

**The Guam Board of Registration for Professional Engineers, Architects, and Land Surveyors**  
**PEALS Board Regular Meeting**  
**Thursday, November 30, 2023 GEDA Board Room Suite 511, Tamuning Guam 3:30 PM–5:48PM**

**Members Present:**

Cedric Q.T. Cruz RA, Board Chair	Masoud K. Teimoury, PhD PE, Sec & Treas.
Paul L. Santos, PLS	Cathyann C. Gogue, Public Member
Catherine S. Gutierrez, Exec. Board Adm.	AAG, Atty. Tom Keeler
Maria Elizabeth V. Cristi, PE	Vincent P. Arriola, DPW Director, Vice Chair
Nixon Isaac, Board Investigator	Marie Villanueva, Admin. Asst.

**Also Present:** See [Appendix A. Guest List Sign-in Sheet]

**Item 1, Call to Order**

Board's mission statement was announced. There being a quorum, Chairman Cruz called the meeting to order at 3:30 pm.

**Item 2, Certificate Presentation & Administration of Oath**

- a. De Guzman, Jean F – FE Civil - EIT #355
- b. Higashiuwatoko, Kayoko – FE Civil EIT #353
- c. Tribaudini, Joel Andre – FE Civil EIT #356
- d. Billones, Daniel L. – FE Civil EIT #357
- e. Robles, Denisse Dela Cruz – FE Electrical/Computer EIT #354
- f. Yeo, Myeong-Ho, PE EnvE #2215

**Item 3, Review / Approval of Meeting Minutes**

- a. Review Meeting Minutes of October 05, 2023

It was moved by BM Gogue, seconded by BM Cristi, and unanimously carried to approve meeting minutes with corrections received by EBA Gutierrez by Friday, December 8, 2023.

**Item 4, Executive Board Administrator's Report**

- a. Board Administrative Activities

- a. Figures for COA renewal as of today are as follows:

	FY 23	vs.	FY 24
Firms	120		109
Services	271		248

Although the deadline for COA renewal expired on October 31, 2023, renewals are still ongoing.

- b. The PEALS Board was in attendance at the University of Guam, School of Engineering, ABET accreditation team visit last November 6<sup>th</sup>. The show of support was encouraging and a step towards obtaining engineering accreditation.
- c. EBA Gutierrez announced upcoming events and will advise Board Members once invitations are available.

Future Funded Meetings: Attendance is virtual and in-person for all meetings. All are fully funded through NCEES and NCARB membership fees.

Upcoming Events:

- a) February 29, 2024 – NCARB Member Board Executive Workshop, Savanna, GA [EBA Gutierrez to attend].
- b) March 1-2, 2024 Regional Summit, Savanna, GA: [3 Board Members (TBD) 2 Board Members and 1 Legal Counsel. EBA Gutierrez will also attend]. Topic of discussion: Review of the Upcoming Model Laws, Rules, and Regulations that they discuss and will lead into the Annual Meeting for a vote by the body.

Action: There should be Board input on agenda items that will be discussed at either NCARB or NCEES before supporting/endorsing initiatives at the event.

- c) May 16 - 18, 2024 – NCEES Western Zone Meeting in Bozeman, Montana. Deadline for submission of attendance is February 1, 2024. If any Board Member is interested, please advise EBA Gutierrez of your intent no later than the last week of January.

- b. Financial Summary - FY23 10/31/2023:

PEALS Special Funds Account/Treasurer of Guam and the PEALS Bank of Hawaii account are enclosed in today's agenda packet. There is a balance of \$276K for the TOG Account and

\$7,689.43 in the BOH Account for FY23. Combined revenue indicates we are tracking \$3K ahead of projection from last year.

