

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<sup>1</sup>**

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

Date: February 10, 2022

Time: 10:00 a.m.

Place: Virtual Videoconference Meeting – Zoom Webinar  
<https://dcca-hawaii-gov.zoom.us/j/93803312373>

Phone: US: +1 253 215 8782  
Webinar ID: 938 0331 2373

Present: Brian Fujiwara, Architect Member, Chairperson  
Clayton Pang, Electrical Member, Vice Chairperson  
Dan Hirota, Land Surveyor Member  
Alan Inaba, Land Surveyor Member  
Ron Iwamoto, Structural Engineer  
Kevin Katayama, Mechanical Engineer  
Joel Kurokawa, Landscape Architect Member  
Tony Lau, Civil Engineer  
Benedict Lee, Landscape Architect Member  
Jay Ishibashi, Public Member  
Janet Primiano, Public Member  
Roberto Yumol, Architect Member

Excused: Ken Ota, Public Member  
Marc Ventura, Architect Marc Member

Staff: Christopher Leong, Esq., Deputy Attorney General ("DAG")  
Sandra Matsushima, Executive Officer ("EO")  
LaJoy Lindsey, Secretary  
Faith Nishimura, EO, Tech Support

Zoom Webinar

Guests: Reid Mizue, AIA Honolulu, AIJ (G70), Dan, J. Fitzgerald, Matthew Wong,  
Richard Myers, Tommy Sweat

A short video was played to explain the meeting procedures and how members of the public could participate in the virtual meeting.

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<sup>1</sup>Comments from the public were solicited on each agenda item. If no public comments were given, the solicitation for and lack of public comment are not explicitly stated in these minutes.

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Call to Order: There being a quorum present, Chairperson Fujiwara called the meeting to order at 10:14 a.m.

Roll Call: Chairperson Fujiwara welcomed everyone to the meeting and proceeded with a roll call of the Board members. Messrs. Fujiwara, Hirota, Inaba, Ishibashi, Iwamoto, Katayama, Kurokawa, Lau, Lee, Pang, Yumol and Ms. Primiano were all present.

At this time, Chairperson Fujiwara announced the Board's procedural format for agenda matters and stated that the meeting will end no later than 12:00 p.m.

Agenda: Additions  
and Revisions

Andrew Isaacson (applicant) should be changed to Adam Isaacson on ratification list.

Approval of  
December 9, 2021  
Meeting Minutes:

It was moved by Mr. Yumol, seconded by Mr. Kurokawa and unanimously carried to approve the board and executive session minutes.

Executive Officer's  
Report

Draft 1 proposed rules amendment, Title 16, Chapter 115

EO Matsushima shared that today the board is reviewing housekeeping items in the draft, which includes the digital signature language which has already been approved. Today is just to approve draft one which is mainly housekeeping items and after this approval it will be processed.

Mr. Mizue asked if he will not be allowed to provide any testimony on the subject matter. EO Matsushima replied that he could provide testimony when the matter comes up on the agenda. The chair will refer to agenda item number and call for public testimony. Once public testimony is closed, the board will vote on the matter. In this case, it's agenda item 7b.

Chair Fujiwara asked if the agenda item can be taken out of order and she agreed. DAG Leong advised that the board needn't vote on taking the agenda out of order. Mr. Mizue thanked the Chair for being gracious with this action.

After explaining the meeting procedures, Chair Fujiwara addressed agenda 7b and asked for public comment. Mr. Mizue of the American Institute of Architects (AIA), raised his hand and again introduced himself and informed the board that AIA represents over 700 licensed architects in the Hawaii chapter. AIA is in support of item 7b, Draft 1 proposed rules amendment, Title 16, Chapter 115 which includes the use of digital signatures. He thanked the board for their support of digital signatures and acknowledged that although they were late in submitting their testimony, it was provided to EO Matsushima. He requested that their comments be reviewed by the

EASLA board and if it should change anything, that AIA be advised. Chair Fujiwara asked if any of the board members had any questions or comments for Mr. Mizue, they did not. He then thanked Mr. Mizue for his time.

