

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, November 14, 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
Brian Fujiwara, Architect Member
Marc Ventura, Architect Member
Roberto Yumol, Chairperson, Architect Member
Kevin Katayama, Mechanical Engineer Member
Ron Iwamoto, Structural Engineer Member
Richard Suzuki, Civil Engineer Member
Alan Inaba, Land Surveyor Member
Joel Kurokawa, Landscape Architect Member, Secretary
Benedict Lee, Landscape Architect Member
Christopher Leong, Esq., Deputy Attorney General ("DAG")
Sandra Matsushima, Executive Officer ("EO")
LaJoy Lindsey, Secretary

Excused: Dan Hirota, Land Surveyor Member, Vice Chairperson
Clayton Pang, Electrical Engineer Member

Guests: None.

Call to Order: There being a quorum present, the meeting was called to order at 9:04 by Chairperson Ota.

Agenda: Additions
And revisions

At EO Matsushima's request, it was moved by Mr. Suzuki, seconded by Mr. Yumol and unanimously carried to make the following revisions to the agenda:

- ✓ move agenda item #8 Correspondence up before the Approval of Minutes and to add Mike Lidinsky's e-mail inquiry under #8 Correspondence;

To add to the Executive Officer's Report as informational items:

- ✓ Disciplinary Actions through October 2019;
- ✓ The Nevada Board Rule Amendments regarding the Authorized Use of Digital Signatures;
- ✓ Examination Results of the Fundamentals of Surveying and the Principals & Practice of Surveying;

Correspondence:

E-mail inquiry from Annie Delaries, DPW Building Division – Kona, regarding the professional stamp of an architect or a mechanical engineer for installation of air conditioning with HVAC plan for existing and/or for new dwellings;

Mr. Katayama mentioned that the laws/rules allow an architect to stamp in all disciplines, including HVAC for new dwellings.

It was moved by Mr. Katayama, seconded by Mr. Iwamoto and unanimously carried to authorize EO Matsushima to send Ms. Delaries a letter advising her that pursuant to its statutes and rules, a licensed architect is allowed to stamp the HVAC plan for a new or existing dwelling.

E-mail inquiry from Mike Lidinsky, Powereng company. They are supporting a proposal for a power plant on Joint Base Pearl Harbor. Their intent would be to stamp the drawings as requested by HECO and note that they include vendor supplied design and are for bid purposes only, preliminary and not for construction. They want to ensure that their Hawaii PE will not be violating any statutes or laws;

The Board determined that this is not a board matter, rather between HECO (client) and vendor (Mr. Lidinsky's company.)

It was moved by Mr. Suzuki, seconded by Mr. Fujiwara and unanimously carried to authorize EO Matsushima to respond that the Board has determined that Mr. Lidinsky's inquiry does not fall within the Board's purview. The requirements that may be imposed by HECO's RFP are between HECO, its vendors, and any contractors that may be responding to the RFP. The Board nevertheless reminds licensees to comply with the Board's statutes and rules at all times and conduct themselves according to accepted professional standards of practice .

Approval of
Minutes

Mr. Inaba had a correction to the minutes of the October 10, 2019, meeting. The minutes did not reflect that he was present, but he was.

EO Matsushima requested to amend the October minutes to provide more details in the policies as was discussed in the October meeting.

The workplace violence and discrimination policy documents were summarized by EO Matsushima and distributed to the board members for their perusal. Each

member will sign an acknowledgement form understanding the importance of these policies and that they are to be in compliance while interacting with DCCA staff and other board members at meetings. The acknowledgement forms will be distributed to the board at our next meeting. These documents will be included in the board's operational manual.

The purpose of the "Discrimination/Harassment-Free Workplace Policy" is to assure compliance with all federal and state laws and to prevent discrimination, harassment, and retaliation in the workplace. It is intended to protect all applicants, employees, and individuals providing services to the state on a non-paid basis (volunteers, etc.) from discriminatory or harassing conduct by employees or non-employees and to prevent employees from engaging in discriminatory or harassing conduct directed to any individual – employees or non-employees.

