

The Guam Board of Registration for Professional Engineers, Architects, and Land Surveyors  
**PEALS Board Regular Meeting**  
Thursday, September 29, 2022 GEDA Board Room Suite 511, Tamuning Guam 3:03 PM–4:45 PM

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. Nixon Isaac, Board Investigator  
Marie Villanueva, Admin. Asst.

Absent: AAG, Atty. Tom Keeler Vincent P. Arriola, DPW Director, Vice Chair  
Maria Elizabeth V. Cristi, PE

Guest: Drew Ann Laguana, Architects Laguana, LLC Christopher E. Hill, DCA  
Latesha Hill, DCA Kai'ly & Kai'yl Hill, Self  
John Irvin A Manauis, Self Nathaniel Lizama, Self  
Steven Carbullido, Self Joseph Claveria, Self  
Mikee Solomon, Self Ann Marie Cruz, Self  
Thomas P. Camacho, DCA Kenneth M. Rekdahl, Self  
Ed Salanatin, DCA John Duenas, DCA  
Rai Andrew Cruz, Architects Laguana, LLC Mark Ruth, RA Emeritus

Item 2, Memorial Presentation

The Board presented a plaque of Grateful Recognition to the family of the late Mr. Andrew Tenorio Laguana, Architect, AIA, RA 226. Mr. Laguana's daughter, Ms. Drew Ann Laguana expressed her thanks and praised the Board for their hard work and support of our island professionals and the upcoming engineers, architects, and land surveyors present on behalf of her father.

Item 1, Call to Order

Board's mission statement was announced. There being a quorum, the meeting was then called to order at 3:03 pm.

Item 3, Certificate Presentation & Oath

- a. Engineer Interns:
  - a. Mikee C. Solomon EIT 336
  - b. Nathaniel Frank Torres Lizama EIT 330
  - c. Steven Philip Carbullido EIT 335

- b. Professional Land Surveyor:
  - a. Christopher Hill PLS 087
- c. Professional Engineers:
  - a. John Manaus PE 2165 (Electrical)
  - b. Joseph Barcinas Claveria PE 2164 (Civil)

Item 4, Review / Approval of Meeting Minutes

Review Meeting Minutes of July 28, 2022

It was moved by BM Gogue, seconded by BM Santos, and unanimously carried to approve meeting minutes with corrections received by EBA Gutierrez no later than Friday, October 7, 2022.

Item 5, EBA Report

- a. Board Administrative Activities

NCEES Annual Business Meeting - August 23 – 26, 2022 Carlsbad, California –

Board members in attendance were BM Gogue, Sec. & Treas. Teimoury, BM Cristi, BM Santos, and EBA Gutierrez.

Notable comments:

New Officer: Christopher Duhamel, P.E., P.L.S., began his term as 2022–23 NCEES president at the conclusion of the organization’s 101st annual meeting, held August 23–26. The Council on Licensure, Enforcement, and Regulation (CLEAR) provided training and presented at the annual business meeting which BM Teimoury attended on Guam Board’s behalf. Comments and worksheets provided will be shared with our Board Investigator, Mr. Isaac.

Upcoming Events:

NCARB Member Board Chair and Member Board Executive Leadership Summit will be held on October 14 – 15, 2022 in Salt Lake City, Utah.

Renewal for the PEALS Certificate of Authority (FIRMS) is currently in progress via hard copy and/or online. The deadline to submit documents is October 31, 2022.

b. Financial Statements:

PEALS Special Funds Account/Treasurer of Guam and the PEALS Bank of Hawaii account are enclosed in today's agenda packet for perusal. We are presently tracking \$13,609 over projected revenue for FY22 as of September 26, 2022.

Item 6, Investigations | Enforcement

PB2022-01 – Complainant: PEALS Board  
Respondent: Arnold M. Macabantad

Violation: Unlicensed Activity based on false advertisement for engineering consultant work from a non-licensed PEALS registrant. A warning letter from EBA Gutierrez was released as a "Cease and Desist" as this is a direct violation of the Guam PEALS Law<sup>1</sup> §32122(1)(a)(A)(B). Respondent acknowledged and ceased activity per EBA Gutierrez's letter. The case was closed on the 23rd of August, 2022.