EO Matsushima presented the draft and corrections being made, under 16-115-10.5, a new item examination misconduct has been added. It was previously approved in 2013. It was never amended in the rules, until now. Under 16-115-2, definitions of the ARE, AXP, and under the branch examinations, the examinations for fire protection and environmental had not been added, but will now be. Those rules are actually ready for public hearing very shortly. Also, the digital signatures which was already approved in October. Experience in responsible charge just includes that the person must be licensed to be granted credit under experience in responsible charge.

Regarding 16-115-9b, again is the amendment allowing digital signatures. Under 16-115-10.5, is the new subsection regarding examination misconduct. Title 16-115-31 through 39 for engineers is amending the examination deadlines were by specific months, now it will just read that the deadline is "90 days prior to the examination." Title 16-115-39 is adding language that education credit cannot be applied with experience credit following the NCEES monologue.

16-115-45-250 amending all references to IDP, including the AXP. The IDP is the outdated experience program. 16-115-59 leaning subsection (a) IDP requirements which are outdated and we're inserting the AXP. 16-115-66 clarifying the requirements of passing the FS and PS exams, for licensure. It was worded oddly. So, 16-115-66 through 77 for land surveyors, we're amending the exam deadline similar to the engineers by removing the exam deadline months and replacing it with "90 days prior to the examination." We're also removing the title of Hawaii Land Matters and changing it to board-produced exam. 16-115-73 through 75, the land surveyor degree is being added under education #1. 16-115-79 is adding language about the education credited not being applied with the experience credit and amending exam deadlines for landscape architects as well. If anyone has comments or concerns, they're asked to bring it to the EO's attention, as the rules need to move forward, especially because it includes the digital signatures issue and environmental and fire protection.

During public hearing changes can be made. EO Matsushima is going to let Mr. Mizue know that, so if they have comments on the wording, they can submit it. Chair Fujiwara asked if the board members had any comments. There were none. Mr. Pang moved, Mr. Lau seconded and it was unanimously carried to move the rules forward.

Correspondence: EXECUTIVE SESSION: IN: 10:40 a.m. OUT: 11:14 a.m.

E-mail from Kulia Pacheco Boerstler in regards to stamping and sealing documents for projects not specifically “under direct supervisor” of the design professional.

At 10:40 a.m. it was moved by Mr. Kurokawa, seconded by Ms. Primiano and unanimously carried to enter into executive session to discuss Ms. Boerstler’s correspondence.

At 11:14 a.m. the board returned to open session from executive session. A roll call was taken and all members had transitioned back to the zoom open session.

Mr. Kurokawa moved to respond to Ms. Boerstler by directing her to refer to HAR 116-115-8 and 9, paragraph on the proper use of license and stamp. It was seconded by Mr. Lau and unanimously carried.

Legislation:

SB 3386 and HB 2442 relating to building industry professionals, updates the cost valuation of work and buildings where the work qualifies for exemption from chapter 464 HRS relating to the regulation of the practice of professional engineering, architecture, land surveying and landscape architecture. There was no one from the public wishing to provide oral testimony. None of the board members had any questions or comments.

Chair Fujiwara asked EO Matsushima if she had any comments on the bill. She had a couple of comments. The cost valuations were really inflated. She’s not sure how it was determined. There was no data as to how they reached those large figures. For example, a one-story building structure, estimated building cost is currently \$40,000.00, it has been increased to \$140,000.00 and a two-story structure from \$35,000.00 up to \$135,000.00. We don’t know the basis as to how these figures were determined, there was a concern that by raising the caps so high without the use of a design professional, there may be a safety concern. She’s not sure what the board’s thoughts are. She did mention that it may be kept as is, but it’s up to the board if they want to testify or take a position on this bill.

