

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: June 16, 2022

Time: 10:00 a.m.

Place: King Kalakaua Conference Room, First Floor  
HRH King Kalakaua Bldg.  
335 Merchant Street  
Honolulu, Hawaii 96813

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

Excused: Ken Ota, Public Member  
Jay Ishibashi, Public Member

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

Guests: Reid Mizue AIA Honolulu,  
Daniel Chun AIA  
Representative Nadine Nakamura  
Stuart Shoji

Call to Order: There being a quorum present, Chairperson Fujiwara called the meeting to order at 10:02 a.m.

Roll Call: Chairperson Fujiwara welcomed everyone to the meeting and proceeded

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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.

with a roll call of the Board members. Messrs. Fujiwara, Hirota, Inaba, Iwamoto, Katayama, Kurokawa, Lau, Lee, Pang, Ventura, 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

None

Approval of  
April 21, 2022  
Meeting Minutes:

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

New Business :

1. Legislation

1.a. S.B. 3386/H.B. 2442 Relating to Building Industry Professionals – Updates the cost valuations of work on buildings for the work to qualify for an exemption from chapter 464, HRS, relating to the regulation of the practices of professional engineering, architecture, land surveying and landscape architecture.

Representative Nakamura appeared before the Board and stated that she received an email from Mr. Stuart Shoji, who is not in her district, requesting for her to introduce a proposed bill to update the cost valuations in the Board's statues §464-13, HRS. Mr. Shoji's concern was with the very low cost valuation, which required a professional signature. She found his concern was worth addressing. With Mr. Shoji's help, she drafted a bill and introduced it. She received testimony with concerns from the Board. She typically likes to work on these proposals ahead of time and get everyone's support before it reaches the legislature, but in this case she moved forward. She's happy to be meeting with the Board today as the whole idea seemed like a worthy pursuit. She's hoping to further discuss the bill with the Board.

Representative Nakamura mentioned that they have between now and the middle of January 2023 to work on a revised bill to introduce and is hoping to put together a bill that addresses the Board's concerns and work out details, as the concept is good. Representative Nakamura shared that 23 legislators signed on to the bill, which is very unusual to have so many interested in this topic. She invited Mr. Shoji to share his thoughts regarding the bill.

Mr. Shoji stated that when he looked into the numbers, he realized the statue hadn't been updated in over 20 years. Personally, he feels they should get rid of the cost valuation and base it on square footage.

Representative Nakamura noted that the Board's concern was that the estimation was too high. She asked if the Board could re-visit the 1979

numbers and asked if one or two Board members would be willing to work with her and Mr. Shoji.

Chairperson Fujiwara acknowledged that there were members of the AIA Hawaii Chapter in attendance and asked if they had anything to share.

Mr. Daniel Chun stated that they have submitted written testimony to the Board and commented that one of the interesting things is that the City and County of Honolulu exempts certain kinds of structures, such as kitchen renovations. He believes that needs to be clarified. They have checked with various counties and in the process, he found that Honolulu has a rather extensive list of exemptions from permitting, and because of this, many projects don't require a professional seal or signature. He shared that Hawaii county also has an extensive list, but Kauai county and Maui county does not have exemptions. One of the concerns is that certain types of projects could be exempted. For example, you can ask a plumber to get the permit for a sink, if you're changing your cabinets or finishes and not moving any walls. However, once you start moving walls then that requires approval for a permit.

Mr. Mizuno added that another concern is window replacement, which doesn't require a professional seal or stamp. He continued that in their (AIA's) testimony to the legislature, the AIA was concerned about two main items. One is that they didn't have any data as to how the numbers were increased, so that is something that could be worked on together. The concern is the construction costs, as they fluctuate, so if they are relying on costs, then they would need to do homework prior to being put into law. The second concern submitted in written testimony is regarding life safety... renovations, extensions, kitchens, moving around stoves, electrical outlets, lighting or the like. Life safety is taken seriously when they design, even if it's for a small extension or addition. It's one of those things that they must take into account. They're licensed for life safety similar to structural engineers. In addition, the bill addressed steel structures but not wood structures. Here on Oahu, Kauai and other counties, the inventory is mainly wood construction, so you would need to consider the square footage and dimensions. Mr. Mizuno noted that when someone constructs an ADU, which is limited to 850 square feet, there are all kinds of codes that are related to a detached unit, which is a very small building but there's needed engineering work; structural, some civil, a lot of electrical, and a lot of fire safety codes involved with that.