- c. Due to limited funds in the Bank of Hawaii account, EBA Gutierrez postponed payment of \$8,230 to GuamWEBZ for the Board Review Module as it was still under development. Instead, payment for the NCEES subscription should be made in place of Web Company. The board confirmed that the NCEES membership payment was a priority and agreed to the postponement. GuamWEBZ will be paid when funds become available

**Item 5, Investigations | Enforcement**

- a. **PB2022-03 – Complainant: Aaron Burger [Respondent: Eddy N. Sy, PE CE1249]**  
Accusation: Statute pertaining to PEALS Law, Article 2, 1203. Not in Compliance, Competency for Assignments.  
Determination: EBA had determined No Merit

Mr. Sy came before the Board and explained concerns the Board had regarding his case. It was determined that Mr. Sy had done his due diligence, in good faith, and had no other concerns with the volume of work performed. The Board motioned to concur with the EBA’s decision of “No Merit,” and requested that the EBA include in a letter to Mr. Sy the concern regarding the use of GIS in lieu of site visits.

Motion was carried by VC Arriola, and seconded by BM Santos, to release a letter highlighting the Board’s decision of concurring with the EBA’s decision of “No Merit” to his case and to include a section cautioning Mr. Sy on design issues in future work.

All in Favor: 6/6      Not In Favor: 0/6      Abstained: 0/6

- b. **PB2023-01 - Complainant: Mark Mafnas Park [Respondent: Narcisco G. Custodio, PE CE629]OM**  
Accusation: Faulty Engineering Design Plan - Issues with Septic Tank and Leaching Field  
Determination: BI Isaac confirmed additional investigation and collaboration were conducted with DPW and EPA. Investigation concludes that the case does not have “Merit” based on faulty engineering design. Propose recommending dismissal based on the following: a) Mr. Custodio, the engineer of record, is deceased; and b) There is insufficient information to conclude that it is a design issue that is causing Mr. Park’s repeated faulty septic tank.

Motion was carried by BM Santos, and seconded by BM Gogue, for a letter to be issued to Mr. Park and the Contractor's Licensing Board supporting the finding of Guam EPA Chief Engineer, Brian Bearden, PE, recommending soil testing and the PEALS EBA Gutierrez designating that the case has "No Merit."

All in Favor: 6/6      Not In Favor: 0/6      Abstained: 0/6

- c. **PB2023-02 – Complainant: Mateo C. Matanane, RA [Respondent: Kihak Lee Kunimoto RA 353]**

Accusation: Concern with Responsible Control/Rubber Stamping

Determination: EBA determined, "No Merit." The timeline for a turnaround of drawings is subjective and based on the individual registrant's experience.

*AAG Tom Keeler left the meeting.*

Motion was carried by BM Gogue and seconded by BM Cristi, to concur with the decision of "No Merit" as recommended by EBA Gutierrez, and that he be cognizant of his seal in the future.

All in Favor: 6/6      Not In Favor: 0/6      Abstained: 0/6

The following cases were **[TABLED]**

- d. **PB2023-07 – Complainant: PEALS Board [Respondent: Wenefredo Gallega, PE CE1199]**
- e. **PB2023-08 – Complainant: PEALS Board [Respondent: Future World Corporation]**
- f. **PB2023-09 – Complainant: PEALS Board [Respondent: Core Tech Intl Corp]**

#### Item 6, Old Business

Law, Rules, and Regulations Review - **[TABLED]**

#### Item 7, New Business

None.

#### Item 8, Board Discussions

**[TABLED]**

Item 9, Public Comments

BC Cruz directed all in attendance to the virtual guests online who had been waiting for their chance to speak. The virtual guests are from Alaska and Washington State. BC Cruz turned over the floor to them.

*NCEES BY-Laws: Section 4.04 Elections and Terms of Office.<sup>1</sup>*

- Elizabeth Johnston P.E., Alaska State Board of Registration for Architects, Engineers, and Land Surveyors, for 2024 – 26 Western Zone President Nomination (Possible Action). Ms. Johnston is a board member with the Alaska State Board of Registration for Architects, Engineers, and Land Surveyors. She has been nominated by her board for the position of President for the NCEES Western Zone and is hoping for Guam’s support.
  