PB2022-02 – Complainant: PEALS Board  
Respondent: Calvin Lopez Pagcu PE 2075

Violation: Unlicensed Activity based on advertising on Facebook as an engineering firm, identified as Shiellarie's Prime. Although the advertisement was created and honored by an engineer, they do not hold a Certificate of Authority (Firm) license with the Guam Board and is in direct violation of Guam PEALS Board Law §32122(1)(a)(A)(B) as well. The engineer registrant was sent a warning letter from EBA Gutierrez and has since retracted his COA Facebook advertising pending the Board's approval of his Certificate of Authority application. The case was closed on the 31<sup>st</sup> of August, 2022.

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<sup>1</sup> § 32122. Violations and Penalties. (a) Civil Penalties for Non-Licensees: (1) In addition to any other provision of law, the Board may enter an order assessing a civil penalty against any person, firm, partnership, limited liability company or corporation found guilty by the Board of: (A) engaging in the practice or offer to practice engineering, architecture, landscape architecture or land surveying in this jurisdiction without being licensed in accordance with the provisions of this Chapter; (B) using or employing the words "engineer", "engineering", "architect", "architecture", "landscape architect", "landscape architecture", "surveyor", "surveying", or any modification or derivative thereof in its name or form of business activity, except as authorized in this Chapter.

### Item 7, Old Business

Law, Rules, and Regulations Review - BC Cruz reminded all of their tasks with a completion goal date of December 2022 for work to be presented to the upcoming 37<sup>th</sup> Guam Legislature. EBA Gutierrez to forward the current draft for Board Member review. EBA Gutierrez will send the Board availability dates to commence work on assignments.

### Item 8, New Business

None.

### Item 9, Board Discussions

Sec. & Treas. Teimoury would like the Board to address implementation on the following issues:

#### A) Standard Continuing Professional Education (CPE) requirement for PEALS

The Board agrees with such implementation and will look into whether CPE of similar judicial programs exist; with the assistance of NCARB and NCEES, it would not be hard to implement. EBA Gutierrez stressed it can be done once the law is updated, it can be done, as there are notable websites available to perform such tasks.

BM Gogue sits on the NCARB Board of Professional Conduct Committee (PCC) reviews jurisdiction violations from all States. She shared with the Board, that there is a system available to the Guam Board for future implementation.

#### B) PEALS Rubberstamping

After a thorough discussion on the matter of rubberstamping, it was requested that EBA Gutierrez submit a listing of PEALS registrants' Building Permit Clearances per project(s) in a new format. The current Listing exists to assess possible rubberstamping for Board review and consideration.

#### C) Professional Conduct – Hesitance for other professionals to make a complaint or call out issues on other licensed professionals.

The Board recognizes cultural sensitivity in that professionals generally do not speak ill of other professionals and do not file a complaint of a violation or negligence against another professional. Board clarified that *anyone* could make a complaint to the Board. PEALS

registrants have an obligation as Professional registrants to do so and should not hesitate to act accordingly.

BM Teimoury addressed the frail rapport between contractors and professional engineers. The board agreed that all professional societies should be made aware of this concern and should assist in ensuring professional conduct, practices, and accountability.

Item 10, Public Comment

None

Item 11, DPW Permit & DLM Survey Map Review


- a. Department of Land Management - Office of the Chief of Cadastre/ July 2022
- b. DPW Building Permits – (Grading/Building/Demolition/Clearing) / March 2022

EBA Gutierrez will submit a new DPW Building Permit format at the next board meeting to address some of the concerns, should any exist.

Item 12, Adjournment

There being no further business, it was moved by BM Gogue, seconded by BM Santos, and unanimously carried to adjourn the meeting at 4:45 PM.

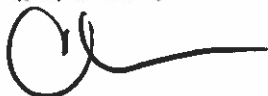
Taken and recorded by:

  
/s/ Marie Manueva  
Administrative Assistant

Reviewed and Approved by:

  
/s/ Catherine S. Gutierrez

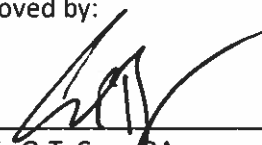
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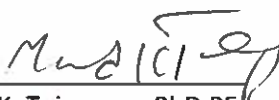
Catherine S. Gutierrez  
Executive Board Administrator

BOARD APPROVED:

Approved by:

  
Cedric Q.T. Cruz, RA  
Board Chair

1/6/23  
Date

  
Masoud K. Teimoury, PhD PE  
Board Secretary/Treasurer

1/6/2023  
Date

September 29, 2022

[ ] Minutes approved as is

[  ] Minutes approved with changes