She tried to check the construction cost index, but could only find one from California which shows that throughout the years the average increase was approximately 2%, Mr. Kurokawa had sent her a quarterly construction cost report which includes costs from several states and Canada which has different costs indexes as well. She didn’t review all of the numbers, but what she did review didn’t seem as high as what’s being projected in this proposed legislation.

If the board would like to submit comments, it may, whether or not they wish to support it. The intent may be good, but the way it’s proposed is not. EO Matsushima did attend a hearing in front of the housing committee and the

Chair deferred decision making on this bill, she asked EO Matsushima to provide an update after the board's meeting, to see what the board's position would be. If the board would like to support it and propose an increase, what would those numbers be, and it'd have to be justified. Mr. Yumol agreed with EO Matsushima. She asked if the valuation is just for indoor or outdoor (such as a swimming pool) as well. She didn't understand why the cost would have to be so high to be granted an exemption from using a design professional.

Mr. Ishibashi stepped away for a few minutes. Ms. Primiano asked if the board could support the intent of the bill but question how the figures were determined. EO Matsushima replied that the board could support the intent but can't support the measure as proposed. She is trying to obtain more information from the board as they are the design professionals. She understands that costs have increased but the proposed increases are steep and to not require the use of a design professional could be risky. The board's duty is to protect the public not the profession. She proposed if the board would want the increase at 20% perhaps. DAG Leong commented that what EO Matsushima stated that the board can't ask the legislature, but the board taking a position that yes the intent is good, but they would like an explanation as to how the numbers were determined. Mr. Ishibashi returned.

Mr. Mizue was allowed to provide comment. The Hawaii State Council has comments for this bill. He is also the Chair of AIA Hawaii's Legislative Advocacy Group. They've been following several bills and this is one of them. They are opposed to any exemption from using a licensed professional. The reason is that they have a duty for public life safety. If the measure continues to move in the legislature, the Council will submit testimony in opposition.

Chair Fujiwara asked if there were any questions from the board. Mr. Kurokawa moved to oppose the bill as written, as no back up information has been provided to support the valuation increase for the exemption. Mr. Lee seconded, and it was unanimously carried to oppose the bill. EO Matsushima mentioned that SB 2430 is not a companion bill but the language is the same, so she will provide the same testimony for that bill as well.

Relating to SB 2447 and SB 2453, relating to third party review services. This establishes the third-party reviewer licensure program, board and recovery fund. Chair Fujiwara asked if there was any testimony from the public, there was none. He then asked if the board members had any questions or comments on this bill, they were none so in turn asked EO Matsushima if she had any comments on the bill. Prior to the meeting she had solicited comments from board members and drafted language to best represent their comments. She did research on when the board was created to safeguard health, safety and welfare of the public. She also found that

counties employ staff to review the plans to ensure compliance. Upon compliance, the planning department will issue a building permit. The DPP also requires that plans be reviewed by private design professionals who are pre-approved by the city to assist with the permitting process.

By creating a board to regulate the third-party reviewers, it would create unnecessary state oversight over the city's permitting processes. The permitting process is best left at the county level. According to DCCA's regulatory section in the HRS, although the legislature can do what they want, there can't just be a new regulatory board without a sunrise analysis study. Mr. Kurokawa agrees that the county is outsourcing what should be city functions. They're trying to push the burden on to the state which he feels is wrong. EO Matsushima thanked all who provided input on this bill. Mr. Pang mentioned that he did inquire with the city as he looked for an ordinance to see how this third-party was created. It was created because the city was so backlogged with issuing permits, that they created this policy, which is not an ordinance. They didn't want to go to the city council for approval to do this, so they created this system- - third-party review and now it seems they don't want third-party review.

Mr. Lau moved, and it was seconded by Mr. Yumol to hold this bill regarding third-party services. A vote was taken and unanimously carried to recommend opposition to the bill and recommend that it be held.

