

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

Thursday October 14, 2021 GEDA Board Room Suite 511, Tamuning Guam 2:51 PM – 4:37 PM

Present:	Maria Elizabeth V. Cristi, Board Chair Cathyann C. Gogue, Public Member Masoud K. Teimoury, PhD PE, Vice Chair Catherine S. Gutierrez, Exec. Board Adm.	Cedric Q.T. Cruz, Sec & Treas. Paul L. Santos, PLS, Vincent P. Arriola, DPW Director Nixon Isaac, Board Investigator
Absent:	Andrew T. Laguana, RA Member	AAG, Atty. Tom Keeler
Guest:	James Canto, AG's Office Myeong-Ho Yeo, UOG WERI Glenn Leon Guerrero, UOG Ken Rekdahl, DCA	George Castro, Court Reporter Jester Abucay Lee Lu, NAVFAC

Item 1, Executive Session: Case #2017-002 Lorette T. Guerrero vs. Bals Atalig – Settlement Executed

Meeting was called to order at 1430. BM Gogue moved to go into executive session, BM Santos seconded and the motion was carried.

On March 9, 2021, 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.

The settlement agreement of both parties was discussed during Executive session held on this date October 14, 2021.

BC Cristi called for a motion on the floor regarding proposed settlement agreement. BS/T Cruz moved that the BC and AG Canto sign the settlement agreement for AG Canto to finalize the settlement agreement to close the case. BVC Teimoury seconded the motion and the motion was unanimously carried to accept the settlement agreement. To execute said agreement, documents were signed by BC Cristi and Attorney Canto of the Attorney's General Office during this meeting.

*Arrival of BS/T Cruz, and DPW Director Arriola was announced.*

It was moved by BM Gogue seconded by DPW Arriola, and unanimously carried to close Executive Session and proceed to Regular Meeting at 2:51.

Item 3, (moved out of agenda order) Approval of Meeting Minutes

Review of Meeting Minutes of July 29, 2021 was moved up on the agenda while waiting arrival of certificate and oath recipients.

It was moved by BM Gogue, seconded by Sec & Treas. Cruz, and unanimously carried to approve meeting minutes with corrections and clarification received by EBA Gutierrez no later than Friday, October 22, 2021.

Item 2, Certificate Presentation | Administration of Oath

- 2.A Xio Li Lu, PE – Civil 2120
- 2.B Jester E. Abucay, PE – Civil 2134
- 2.C Nathaniel Frank Torres Lizama – EIT 330
- 2.D Myeong-Ho Yeo – EIT 331
- 2.E Kenneth Michael Rekdahl – LS Intern 006

Item 4, EBA Report

4.A Board Administrative Activities

4.A PEALS Board Attendance of Conferences:

4.A.1 NCEES State of the Council Virtual Meeting, September 8, 2021 PEALS Funded delegates attendees (4) –BC Cristi / PLS Santos / PM Gogue / EBA Gutierrez

4.A.2 NCEES Annual Meeting:

Due to COVID related cases the 2021 annual meeting was held virtually on September 15.  
PEALS delegates attendees (4) -BC Cristi / PLS Santos / PM Gogue / EBA Gutierrez

NCEES is composed of 69 member licensing boards from each U.S. state, the District of Columbia, Guam, Northern Mariana Islands, Puerto Rico, and the U.S. Virgin Islands. These member boards (the Council) attend an annual business meeting each August to vote on motions and resolutions presented by NCEES

committees, task forces, zones, the board of directors, and individual boards. NCEES Boards also vote to fill open spaces on the board of directors. Most items voted on by the Council require a simple majority; changes to the Council's **Bylaws** require a two-thirds majority.

Full details about the Council's governance and voting procedures can be found in the NCEES **Bylaws**.

#### 4.B Financial Report

Board was given prior statements, both for the PEALS Special Funds Account, and the Bank of Hawaii account for perusal. EBA Gutierrez noted 50 new registrants for the FY2021 year, with total registrants 812 all inclusive.

Should you have any questions or concerns regarding the report, the EBA is always available.

#### Item 5, Investigations | Enforcement

5.A BI Isaac updated the Board since the last Meeting held July 29, 2021 on the two (2) Open Cases.

1) PB2021-04 Non Licensed Practice Songsong Surveying Services - Was determined by EBA Gutierrez as having Merit. A Notice of Violation - Cease and Desist Order - to the individual was mailed and acknowledged received; with no response as of this date. EBA Gutierrez requested for Board approval to proceed with enforcement. Board was not in agreement in committing to a decision at this meeting and had requested a decision be tabled.

It was moved by BM Gogue seconded by Director Arriola, and unanimously carried to table decision on PB2021-004 until further review and/or request of petitioner and respondent come before the Board prior to assessment of penalty if applicable.

2) PB2021-05 – Investigation and determination is pending completion as of this writing.

#### Item 6, Old Business

6.A Law, Rules and Regulations and Ethics Review –

Next working session will be diverted to Google Docs and be available to all Board Members for their input beginning tomorrow. EBA to follow up with professional societies on any comments or changes from last review.