Mr. Mizuno expressed that these reasons were submitted in writing to the legislature in opposition to the bill. The AIA wants to be fair about life safety and the dollar value of the cost valuations. Representative Nakamura asked to add something to that. She noted that in regards to the structure, that is in the existing law. She said that she'd be happy to work with the AIA as part of a working group. Knowing that every county has a different code and exemptions, how would they address that?

Chairperson Fujiwara asked if anyone else from the public had any comments to add. There were none. He then asked if any of the Board members had any comments. Mr. Yumol, questioned why doesn't the Board follow what Messrs. Chun and Mizue recommended regarding scope of work and life safety welfare and drop the numbers. We could come back 20 years from now and it'd be exempted. He doesn't see the need for the cost valuation. It was mentioned that they should get away from the actual dollar amount as it doesn't relate to the specific work being done. Mr. Mizue replied that it would then become very specific as to what the homeowner wishes to do. Once they start determining what is not exempt, what is left? He doesn't know how you can exempt structural engineering, because load path is critical now.

Chairperson Fujiwara asked EO Matsushima if she had any updates for the Board regarding this bill. EO Matsushima noted that the latest draft of the bill proposed the cost valuations decreased by half of what was originally proposed in the first draft. However, the Board all along did not agree with this proposed amendment and they have opposed both measures. The amended bill was not heard and did not move to conference committee.

EO Matsushima commented that Representative Nakamura asked to have a discussion with the Board to seek consensus on this measure. EO Matsushima apologized to Mr. Chun and acknowledged that he had provided written testimony for the previous meeting and it was distributed to the Board at that meeting, but it was not re-distributed for this meeting. She asked if the Board wished to continue a discussion on this matter. There were no comments. She then asked if the Board wishes to keep their same position in opposition of any changes to their statues in §464-13, HRS.

Mr. Ventura mentioned that there is room for discussion and clarification. He directed his comment to Mr. Chun regarding his earlier statement that there were no exemptions on Kauai. Mr. Chun said that if you check the county's website it doesn't list exemptions; however, Mr. Ventura replied that as an architect on Kauai, he believes there are exemptions. Mr. Chun stated that the permitting process can be very cumbersome. The Board of Water Supply in Honolulu requires that everything be listed on a sheet and what they require is extensive. Discussion continued involving Mr. Shoji regarding requirements. Mr. Chun mentioned that there are grey areas that must be discussed. Mr. Mizue commented on the review process and what does and does not require permits.

Representative Nakamura commented that she doesn't want to pursue this if there is no interest. If there is interest, then what will work for everyone? Representative Nakamura added that laws change as they are revisited. Throughout state laws there are a lot of dollar amounts and sunset dates, then these laws are revisited. That's the system that's in place. She also mentioned that you can add a sunset to ensure that it is revisited at a certain time.

Mr. Chun mentioned that it's a hard subject to handle. There are homeowners converting bathrooms into kitchens and renting them out, but because it's indoors, you can't see them. He also discussed the flood provisions. Mr. Shoji added that the only thing that counties have right now is the signature requirement. The dollar amount is there as a requirement. Mr. Shoji commented that they're looking at the signature requirement.

EO Matsushima expressed that a meeting with the stakeholders could be planned prior to the next legislative session to see whether a bill should be proposed or not. Representative Nakamura, Mr. Shoji, the AIA, etc. could discuss their concerns further and to possibly come to a consensus and prepare a draft proposal. If a draft proposal is prepared, it could be brought before the board for approval. It's best to have the support from the Board, the stakeholders, and the community prior to introducing a bill. With no opposition, the measure would pass seamlessly.

Chairperson Fujiwara stated that what he's hearing is that they should form a committee to further discuss this matter and come to a consensus. Then, it can be presented to the board so they may re-visit it. Representative Nakamura mentioned that they could meet and find middle-ground with AIA and asked if anyone from the Board would like to participate in an informal group.

EO Matsushima added that the structural engineers should be involved as well, as they had some concerns. Mr. Chun added that (AIA) has an island-wide membership. EO Matsushima noted that the discussion should be among all the design professionals and their respective associations, Representative Nakamura and Mr. Shoji.

EO Matsushima added that you want the support when introducing a bill, and need the support as it helps the bill to progress. Mr. Chun commented that it takes 5 to 7 years to get a bill passed. EO Matsushima replied that bills can be passed sooner than that. If you have the support from all the stakeholders with no opposition, it can be passed in one session. After the discussion, Representative Nakamura and Mr. Shoji left the meeting.