SB 2003, relating to building inspections, requires periodic inspections of certain walls and appurtenances of buildings five or more stories in height. Chair Fujiwara asked if there was any public comment, there were none. He then asked if the board had any comments and questions, there were none. EO Matsushima then shared that this bill is on the agenda just as an FYI, but she will track it in case it does impact the board or its statutes. Other than that, it's just informational.

SB 2492, relating to paid sick leave. This bill requires employers to provide a minimum amount of paid sick leave to employees to be used to care for themselves or a family member who is ill or needs medical care and supplemental paid sick leave to employees under certain public health emergency conditions. Chair Fujiwara asked if there was any public comments, there were none. He then asked the board if they had any comments, there being none, EO Matsushima informed the board that this bill is also on the agenda as an FYI item. If it moves forward and impacts the board, she will bring it back for the board's position.

DAG Leong provided clarification, he wasn't sure that the description that Chair Fujiwara read was correct.

Applications:

The Board may move into Executive Session to consider and evaluate personal information relating to individuals applying for licensure in accordance with Section 92-5(a)(1), HRS, and to consult with the Board's

attorney on questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities in accordance with Section 92-5(a)(4).

a. Ratifications

Ms. Lindsey informed the board that Andrew Isaacson's name should be changed to Adam Isaacson.

b. Professional Engineer Committee Recommendations

c. Professional Architect Committee Recommendations

d. Professional Land Surveyor Committee Recommendations

e. Professional Landscape Architect Committee Recommendations

Ratifications a., b., c., d. e.

EO Matsushima read each name on the ratification list.

EO Matsushima read the ratifications lists. Chair Fujiwara asked if there were any public comments, there were none. He then asked if the board had any questions or comments. There being none, it was moved by Mr. Hirota, seconded by Mr. Kurokawa and unanimously carried to approve the ratification lists.

Joel Fitzgerald wished to provide oral testimony. He just wanted to acknowledge the board, he had no additional comment at that time, nor did the board have any questions for him. Chair Fujiwara then asked if Matthew Wong was in attendance and if he wished to testify. No one opted to testify at that time.

EXECUTIVE SESSION: IN: 12:05 p.m. OUT: 12:39 p.m.

At 12:05 p.m., it was moved by Mr. Hirota, seconded by Mr. Katayama and unanimously carried to enter executive session to discuss Messrs. Fitzgerald's and Wong's applications.

At 12:39 p.m. it was moved by Mr. Lau, seconded by Mr. Inaba to exit executive session. A roll call vote was taken and Chair Fujiwara and Messrs. Hirota, Inaba, Ishibashi, Iwamoto, Katayama, Lau, Lee, Pang and Yumol voted to exit executive session.

Upon return to open session a roll call was taken. Chair Fujiwara, and Messrs. Hirota, Inaba, Ishibashi, Iwamoto, Katayama, Lau, Lee, Pang, and Yumol were present. Mr. Kurokawa and Ms Primiano left the meeting towards to end of executive session.

Regarding the application of Mr. Joel Fitzgerald, Mr. Lau moved to defer his application, it was seconded by Mr. Lee, a roll call vote was taken and Chair Fujiwara and Messrs. Hirota, Inaba, Ishibashi, Katayama, Lau, Lee, Pang and Yumol voted to defer application. Mr. Iwamoto recused himself from vote.

Regarding the application of Matthew Wong, the applicant requested to provide testimony. He just wanted to comment that he was present. It was then moved by Mr. Iwamoto and seconded by Mr. Lau that this application be denied. Chair Fujiwara and Messrs. Hirota, Inaba, Ishibashi, Iwamoto, Katayama, Lau, Lee, and Mr. Yumol voted to deny the application. Mr. Pang recused himself from vote.

