

BOARD OF PROFESSIONAL ENGINEERS, ARCHITECTS,
SURVEYORS AND LANDSCAPE ARCHITECTS
Professional and Vocational Licensing Division
Department of Commerce and Consumer Affairs
State of Hawaii

MINUTES OF MEETING

The agenda for this meeting was filed with the Office of the Lieutenant Governor, as required by Section 92-7(b), Hawaii Revised Statutes.

Date: Thursday, August 8, 2019

Time: 9:00 a.m.

Place: King Kalakaua Meeting Room
King Kalakaua Building
335 Merchant Street, 1st Floor
Honolulu, Hawaii 96813

Present: Ken Ota, Chairperson, Public Member
Dan Hirota, Land Surveyor Member, Vice Chairperson
Brian Fujiwara, Architect Member
Marc Ventura, Architect Member
Roberto Yumol, Chairperson, Architect Member
Ron Iwamoto, Structural Engineer Member
Richard Suzuki, Civil Engineer Member
Kevin Katayama, Mechanical Engineer Member
Clayton Pang, Electrical Engineer Member
Christopher Leong, Esq., Deputy Attorney General ("DAG")
Sandra Matsushima, Executive Officer
LaJoy Lindsey, Secretary

Excused: Joel Kurokawa, Landscape Architect Member, Secretary
Benedict Lee, Landscape Architect Member

Guests: None.

Call to Order: There being a quorum present, the meeting was called to order at 9:00 by Chairperson Ota.

Agenda: Additions and Revisions: It was moved by Mr. Katayama, seconded by Mr. Suzuki and unanimously carried to add Board/Commission Orientation under the Executive Officer's report.

Approval of Minutes It was moved by Mr. Yumol, seconded by Mr. Suzuki and unanimously carried to approve the minutes of the July 18, 2019 meeting.

Chapter 91, Adjudicatory Matters: At 9:03 a.m. the Board was called in to recess to discuss adjudicatory matters. At 9:10 the Board returned to open session.

- a. In the Matter of the Architect's License of Kanji Kobayashi, ENG 2019-7-L; it was moved by Mr. Katayama, seconded by Mr. Yumol and unanimously carried to accept this settlement agreement.
- b. In the Matter of the Architect's License of Eung Suk Lee; ENG 2019-8-L, it was moved by Mr. Yumol, seconded by Mr. Suzuki and unanimously carried to not accept this settlement agreement.

Applications:

a. Ratifications

There were no ratifications.

b. Professional Engineer Committee Recommendations

Mr. Suzuki presented the PROFESSIONAL ENGINEER COMMITTEE REPORT and recommended action as follows:

APPROVE AGRICULTURAL ENGINEER BY ENDORSEMENT

- NONE

APPROVE CIVIL ENGINEER BY ENDORSEMENT

- ALBIN, Brian
- BRIECK, Daniel
- CARDWELL, Dean
- CHANNELS, Delbert
- CREW, Kevin
- KNIGGE, Eric
- WIERSEMA, Inge

APPROVE ELECTRICAL ENGINEER BY ENDORSEMENT

- CARTER, David
- CREWDSON, Kenneth
- ESTANISLAO, Norman
- QUILLEN, John

APPROVE MECHANICAL ENGINEER BY ENDORSEMENT

- GRAVES, John

APPROVE STRUCTURAL ENGINEER BY ENDORSEMENT

- BROCK, Jerry
- BURKE, Kolby
- FRANKLIN, David

- JARZOMBEK, Stanley
- McCANN, Michael
- McCANN, Weston
- McWILLIAMS, Duane

APPROVE ENGINEER BY EXAM (PE)

CIVIL

- COLLADO, Ferdinand
- STURGILL, Joshua

ELECTRICAL

- GLEASON, Eriko

MECHANICAL

- NONE

STRUCTURAL

- NONE

APPROVE ENGINEER BY EXAM (FE)

- NONE

DEFER CIVIL ENGINEER BY ENDORSEMENT

- GOMEZ, Jason
- McMICHAEL, Robert
- WOODWARD, Paul

DEFER ENGINEER BY EXAM (PE)

- FORCELLA, Valentina (CE)
- IWAMI, Bryce (SE)
- KOWALCZYK, Michael (CE)
- MARVEL, Samuel (SE)
- TOWELLS, Darren (SE)
- YI, Gina (CE)

DEFER ENGINEER BY EXAM (FE)

- NONE

DEFER CHEMICAL ENGINEER BY ENDORSEMENT

- *NONE*

DEFER ELECTRICAL ENGINEER BY ENDORSEMENT

- *NONE*

DEFER MECHANICAL ENGINEER BY ENDORSEMENT

- *NONE*

DEFER STRUCTURAL ENGINEER BY ENDORSEMENT

- COLE, Perry

DENY CIVIL ENGINEER BY ENDORSEMENT

The following applications were denied on the basis of not meeting the lawful experience requirement for a civil engineer license, pursuant to §464-8 (a)(4) Qualifications for licensure, Hawaii Revised Statutes, and §16-115-24 (d)(2) and (d)(3) Licensure by endorsement, Hawaii Administrative Rules.