- Aaron Blaisdell, PLS Washington State Board Member, for 2024- 26 Western Zone Vice President Nomination (Possible Action). Aaron Blaisdell is a board member with the Washington State Board. He has been nominated by his board for the position of Vice President for the NCEES Western Zone and is hoping for Guam’s support.

Both candidates were able to address the board and personally ask for their support at the upcoming meeting.

Item 10, DPW Permit & DLM Map Review

**[TABLED]**

- a. Department of Land Management - Office of the Chief of Cadastre
- b. DPW Building Permits – (Grading/Building/Demolition/Clearing)

Item 11, Adjournment

There being no further business, motion was made by BM Cristi, and seconded by BM Gogue, to adjourn the meeting at 5:48 pm.

All in Favor: 6/6      Not In Favor: 0      Abstained: 0

The Motion carried. Board adjourned.

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<sup>1</sup> NCEES BY-Laws: Section 4.04 Elections and Terms of Office. See Appendix B on page 8.

Respectfully submitted:



Marie Villanueva  
Administrative Assistant

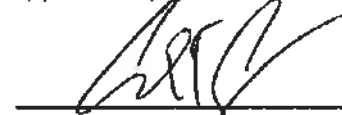
Reviewed and Approved by:



Catherine S. Gutierrez  
Executive Board Administrator

BOARD APPROVED:

Approved by:



Cedric Q.T. Cruz, RA  
Board Chair

2/21/24  
Date



Paul L. Santos  
Board Secretary & Treasurer

2/22/2024  
Date

January 25, 2024

- 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

PEALS BOARD REGULAR MEETING

NOVEMBER 30, 2023

[Appendix A.1

GEDA Board Room, Suite 515, South Marine Corps Drive  
Tamuning

GUEST(S) LIST

	<u>NAME (in Print)</u>	<u>BUSINESS or AFFILIATION</u>
1.	<u>Joel Tribaudini</u>	<u></u>
2.	<u>MARK TEIMOURY</u>	<u>PEALS</u>
3.	<u>TOM KEELER</u>	<u>AG'S OFFICE</u>
4.	<u>DANIEL L. HILONES</u>	<u>EMPSCO</u>
5.	<u>Eddy N. Sy</u>	<u>SELF</u>
6.	<u>Myeang-It Ye</u>	<u>WERI</u>
7.	<u>Mark Parkes</u>	<u>complaint</u>
8.	<u>MARK RUTH</u>	<u>MUSIC</u>
9.	<u>Jean de Guzman</u>	<u>EIT</u>
10.	<u></u>	<u></u>

[Appendix B.]

**NCEES BY-Laws:**

*Section 4.04 Elections and Terms of Office. The President-Elect shall be elected by the Council at each Annual Business Meeting in the manner prescribed in the Bylaws. The President-Elect shall serve the Council for a period of three years. The first year shall be as President-Elect. The second year, without further election, the President-Elect shall become President, holding that office until a successor has been installed. The third year, without further election, the President shall become Immediate Past President. Any member elected to the office of President-Elect shall be eligible to serve as President-Elect, President, and Immediate Past President, with full authority of the offices and board privileges. Past Presidents shall be ineligible for reelection as President-Elect of the Council.*

*The Treasurer shall be elected at the Annual Business Meeting every three years in the manner prescribed in the Bylaws. Treasurers shall not be eligible for reelection to the same office until at least one full term has elapsed. For the office of Treasurer, a partial term served shall not be considered a term for term-limit purposes.*

*Vice Presidents shall be elected at their respective Zone Interim Meeting every two years in the manner prescribed in the Bylaws. Vice Presidents from the Northeast and Southern Zones shall be elected in odd-numbered years. Vice Presidents from the Central and Western Zones shall be elected in even-numbered years. Vice Presidents shall not be eligible for reelection to the same office until at least one full term has elapsed. For the office of Vice President, a partial term served shall not be considered a term for term-limit purposes.*

*New members of the Board of Directors shall assume their duties at the conclusion of the Annual Business Meeting. Board members may continue to serve until the conclusion of the term of office to which they were elected even if their terms with Member Boards have ended.*