The Guam Board of Registration for Professional Engineers, Architects, and Land Surveyors

PEALS Board Regular Meeting
Thursday, February 16, 2023 GEDA Board Room Suite 511, Tamuning Guam 3:08 PM–4:47 PM

Present:                        Cedric Q.T. Cruz RA, Board Chair
                                Masoud K. Teimoury, PhD PE, Sec & Treas.
                                Paul L. Santos, PLS
                                Vincent P. Arriola, DPW Director, Vice Chair
                                Maria Elizabeth V. Cristi, PE
                                Atty. Sandra Cruz Miller, Asst. AG
                                Nixon Isaac, Board Investigator
                                Catherine S. Gutierrez, Exec. Board Adm.
                                Marie Villanueva, Admin. Asst.

Absent:                         Cathyann C. Gogue, Public Member

Guest                          Andrew Smith PE, GSPE Secretary
                                Brent Wiese RA, AIA
                                Mark Ruth RA, AIA – Emeritus
                                Inna Wiese RA, AIA Marianas
                                Brian Bearden PE, GEPA
                                Aaron Burger, Self
                                Gabriel Jugo PE SE, GSPE

Item 1, Call to Order

Board’s mission statement was announced. There being a quorum, the meeting was then called to order at 3:08 pm.

Item 2, Board Investigator’s Report

[TABLED – Pending AAG Miller’s Review of Case File]
PB2022-03 – Complainant: Aaron Burger
Respondent: Eddy N. Sy, PE CE1249
Violation: Statute PEALS Law, Article 2, §1203 Not in Compliance, Competency for Assignments

VC Arriola joined the Board meeting with his arrival.

Item 3, Board Discussion

3.a GEPA Permitting Statistics for Engineers and Architects 2020-2021
3.b AIA Marianas Letter – AIA Marianas’ Position on Professional and Ethical Practice
   (Responsible Control)
3.c NSPE-GU/GSPE Letter – Investigation of High-Volume Engineering and Architecture Work
After providing position letters to the PEALS Board, representatives from the Guam Environmental Protection Agency (GEPA) and professional societies (AIA Marianas and NSPE-GU/GSPE) challenged the PEALS Board members to investigate not only the individual (engineer or architect) stamping design drawings but to also scrutinize the network of contractors, drafters and other unlicensed practitioners engaging in unethical professional practices (e.g., moonlighting, “rubber stamping” of plans, etc.) which present potential dangers to the health, welfare and safety of society.

Based on the findings of a thorough investigation and if individual(s) are found in violation of the PEALS Law, it was proposed that the results of this investigation also be forwarded to the Attorney General’s office for further prosecution to the full extent of the law under the guise of Racketeering and Tax Evasion.

The Board tabled this discussion and requested guidance from AAG Miller. Her recommendations will provide direction for further Board consideration and action.

It was moved by VC Arriola, seconded by BM Santos, and unanimously carried to have EBA Gutierrez meet with individual having apparent questionable “Responsible Control” practice based on the complaint filed. The Board will wait for legal counsel’s determination, and if found questionable, the Board will be allowed to visit their place of business and request how they are able to produce under one hundred and forty-seven (147), stamped and approved, blueprints (drawings/plans) in a year.

3.d Rules & Regulations Update - [TABLED]

Item 4, Adjournment

There being no further business, it was moved by BM Cristi, seconded by VC Arriola, and unanimously carried to adjourn the meeting at 4:47 PM.

Taken and recorded by:

[Signature]
Marie Villanueva
Administrative Assistant
Reviewed and Approved by:

/s/ Catherine S. Gutierrez

Catherine S. Gutierrez
Executive Board Administrator

BOARD APPROVED:

Approved by:

______________________________  ________________________________  8-5-2023
Cedric Q.T. Cruz, RA           Date        Masoud K. Teimoury, PhD PE Date
Board Chair                    Date        Board Secretary & Treasurer

July 27, 2023
[ ] Minutes approved as is
[✓ ] Minutes approved with changes

Meeting Minutes reported today are a summary of discussion. Complete Audio file of today’s meeting can be located at the Office of Accountability, Boards and Commissions website per Public Law 31-233 added Section 8113.1, Reporting Requirements for Boards and Commissions, to Chapter 8 of Title 5 GCA. Section 8113.1. And PEALS Website via Zoom Link. Government Meetings