- LE, Twan

DENY CIVIL ENGINEER BY EXAM

- MENDES, Karen

DENY ELECTRICAL ENGINEER BY ENDORSEMENT

- *NONE*

DENY STRUCTURAL ENGINEER BY ENDORSEMENT

- *NONE*

It was moved by Mr. Iwamoto, seconded by Mr. Yumol, and unanimously carried to accept the PROFESSIONAL ENGINEER COMMITTEE REPORT.

c. Professional Architect Committee Recommendations

Mr. Fujiwara presented the PROFESSIONAL ARCHITECT COMMITTEE REPORT and recommended action as follows:

APPROVE ARCHITECT BY ENDORSEMENT

- KISS, Steven
- SANTIAGO, Jose

DEFER ARCHITECT BY ENDORSEMENT

- TORNATORE, Nancy

APPROVE ARCHITECT BY EXAM

- AKUTAGAWA, Abraham -ARE
- CHUNG, Kanoa ARE-not yet licensed
- McHENRY, Craig ARE-not yet licensed
- LOPEZ, Almodina ARE-not yet licensed

DEFER ARCHITECT BY EXAM

- *NONE*

It was moved by Mr. Ventura, seconded by Mr. Pang, and unanimously carried to accept the PROFESSIONAL ARCHITECT COMMITTEE REPORT.

d. Professional Land Surveyor Committee Recommendations

Mr. Hirota presented the PROFESSIONAL LAND SURVEYOR COMMITTEE report and recommended the following actions:

APPROVE LAND SURVEYOR BY ENDORSEMENT

- *NONE*

DEFER LAND SURVEYOR BY ENDORSEMENT

- *NONE*

APPROVE LAND SURVEYOR BY EXAM

- *NONE*

DEFER LAND SURVEYOR BY EXAM

- DRAHN, David

It was moved by Mr. Fujiwara, seconded by Mr. Iwamoto and unanimously carried to approve the PROFESSIONAL LAND SURVEYOR COMMITTEE REPORT.

e. Professional Landscape Architect Committee Recommendations

Reviewed after meeting by Mr. Kurokawa, to be ratified at September 12, 2019 meeting

APPROVE LANDSCAPE ARCHITECT BY EXAM

- MacLEOD, Matthew

DEFER LANDSCAPE ARCHITECT BY EXAM

- *NONE*

APPROVE LANDSCAPE ARCHITECT BY ENDORSEMENT

- *NONE*

Old Business:

- a. Discussion of the draft rules amendment to a proposed Draft 1 of Title 16 Chapter 115, Hawaii Administrative Rules (“HAR”).

EO Matsushima mentioned that the proposals regarding acceptance of Fire Protection engineers, and Environmental engineers, and clarifying language for CE requirements for architects are going through the rule amendment process.

New Business:

- a. Discussion of a proposed draft rules amendment to HAR §16-115-33 Examination professional engineering: Qualifications, application, fees, required documents; and HAR §16-115-39 lawful experience.

Regarding foreign experience/supervisors. EO Matsushima mentioned that foreign experience documented by supervisors were previously allowed only if the supervisors had taken and passed the NCEES exams in their countries, such as in Japan or Egypt. Supervised experience from the Philippines were not accepted, as their standards are not equivalent and they did not take and pass the NCEES exam(s) in their country.

Mr. Suzuki commented that the Board should follow NCEES model law. If the individual certifying is not recognized by NCEES, we can't accept for approval. One applicant was from Peru, they're certified and registered, yet their standards are not equivalent and they do not need passage of the NCEES exams to become certified. Our law states that a professional engineer must verify supervision. An applicant needs to have passed the NCEES exams to become a professional engineer.

Mr. Yumol mentioned that he received credit from the Philippines

(architect not engineer). Out of 9 subjects he received, 5 were from the Philippines and 4 from Hawaii. EO Matsushima was not sure if part of the exam could be equivalent. NCEES evaluates education and not foreign exams. Mr. Suzuki would like to see something to that effect in our rules.

He mentioned a case where an individual licensed in Arizona attempted to use that endorsement for licensure here, but he had no NCEES exams. EO Matsushima will add to the draft rules that foreign experience will not be accepted without passage of the approved NCEES exams.