**6.B Architect Survey | Offshoring Practices | Expanding Guam Offices to Foreign Countries | Responsible Controls – Legality to survey to PEALS registrants – UPDATE – Status quo**

Board had tabled this request on the July Board meeting pending EBA Gutierrez conferment with the Attorney General's office to determine if there would be legal ramifications for asking our registrants survey questions of Offshoring Practices | Expanding Guam Offices to Foreign Countries | Responsible Controls. EBA Gutierrez is still waiting for OAG's guidance as of this meeting.

6.C Letter of Reply regarding the requirement of a Civil Engineers' staff presence for companies that install residential solar panels (new or existing); a Civil engineer will suffice. EBA Gutierrez submitted a draft to the Board via email on July 20<sup>th</sup> for their concurrence; and notes she is still waiting on their response. Board discussion confirms the signature of a Civil engineer is correct. EBA Gutierrez will release letter.

**Item 7, Board Discussion**

The following applications were given for Board review and/or approval due to discrepancies or lack of requirements.

**7.A Application to take PLS Exam- Kenneth M. Rekdahl, PE # CE1321 - Denied**

BM Santos stated reason for denial of Mr. Rekdahl's request was ability to show progressive experience in the surveying field to take the exam. Board affirms decision and recommends he uses his employment to develop sufficient land surveying experience. Once acquired, he may resubmit for Board review and re-consideration. Original application is good for a year.

It was moved by BM Gogue, seconded by DPW Arriola and unanimously carried to deny application at this time.

**7.B GPA Power Plant – Installation of Siemens Turbine Electrical Generator – Validation of Engineer Discipline**

It was called to the attention of the Board that GPA Power Plant blueprints of said equipment were done off island by an off island firm not recognized or registered to do business on Guam by the Board. Although assisted installation is being conducted by Brent Weise RA319 of RIM Architects (Guam) LLC COA #235. Equipment for installation is a stand-alone equipment; with designs prefabricated per specifications.

Mr. Weise RA 319 is requesting clarification on "Would drawings need to be stamped on island?" Board agrees, that even without being able to see plans being discussed, this would need to be treated as any commercial installation. Multi disciplines must be signed beginning with electrical, architectural,

structural, civil, geotechnical engineers and additional disciplines or local government agencies pertaining to the transportation, startup and operation of the equipment on Guam. EBA Gutierrez is advised by the Board and she will submit a letter to Mr. Weise of this discussion and clarification.

7.C Bill 197-36 - Bill No. 197-36 (COR) - Joe S. San Agustin / Amanda L. Shelton / Tina Rose Muña Barnes  
Jose "Pedo" Terlaje / Frank F. Blas, Jr. / James C. Moylan / Clynton E. Ridgell / Telena Cruz Nelson

AN ACT TO APPROPRIATE TEN MILLION DOLLARS (\$10,000,000) FROM THE 2021 EARNED INCOME TAX CREDIT REIMBURSEMENT TO THE UNIVERSITY OF GUAM FOR THE PURPOSE OF PROVIDING ADDITIONAL FINANCIAL SUPPORT TOWARD THE CONSTRUCTION OF THE STUDENT SERVICES CENTER AND SCHOOL OF ENGINEERING BUILDINGS.

With only a forty-eight-hour window of notice given by the Legislature, BC Cristi, and BM Santos coauthored a letter of agreement and support the release of additional appropriation to the UOG Engineering Buildings per Bill. Letter was submitted as their own testimony. Board is advised. Discussion was continued in Public Comments, Item 8, (below) page 5.

#### Item 8, Public Comment

Mr. Glenn Leon Guerrero of the University of Guam presented himself to the Board for questions pertaining to this bill. After a lengthy discussion, Board made motion.

It was moved by BM Gogue seconded by BM Santos to provide a resolution to the University of Guam in support of Bill 197-36 in their endeavor in terms of appropriations for the upcoming construction towards the School of Engineering Buildings, as well as a letter of support and testimony attesting legislature support as a Board.

All in Favor: 5/6

Abstained: 1/6

Motion: Passed

#### Item 9, DPW Permit & DLM Survey Map Review

A. Department of Land Management – July 2021

B. DPW Building Permits – (Grading/Building/Demolition/Clearing) – Jan-March 2021

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

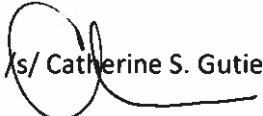
Item 10, Adjournment

There being no further business, it was moved by BM Gogue, seconded by BM Santos, and unanimously carried to adjourn the meeting at 4:37 PM.


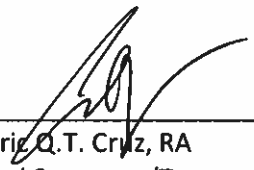
Taken and recorded by:

  
/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. Crsti, PE      02/16/2022      Cedric Q.T. Cruz, RA  
Board Chair      Date      Board Secretary/Treasurer      Date

January 27, 2022

[ ] Minutes approved as is  
[ ] Minutes approved with changes; see minutes \_\_\_\_\_