Mr. Wong requested to address the board. He shared that his previous co-worker had submitted the same work experience and was told they needed to apply for structural engineer license and he questioned what the difference was with his work experience and theirs. Mr. Iwamoto replied that he wasn't sure whose application he was referring to. Mr. Wong replied that his previous co-worker was Kyle Buyuen and he applied for a civil engineering license. The board told him that he had to take the structural exam. EO Matsushima replied that when the board receives an application that seems to relate more to another discipline than what the applicant is requesting, for instance civil and structural, some other states may allow for overlap, but Hawaii doesn't. So, if they have structural experience and apply to take the civil exam, the board may recommend that they apply to take the structural exam because their experience is more structural than civil in nature. She referred to the Hawaii Administrative Rules which Mr. Wong acknowledged he was familiar with.

The decision is based solely on what is submitted in the application and Mr. Wong then asked if he had applied for a civil engineering license instead, would the board have found that more appropriate? EO Matsushima was unsure, she added that had he applied for a civil and structural, both would've been reviewed although he should note that his years of experience would need to meet the minimum requirements according to his level of education. If he has a bachelor's degree, he'd require four years in civil as well as structural. So, he would need at least 8 years to apply for both. Mr. Wong acknowledged that it made sense and was returned to attendee status.

**EASLA December 15 and 20, 2021 and February 2, 2022 –  
RATIFICATION LIST:**

**ENGINEER VIA ENDORSEMENT:**

**CIVIL:**



Conrad, Jesserend  
Frankel, Arram  
Habib, Ihab  
Hansson, Thorbjorn  
Heitland, Julie  
Isaacson, Adam  
Jensen, Martin  
Mogen, Sarach  
Pague, Phillip  
Pochatko, Thomas  
Richards, Mark  
Sills, Travis  
Turley Brianna  
Zusi, Michael

**ELECTRICAL:**

Dayawon, Michael  
Deras, Federico  
Gonzalez, Frank  
Hayward, Chad  
Hester, Mark  
Manahan, Christopher  
Nieves, Juan Jose  
Vansickel, Jefferson  
Yenice, Kamil

**MECHANICAL:**

Bodenschatz, David  
Cronin, Charles  
Espinoza, Lauren  
Flores, Felix  
Freedman, Curt  
Johnson, Andrew  
Kemper, Clarence  
King, Robert  
Linde, Jeffrey  
Malito, Loui  
Sharp, Brandon  
Turovskiy, Jeff  
Wapelhorst, Christopher  
Willoughbym Thomas

**STRUCTURAL:**

Bersofsky, Andrew  
Griffin, Michael Jr.

Lefton, Scott  
Lehman, Max  
Quillen, Justin  
Sosnowski, Christopher  
Warren, Hayward

**ENGINEER VIA EXAM:**

Alejandro, Harold	Mechanical
Augustin, Michelle	Civil
Batangan, Benjie	Structural
De La Cruz, Leizel	Civil
Endo, Ashley	Civil
Fuji, Thad	Electrical
Fulkerson, Amber	Structural
Haraguchi, Taryn	Civil
Ishaque, Jamiel	Civil
Luke, Emily	Civil
Mokiao, Ikaika	Electrical
Morinishi, Melissa	Civil
Natac, Al Jerome	Mechanical
Onizuka, Taylor	Civil
Price, Steven	FE and Civil
Shin, Daniel	Civil
Tasaka, Cassie	Mechanical
Thein, Minh	Structural
Wong, Wing	Electrical
Yoza, Jennifer	Civil – not yet licensed

**LAND SURVEYOR VIA EXAM:**

Garo, Alika

**LANDSCAPE ARCHITECT VIA EXAM:**

None

**ARCHITECT VIA ENDORSEMENT:**

Backen, Howard  
Cooper, Gregory  
Garand, Scott  
Hayes, Catherine  
Heckel, Robert  
Hemming, Nathan  
Jensen, Kalani  
Klopper, Scott

Larrimore, Glenn  
McDaniel, Ryan  
Mesuk Thomas  
Smith, James  
Thompson, Richard