The DCCA Workplace Violence Action Plan/Workplace Violence Program plan applies to all employees in the DCCA. The DCCA is committed to partnering with its employees to encourage and maintain a safe work environment. Pursuant to DHRD Policy No. 800.002, any disruptive behavior, intimidation, any behavior that threatens another's physical safety or mental well-being, or conduct that causes physical harm or property damage, including incidents involving coworkers, clients, customers, or other outside individuals who represent potential threats in the work environment is prohibited in the workplace. All reports of incidents involving acts or displays of violence, threats or violence, intimidation, damage to property and other disruptive behavior will be taken seriously and dealt with appropriately. There shall be no retaliation or discrimination against an employee who submits a report, calls for appropriate assistance, complains of an incident or who is called upon as a witness.

After the discussion, EO Matsushima distributed the acknowledgement forms to the board and asked that they sign to acknowledge their understanding of the policies.

NOTE: The board members were given the acknowledgement forms and those present returned the signed copies to the secretary. These documents will be included in the board's operational manual."

With these corrections noted, it was moved by Mr. Yumol, seconded by Mr. Suzuki and unanimously carried to approve the minutes of the October 10, 2019, meeting.

Mr. Katayama left the meeting at this time (at 9:20a.m.)

Chapter 91.

Adjudicatory Matters: NONE.

Applications: a. Ratifications

None.

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 CHEMICAL ENGINEER BY ENDORSEMENT

- LEVINE, Alan

APPROVE CIVIL ENGINEER BY ENDORSEMENT

- DAY, David
- HAIL, Larry
- HOLMER, Robert
- JAUCH, Michael
- LEE, Soon
- McLAIN, John
- MOORE, Caleb
- SCHWARTZ, Zina
- WENER, Christopher

APPROVE ELECTRICAL ENGINEER BY ENDORSEMENT

- GOMEZ, Jason
- HELMINEN, Jared
- LUND, Dana
- SCHIMPF, Jonathan
- WROBLASKI, Adam

APPROVE MECHANICAL ENGINEER BY ENDORSEMENT

- BOAG, James
- CAPATCH, Bradley
- DOIL, Tyler
- GRAHAM, Bryan
- SUDWEEKS, Dwayne

- WOOD, Kevin

APPROVE STRUCTURAL ENGINEER BY ENDORSEMENT

- DYCK, Alan

APPROVE ENGINEER BY EXAM (PE)

AG

- WHISTLE, Fred (LICF-HI license forfeited. Not currently licensed in any jurisdiction.)

CIVIL

- KUNSELMAN, Ryan
- McCOMBS, Caitlin

ELECTRICAL

- NONE

MECHANICAL

- *NONE*

STRUCTURAL

- *NONE*

APPROVE ENGINEER BY EXAM (FE)

- *NONE*

DEFER CIVIL ENGINEER BY ENDORSEMENT

- ABD EL-MEGUID, Ahmen
- DUNAGAN, Brian

DEFER ENGINEER BY EXAM (PE)

- *NONE*

DEFER ENGINEER BY EXAM (FE)

- *NONE*

DEFER CHEMICAL ENGINEER BY ENDORSEMENT

- *NONE*

DEFER ELECTRICAL ENGINEER BY ENDORSEMENT

- EDWARDS, Robert
- JENSEN, Dale
- REMMERT, Marc

DEFER MECHANICAL ENGINEER BY ENDORSEMENT

- CALLOWAY, Robert
- FELLER, Steven

DEFER STRUCTURAL ENGINEER BY ENDORSEMENT

- BHATTI, Naadia
- KIM, Eui
- LAROSCHE, Carl
- TOWNER, Mark
- ZHOU, SAIJUN

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.

