

EBA provided the Board with February statements, for the PEALS Special Funds Account, and the Bank of Hawaii (BOH) account for review. Only one (1) check was issued from the BOH account during this period. The check was issued to GCA Trades Academy for classroom rental charges for NCEES PE Examination scheduled for April 22<sup>nd</sup> and the 23<sup>rd</sup>, 2021. Other charges noted on the BOH Statement are from recent non-sufficient funds checks. EBA Gutierrez assured the board, a fee of \$37.00 per NSF payments are being added upon initial payment of Permit Clearance (\$15.00/Permit) to cover the additional bank fees. All other revenue generated by the PEALS Board are received via the Treasurer of Guam/PEALS Special Funds Account.

EBA Gutierrez reported FY2022 budget request for \$359,267.00 was submitted for review. The Bureau of Budget Management Research returned with ceiling level by fund source of \$279,538.00 resulting in a \$79,729.00 reduction. This downward trend is due to the current economic environment and is projected to continue on this track.

EBA Gutierrez continued stating that the PEALS Board's account is classified as a Special Fund Account, which is an *Allocated* Funds Account, so any unused revenues would go back into the General Fund. EBA Gutierrez suggested the board should consider going before the legislature to request changing our account classification to a *revolving* fund to avail of all revenues generated to assist in funding operational shortfall if any.

DPW Director Arriola, commented should the board require additional revenues to cover operational cost we should proceed to seek assistance accordingly.

Public member Cathyann Gogue offered some advice on the process of changing funding status.

### Item 7, Investigation / Enforcement

Status quo from last Board Meeting held on January 14, 2021; pending completion of BI Isaac's investigation for EBA Gutierrez's review and determination of Merit/No Merit.

### Item 8, Open Discussion

8.A Bill No 64-36 – An Act to *ADD* A New Chapter 15 Division 1 Of Title 5, Guam Code Annotated, Relative to the Elimination of Unnecessary or Unenforceable Regulations; also to be known as the "Bureaucracy Simplicity Act of 2021" was discussed and noted.

BC Cristi will check with Senator Moylan on the intent of the bill. A major concern is the possibility of limitations on regulation, §15103(a) "... review of all business and occupational regulations and business and occupations license procedure within their jurisdictions..." BC Cristi want to ensure that this does not include the fields of engineering, architecture and surveying. BM Gogue is to advise the Board on the next Public Hearing date is scheduled for Bill 64-36.

BM Santos suggested to refer to NCEES resources, specifically, the "Alliance for Responsible Professional Licensing" in our response. Board noted.

Sec. & Treas. Cruz referred to our Rules of Professional Conduct, which was deemed Unenforceable by the Attorney General Office <sup>1</sup> referring to page agenda packet page 18, Bill 64-36 page 2, line item 6 thru 9. Indicating how this Bill can be applied to our Board if left unaddressed. Board noted.

### Item 9. Public Comments

None

### Item 10, DPW Permit & DLM Survey Map Review

- A. Department of Land Management – (November 2019 – January 2020)
- B. DPW Building Permits – (Grading/Building/Demolition/Clearing)

Review of documents was deferred. Please direct any comments or questions to EBA Gutierrez not later than two weeks from today.

---

<sup>1</sup> Attorney General Memo of Decision on May 25, 2018 as Unenforceable and again on September 27, 2018 by OAG Elizabeth Barrett Anderson stating, "the May 25 Memo is reaffirmed and will not be reconsidered". Ref to: PEALS Board Meeting Minutes 6/7/2018, Item 5.C (first Decision) and (second Decision) 9/27/2018, Item 6.C Information and Guidance on PEALS Competitive Bidding/Code of Ethics. "Unenforceable"

**Item 11, ELECTIONS OF OFFICER**

Election of Officers<sup>2</sup> - Secretary & Treasurer, Vice Chair, and Chair

**SECRETARY & TREASURER** - BC Cristi called for the nominations to the floor for the position of Secretary & Treasurer.

BC Cristi called for the nomination of Cedric Q.T. Cruz, RA as Board Secretary & Treasurer. Mr. Cruz accepted. No other nominations were said.

It was moved by BM Santos, seconded by BM Gogue, and unanimously carried to accept Mr. Cruz as Board Secretary & Treasure for another term.

All in Favor – 6

Opposed – 0

Abstained - 0

**VICE CHAIR** - BC Cristi called for the nominations to the floor for the position of Vice Chair.

BM Santos called out the nomination of Masoud K. Teimoury, PE as Board Vice Chair. Mr. Teimoury accepted. No other nominations were said.

It was moved by BM Santos, seconded by BM Gogue, and unanimously carried to accept Mr. Teimoury, PE as Board Vice Chair for another term.

All in Favor – 6

Opposed – 0

Abstained - 0

---

<sup>2</sup> PEALS LAW §32104(b) Board Appointments; Terms “The Chairman, Vice-Chairman and Secretary/Treasurer shall be elected annually by majority vote of the Board members at the first regular meeting of the Board after January 1.”

Item 11, ELECTIONS OF OFFICERS (cont.)

**CHAIR** - BC Cristi called for the nominations to the floor for the position of Chair.

BM Santos called for the nomination of Maria Elizabeth V. Cristi, PE as Board Chair. Ms. Cristi accepted. No other nominations were said.

It was moved by BM Santos, seconded by BM Gogue, and unanimously carried to accept Ms. Cristi, PE as Board Chair for another term.

All in Favor – 6  
Opposed – 0  
Abstained - 0

Item 12, ADJOURNMENT

There being no further business, BC Cristi adjourned the meeting at 4:19 PM.

Taken and recorded by:

  
/s/ Marie Villanueva

Administrative Assistant

Reviewed and Approved by:

  
/s/ Catherine S. Gutierrez

Catherine S. Gutierrez  
Executive Board Administrator

BOARD APPROVED:

Approved by:

  
\_\_\_\_\_  
Maria Elizabeth V. Cristi, PE  
Board Chair

06.10.2021  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Cedric Q.T. Cruz, RA  
Board Secretary/Treasurer

6/15/21  
\_\_\_\_\_  
Date

June 8, 2021

- Minutes approved as is <sup>KS</sup> <sub>er</sub>
- Minutes approved with changes; see minutes \_\_\_\_\_