**ARCHITECT EXAM:**

Kim, John H.  
Mateo, Dennis  
O'Neill, James  
Otero, Etienne  
Torweihe, Ian

**ARCHITECT RESTORATION APPLICATION AND CE REVIEW:**

NONE

**DEFERRED APPLICATIONS:**

Arash, Khalifeh	License-Mechanical
Byers, David	License-Civil
Clark, Jonathan	License-Civil
Cox, Michael	License-Mechanical
Cronin, Charles	License-Mechanical
Dal Porto, Gabriel	License-Civil
Edelmanm Jill	License-AR
Estur, Gavino	Exam-Land Surveyor
Fitzgerald, Joel	Exam-Structural
Foley, Benjamin	License-Civil
Frizelle, Chloe	Exam-Mechanical
Gharibi, Ali	Exam-Civil
Gonzalez, Idelfonso	License-Mechanical
Habib, Ihab	License-Civil
Harris, Todd	License-Civil
Hemning, Nathan	License-AR
Johnson, Andrew	License-Mechanical
Keys, Travis	License-Civil
Leano, Al Jerome	Exam-Civil not yet licensed
Lim, Brian	License-Civil
Martin, Brian	License-Mechanical
Nguyen, Anh Tuan	License-Civil
Noe, Benjamin	License-Electrical
Pehl, Keith	License-Electrical
Posch, Robert	License-Civil
Reilly, Ben	License-Civil
Sandoval, Daniel	License-Electrical
Scheks, Christopher	License-Civil

Wong, Matthew          Exam-Structural

**DENIED APPLICATIONS:**

The following application was denied on the basis that the application for a “control systems” engineer did not meet the requirements for a professional engineer license, pursuant to §16-115-21 Branches of engineering, Hawaii Administrative Rules.

Kinney, Amanda          License-Chemical

The following application for approval to take the NCEES 16-hour examination in structural engineering was denied on the basis that the applicant did not meet the lawful experience requirement, pursuant to §464-8 (a)(5) Qualifications for licensure, Hawaii Revised Statutes, and §16-115-33(d)(1)(2) Examination-professional engineering: qualifications, application, fees, required documents, Hawaii Administrative Rules.

Lim, Hyesun

Executive Officer's  
Report:

Update on the proposed rules amendment, Title 16, Chapter 115

EO Matsushima informed the board that the Small Business Regulatory Board has approved the rules package to go to hearing and that package is moving and she will have the notification of public hearing advertised and there will be a 30-day comment period where public comments will be accepted on the rules package. She'll try to get in on the July meeting as April's meeting is too soon. She's going to push for public hearing and June. This particular rules package had environmental engineering and fire protection, as well as continuing education for architects.

Chair Fujiwara asked if anyone from the public had any comment on agenda item 7b, Mr. Mizue from AIA wished to provide comment. On behalf of the AIA Hawaii State Council board, he wished to thank the EASLA board for their efforts with the rules. He added that if there are any items relating to architects to stamp and seal, permit processing and the like were to be discussed again, he wanted to offer their resources. This includes legislative task force and the ability to quickly poll their members, which numbers 700 in the state. He is the Vice-President (President-elect) and he'll be on board for the next 3-4 years, then Julia Fink will fill the position. EO Matsushima stated that she will add Mr. Mizue to the distribution for future agendas, so he may choose to attend future meetings.

New Business:          None.

Old Business:          None.

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Public Testimony: None.

Next Meeting: April 14, 2022, 10:00 a.m.  
King Kalakaua Building, King Kalakaua Conference Room

Adjournment: There being no further business, Chairperson Fujiwara adjourned  
the meeting at 12:56 p.m.

Taken and recorded by:

/s/ LaJoy Lindsey

\_\_\_\_\_  
LaJoy Lindsey  
Secretary

Reviewed and approved by:

/s/ Sandra Matsushima

\_\_\_\_\_  
Sandra Matsushima  
Executive Officer

3/10/22

[ ] Minutes approved as is.

[ ] Minutes approved with changes; see minutes \_\_\_\_\_.