

**The Guam Board of Registration for Professional Engineers, Architects, and Land Surveyors**  
**PEALS Board Regular Meeting**  
**Thursday, November 07, 2024, GEDA Board Room Suite 511, Tamuning Guam 2:11 PM–4:09 PM**

**Members Present:**

Zenon E. Belanger PE, Vice Chair	Paul L. Santos PLS, Sec. & Treas.
Maria Elizabeth V. Cristi, PE	Cathyann C. Gogue, Public Member
Nixon Isaac, Board Investigator	Catherine S. Gutierrez, Exec. Board Adm
Marie Villanueva, Admin. Asst.	

**Excused Absence:**

Vincent P. Arriola, DPW Director	Cedric Q.T. Cruz RA, Board Chair
AAG, Atty. Tom Keeler	

**Also Present:** Mark Ruth, RA (Emeritus)                      Brent Wiese, RA / Rim Architect  
Renato Martinez, RA AIA  
Matt Miller, CEO CLARB (Virtually via Zoom – Reston, VA)  
Veronica Meadows, CAE Chief Strategy Officer CLARB (Virtually via Zoom – Reston, VA)

**Item 1, Call to Order**

Acting Chairman, VC Belanger, called the meeting to order at 2:11 pm, announced the board's mission statement, and took roll call of the Board members and attendees.

AC Belanger inquired with the Board if there were any objections to prioritizing item 6(b) on today's agenda, which pertained to the CLARB Presentation for Membership, due to a time zone disparity. The board expressed no objections, and the discussion proceeded accordingly.

**Item 6, Board Discussion**

b. Council of Landscape Architectural Registration Board (CLARB) – Presentation was conducted for Board review and discussion by Mr. Matt Miller, CLARB CEO, and Ms. Veronica Meadows, CLARB Chief Strategy Officer. The following were noted:

The Council of Landscape Architectural Registration Boards (CLARB) is a non-profit organization that has worked to protect the world's people, places, and environment through landscape architecture for over 50 years. CLARB designs, promotes, and defends landscape architectural standards with its 56 licensure boards across Canada, the United States, Puerto Rico, and the Northern Mariana Islands. CLARB also works to strengthen the future of the landscape architecture profession worldwide through international partnerships, exams, council records, certification, collaboration, advocacy, and research that protect the global community's health,

safety, and welfare. Annual Membership Fee is \$6,745. Mr. Miller clarified that CLARB does not fund member participation in the meetings but can include travel expenses in the annual membership dues. The conversation ended with no questions raised by the participants.

Mr. Miller expressed gratitude for their consideration.

*There were no further Zoom attendees, so the meeting was returned to the agenda as printed.*

Item 2, Review / Approval of Meeting Minutes

- a. Review Draft PEALS Regular Meeting Minutes of September 12, 2024

BM Cristi moved to approve the minutes pending proposed amendments. Any additional comments are to be submitted to EBA Gutierrez for revision no later than Friday, November 15, 2024. The motion was seconded by Sec. & Treas. Santos, and unanimously carried.

All in Favor: 4/4      Not In Favor: 0      Abstained: 0

Item 3, Executive Board Administrator's Report

- a. Financial Reports:

- a. PEALS Special Funds Account revenue, as of September 30, 2024, is tracking over last year's figures at \$277K. The Bank of Hawaii account closed at \$10,399 for FY24. Enclosed are statements for each Board Member's perusal.

Item 4, Board Investigator's Report

The following cases were reviewed:

- a. **PB2024-01 – Complainant: Joseph B. Cruz, Jr vs. [Respondent: Eddy N. Sy PE CE1249]**

Accusation: Unethical Professional Practice and Design Errors (Clearing and Grading / Excavation of Property).      Determination: No Merit - No substantial evidence

- b. **PB2024-002 – Complainant: Jerry SN. Barcines vs. [Respondent: Prudencio R. Balagtas, PLS 062]**

Accusation: Encroachment Issue      Determination: No Merit – Not a PEALS jurisdiction

BI Isaac reviewed two cases concerning Messrs. Sy and Balagtas, specifically PE CE1249 and PLS 062, respectively.

The first case involved a complaint against Mr. Sy, PE. Upon thorough investigation, the EBA concluded that there was insufficient evidence to substantiate the allegations. Similarly, the second case against Mr. Balagtas, PLS 062, was determined to be outside the board's jurisdiction, rendering it without merit.

The board recommended that Mr. Sy be issued a letter warning him regarding his practice, as the investigation revealed certain deficiencies that could have been mitigated. However, it was emphasized that the board's jurisdiction is limited to the engineer's responsibilities and does not extend to the contractor's duties and responsibilities. Consequently, EBA Gutierrez was advised by legal counsel to formally close the cases and notify the complainants, providing the option to either resubmit the complaint or seek private counsel if desired.

#### Item 5, Old Business

- a. Law, Rules, and Regulations Review continued. EBA Gutierrez awaits its completion from the Board so it can proceed with the Adjudication process.

#### Item 6, Board Discussion

- a. International Mutual Recognition Agreement

EBA Gutierrez discussed the International Board's conversation regarding the International Mutual Recognition Agreement (MRA). She noted that both NCARB and NCEES have signed this agreement, which allows for the reciprocal licensure of architects in the UK and other countries, including Australia. EBA Gutierrez mentioned that the Guam PEALS Board has not yet made a decision on this matter. Board members emphasized that the MRA could change the current process for accepting international applicants. EBA Gutierrez recommended that the Board should further discuss this issue and consider the implications of the agreement on their rules and regulations. AIA Board Member, Renato Martinez, noted that the agreement could impact the practice of architecture in Guam. In conclusion, EBA Gutierrez stated that the Board needs to decide whether to sign the agreement.

Mark Ruth RA, elaborated on the implications of the MRA for architectural practices. While the MRA permits eligible and qualified architects to practice, it must also set certain eligibility requirements that must be met. Mr. Martinez, RA, voiced concerns about fairness, pointing out that if other jurisdictions have less stringent requirements, it would be unfair for Guam to implement stricter ones. The MRA tends to benefit U.S. registrants more than those from Guam.

The Board discussed that evaluation with the requirements of other jurisdictions and compare them to Guam's should be done to ensure fairness. BM Santos to gather input from surveyors and emphasized the importance of reaching out to them.

Board decision was tabled.

b. Council of Landscape Architectural Registration Board (CLARB) – Presentation for Membership to include the Guam PEALS Board - *Proceed to page one of these meeting minutes.*

Item 7, Public Comment

None

Item 8, DPW Permit and DLM Map Review – Tabled

- a. Department of Land Management – Office of the Chief of Cadastre Report of Maps Submitted
- b. PEALS Building Permit Clearances

Item 9, Adjournment

With no additional business to address, BM Cristi made a motion to adjourn the meeting, which was seconded by BM Gogue. The motion was unanimously approved, and the meeting was adjourned at 4:09 PM.

All in Favor: 4/4      Not In Favor: 0      Abstained: 0

Taken and recorded by:

  
/s/ Marie Villanueva  
Administrative Assistant

Reviewed and Approved by:



Catherine S. Gutierrez  
Executive Board Administrator

BOARD APPROVED:

Approved by:



Zenon E. Belanger PE, Vice Chair  
Acting Board Chair

Date



Paul L. Santos, PLS

Date

Board Secretary & Treasurer

January 9, 2025

☐ 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