DENY CIVIL ENGINEER BY EXAM

- *NONE*

DENY CIVIL ENGINEER BY ENDORSEMENT

- *NONE*

DENY ELECTRICAL ENGINEER BY ENDORSEMENT

- ALEXANDER, Paul

DENY STRUCTURAL ENGINEER BY ENDORSEMENT

- *NONE*

It was moved by Mr. Inaba, seconded by Mr. Fujiwara, 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

- BUSCH, Michael Jr.
- FARID, Tarek
- HARRISON, Michael
- LATHAM II, William
- MAYFIELD, Douglas
- RADER, Jonathan
- STEPP, Andrew
- TOM, Henry
- WHITLOCK, Margit

DEFER ARCHITECT BY ENDORSEMENT

- *NONE*

APPROVE ARCHITECT BY EXAM

- CHIU, Alison

DEFER ARCHITECT BY EXAM

- *NONE*

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

d. Professional Land Surveyor Committee Recommendations

Mr. Inaba presented the PROFESSIONAL LAND SURVEYOR COMMITTEE REPORT and recommended action as follows:

APPROVE LAND SURVEYOR BY ENDORSEMENT

- *NONE*

DEFER LAND SURVEYOR BY ENDORSEMENT

- *NONE*

APPROVE LAND SURVEYOR BY EXAM

- *NONE*

DEFER LAND SURVEYOR BY EXAM

- FISH, Timothy

It was moved by Mr. Suzuki, seconded by Mr. Kurokawa, and unanimously carried to accept the PROFESSIONAL LAND SURVEYOR COMMITTEE REPORT.

e. Professional Landscape Architect Committee Recommendations

There was no PROFESSIONAL LANDSCAPE ARCHITECT COMMITTEE REPORT.

APPROVE LANDSCAPE ARCHITECT BY EXAM

- *NONE*

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”).

The draft will be routed to the Attorney General and the DCCA Director for review.

New Business:

- a. Professional Engineers Report
- Matters Related to the National Council of Examiners for Engineering and Surveying (“NCEES”)
 - NCEES Western Zone Mobility Challenge

The Board will need to start reviewing the licensure regulations

from Guam in response to the mobility challenge and present a report of its findings at the Zone meeting in March. All state board findings will be compiled and presented in whole at the Annual meeting. Three board members are invited to attend the Zone meeting; two engineers and one land surveyor. Normally, members will alternate between attending the annual and zone meetings. If they attend the annual meeting one year, they will likely attend the zone meeting the following year. Mr. Suzuki noted his interested in attending the annual meeting.

➤ NCEES MBA Committee's Resolution of Cooperation ("ROC")

EO Matsushima circulated the ROC for perusal at the October 2019 EASLA board meeting. The Hawaii board did not sign off, as there are concerns as some of the proposals are not conducive with Hawaii's licensing by discipline.

EO Matsushima responded to the ROC committee on October 15, 2019 and noted that the Board voted to not sign the resolution. The Board supports the efforts of promoting licensure mobility and efficiency, however, the board has concerns because Hawaii issues licenses by specific branch or discipline of engineering and also differentiates civil engineers from structural engineers as separate licenses.

b. Architects Report

➤ Matters Related to the National Council of Architectural Registration Boards ("NCARB")

➤ NCARB Model Law Task Force Initial Draft and Comment Period;

NCARB sent out an e-mail to member boards requesting insight for FAQs. The task force held a webinar on October 21, 2019. EO Matsushima circulated the draft for perusal.

➤ NCARB Update – September 2019 Issue;

EO Matsushima circulated the NCARB Update September 2019 issue for perusal.

➤ NCARB FY19 Annual Report;

EO Matsushima circulated the NCARB FY19 Annual Report for perusal.

c. Surveyors Report

There was no surveyors report.

d. Landscape Architects Report

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

- CLARB “In the Know” Webcast – October 16, 2019;

EO Matsushima participated in this webcast.

- UHM-MLA Program Lunch and Learn – LARE, CLARB and becoming a Landscape Architect in Hawaii – October 16, 2019;

Mr. Kurokawa was invited to give a presentation to the students of the University of Hawaii Manoa Masters of Landscape Architecture students. EO Matsushima attended the presentation.