It was moved by Mr. Suzuki, seconded by Mr. Inaba and unanimously carried to add "foreign experience will not be accepted without approved NCEES exams" to the rules.

Regarding experience credit while pursuing college degree. A discussion ensued regarding this matter. It was mentioned that the Board must be consistent when crediting applicants with experience while attending college. There's a consensus that engineer members reviewing applications will only accept experience gained during summer vacation or other breaks. However, it was mentioned that at one time credit was given for part time work as well. The concern is that if there is inconsistency it may be challenged.

Mr. Suzuki commented that in the past there was no NCEES model law regarding this matter. He didn't want to approve experience while individuals were in school. He had a lot of applicants with one month experience working part time.

Mr. Ventura stated that it's a grey area for architects. Hawaii follows NCARB and there is no early entry. The applicant must have the experience up front.

Mr. Iwamoto does not agree that an individual should be penalized. They should be able to show their work experience and be credited for it. The Land Surveyors have their own requirement.

It was moved by Mr. Suzuki, seconded by Mr. Yumol and unanimously carried to accept NCEES's model law which does not allow for full time experience credit while attending college.

Proposed language for future rule amendment would be "*...a degree that is used to satisfy education requirements cannot be applied for experience credited towards licensure. Experience credit for a graduate degree cannot be earned concurrently with work experience credit.*"

b. Professional Engineers Report

- Matters Related to the National Council of Examiners for Engineering and Surveying (“NCEES”)
- NCEES 98th Annual Meeting, August 14-17, 2019, Washington, D.C.

EO Matsushima and Messrs. Hirota, Katayama and Suzuki will be attending this meeting.

- Motions to be Presented at the 2019 Annual Meeting;

A copy of the motions to be presented was circulated for perusal.

b. Architects Report

- Matters Related to the National Council of Architectural Registration Boards (“NCARB”)

- NCARB Volunteer Participation Committee Appointment

All three of our Board architects serve on this committee. Mr. Fujiwara for ARE case study, Mr. Ventura on the audit review team and Mr. Yumol for continuing education.

- NCARB Region 6 Legal Counsel Outreach Teleconference, August 15, 2019;

EO Matsushima shared information should anyone want to participate.

c. Surveyors Report

None.

d. Landscape Architects Report

- Matters Related to the Council of Landscape Architectural Registration Boards (“CLARB”)

- CLARB Region 5 Virtual Meeting and Regional Director

Election, August 22, 2019, at 2:00 p.m. mountain time if anyone is interested in participating.

Correspondence: E-mail from Jenelle Scott, Subject: Hawaii SPCC Plan Self-Certification.

EO Matsushima received an e-mail from Ms. Scott seeking the Board's Guidance regarding Hawaii SPCC Plan Self-Certification.

After deliberation and by consensus of the Board, it does not appear the Board has jurisdiction over the issue of whether self-certification is allowed in Ms. Scott's circumstances. The Board also does not have any SPCC regulations, however, any person practicing professional engineering must be licensed.

The Environmental Protection Agency's closest state-level counterpart is the State of Hawaii Department of Health and recommends inquiring with them or retaining counsel for assistance.

It was moved by Mr. Suzuki, seconded by Mr. Yumol and unanimously carried to respond to Ms. Scott as discussed.

Executive Officer's
Report:

- Results of the Landscape Architect/Hawaii Plant Materials State Exam – July 19, 2019;

One examined; one failed

- DCCA Disciplinary Actions through June 2019;

There were none for EASLA

- Response from Contractors License Board to Captain Paul Haake, Maui Fire Prevention Bureau regarding C37 Plumbing Contractor Performing Fire Protection Sprinkler Systems Work;

EO Matsushima shared the Contractors License Board's response to Captain Haake with the EASLA Board.

- Orientation for DCCA/PVL Board and Commission Members, Friday, October 11, 2019, State Capitol Auditorium;

EO Matsushima informed the Board of the orientation and members were provided with the itinerary. She requested that anyone interested in attending notify Ms. Lindsey by August 26, 2019.

Next Meeting: **Thursday, September 12, 2019**
9:00 a.m.
King Kalakaua Meeting Room
King Kalakaua Building
335 Merchant Street, 1st Floor
Honolulu, Hawaii 96813

Adjournment: Chair Ota adjourned the meeting at 10:23 a.m.

Taken and recorded by:

/s/

LaJoy Lindsey
Secretary

Reviewed and approved by:

/s/

Sandra Matsushima
Executive Officer

9/4/19

[x] Minutes approved as is.

[] Minutes approved with changes; see minutes _____.