There’s a total of 12 students in the masters program. Mr. Kurokawa provided licensure information as well as pathways towards licensure. There were members from the Hawaii ASLA chapter in attendance. The school is hiring new professors. The individual currently responsible for this program is very strategic. He is seeking candidates with dual degrees in architecture and well as landscape architecture. They are focusing on climate change and sea level rise.

There is a monthly joint webcast with ASLA and CLARB for licensure summit. ASLA’s national chapter is offering grants to jurisdictions for advocacy around licensure. The LSA program received a grant to visit existing project. He will invite legislators to attend.

Executive Officer’s Report:

- EASLA Board 2020 Meeting Schedule;

The EASLA Board 2020 meeting schedule was distributed to the board Members.

- DCCA Disciplinary Actions through October 2019;

EO Matsushima noted that there were no actions taken for licensees from the EASLA Board for September and October.

- DCCA PVL Current licensees as of October 17, 2019;

Architects: 2,586; 1,501 – mainland; 13 – foreign

Landscape Architects: 154; 60 – mainland; 1 – foreign

Land Surveyors: 204; 31 – mainland; 1 – foreign

Professional Engineers: 7,445; 4,095 mainland; 31 – foreign

Total: 10,389; 5,687 – mainland; 46 - foreign

- NSPE PE Magazine September-October 2019 – Article “PA Governor Signs Occupational Licensure Reciprocity Bill;

Pennsylvania Governor Tom Wolf signed legislation in July that allows all occupational licensing boards to recognize out-of-state license applicants through an “endorsement” process. This bill is similar to a licensure reciprocity bill in Arizona. These laws focus on deregulation and eliminates unnecessary barriers to entering the job market.

However, the NSPE believes that the licensing of professional engineers is critical to protecting the public health, safety, and welfare and works closely with state societies to combat efforts to undermine the value of the PE license. The practice of engineering is not a right, but a privilege granted only to those with the proper qualifications, and licensing boards and governing jurisdictions are necessary to regulate the profession.

The society recognizes that PE’s licensed in multiple states face challenges from the lack of uniform processes to approve reciprocal licenses, education and experience requirements, fee structures, and CE requirements. The NSPE is working with state societies and licensing boards to ease obstacles, and by providing resources to ease mobility.

- The Nevada Board Rule Amendments regarding the Authorized Use of Digital Signatures;

The Nevada Board of Professional Engineers and Land Surveyors recently amended their rules to accept digital signatures. Unlike electronic signatures, a digital signature contains encryption protections using a set of algorithms to determine authenticity of a document. It’s a digital fingerprint – a way to protect and verify that a document has not been tampered with during transmission between

parties. This digital method is more tamper proof. Our Board may want to consider authorizing digitally encrypted signatures – instead of electronic signatures - in their rule amendments. EO Matsushima will continue researching this concept.

➤ Examination Results of the Fundamentals of Surveying and the Principals & Practice of Surveying;

FS Land Surveyor – 2 each; 1 pass/1 fail
PS Land Surveyor – 2 each; 2 fail
PLSSE – 4 each; 1 pass/3 fail

Total: 9 eligible; 7 examined; 1- pass/6 fail, 2 no sit

Next Meeting:

Thursday, December 12, 2019

9:00 a.m.

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

Following our meeting, we will have our holiday luncheon at Henry Loui's. Please bring a \$10.00 in value grab bag.

Adjournment:

It was moved by Mr. Inaba, seconded by Mr. Lee and unanimously carried to adjourn the meeting at 9:59 a.m.

Taken and recorded by:

/s/ LaJoy Lindsey

LaJoy Lindsey
Secretary

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Reviewed and approved by:

Sandra Matsushima
Executive Officer

12/4/19

Minutes approved as is.

Minutes approved with changes; see minutes 12/12/19.