Correspondence: Letter from Joseph Charles, Jr. Challenging land surveyor exam question/  
The Board members were provided a copy of the challenge and it was discussed in executive session.

Executive Session: IN: 10:47 a.m. OUT: 11:12 a.m.

It was moved by Mr. Inaba, seconded by Mr. Hirota and unanimously carried to deny the challenge of the land surveyor exam question by Joseph Charles, Jr.

Chapter 91,  
Adjudicatory NONE.

Matters:

Executive Session: IN: 10:47 a.m. OUT: 11:12 a.m.

At 10:47 a.m., it was moved by Mr. Iwamoto and seconded by Mr. Lau to enter executive session to discuss these applications.

With there being no further discussion, it was moved by Mr. Yumol, seconded by Mr. Hirota and unanimously carried to exit executive session at 11:12 a.m.

Applications:

6. 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. Application of Mr. Devin Swanson
- b. Application of Mr. Valentino Dela Cruz
- c. Ratifications
- d. Professional Engineer Committee Recommendations
- e. Professional Architect Committee Recommendations
- f. Professional Land Surveyor Committee Recommendations
- g. Professional Landscape Architect Committee Recommendations

Ratifications d. e. f. g

EO Matsushima read each name on the ratification list. (See attached)

Mr. Hirota moved to approve ratification list, it was seconded by Mr. Iwamoto and unanimously carried.

Upon returning to open session, the Board voted as follows:

It was moved by Mr. Hirota, seconded by Mr. Inaba and unanimously carried to defer the application of Mr. Devin Swanson due to lack of experience.

**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.

It was moved by Mr. Katayama, seconded by Mr. Pang and unanimously carried to deny Mr. Valentino Dela Cruz’s application.

Executive Officer’s  
Report:

EO Matsushima advised the Board that Mr. Iwamoto’s term is expiring. He was presented with a lei and certificate signed by the Director thanking him for his service. Mr. Iwamoto thanked the Board and shared that it was an awesome group to work with.

EO Matsushima provided the names of the members who were reappointed to the Board for a second term; Brian Fujiwara, Jay Ishibashi, and Ben Lee.

EO Matsushima provided the EASLA license renewal summary:

Eligible for renewal: 10,604

The latest stats she had available was from April 5, 2022.

Architects Eligible: 2,592

Architects Renewed: 2,181

Landscape Architects Eligible: 153

Landscape Architects Renewed: 135

Land Surveyors Eligible: 205

Land Surveyors Renewed: 190

Professional Engineers Eligible: 7,653

Professional Engineers Renewed: 6,429

Majority renewed online.

Old Business: None.

Public Testimony: None.

Next Meeting: August 11, 2022, 10:00 a.m.  
King Kalakaua Building, King Kalakaua Conference Room

The consensus was to meet in person. EO Matsushima stated that the

applications committee would continue to meet monthly and the full Board every other month. She shared the administrative effort to have meetings and how there is a staff shortage.

Mr. Fujiwara wanted to make a quick announcement and thanked the Board for giving him the opportunity to serve as Chairperson and that he's passing the gavel to Chairperson-elect Mr. Pang.

Adjournment: There being no further business, Chairperson Fujiwara adjourned the meeting at 11:28 a.m.

Taken and recorded by:

/s/ LaJoy Lindsey

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LaJoy Lindsey  
Secretary

Reviewed and approved by:

/s/ Sandra Matsushima

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Sandra Matsushima  
Executive Officer

7/16/22

[ x ] Minutes approved as is.

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



EASLA APPLICATIONS LIST - May 11, 2022

Updated 5/12/22

**UPDATED 5/12/22 = includes deferred / deficient applications**

**Engineer - endorsement**

Pehl, Keith	License - EE
Martin, Brian	License - ME
Beard, Scott	License - SE
Naik, Kishor	License - SE

**Exam - Engineer**

Brantley, Shane	Exam - SE
Fukushima, Drake K.	Exam - CE
Morioka, Matthew	Exam - CE = Not yet licensed
Murayama, Matthew G.W.	Exam - CE

**Exam - Land Surveyor**

Dameg, Randy	Exam - PS + State
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**Exam - Landscape Architect**

Bussiere, Simon	Exam - L.A.R.E. + State
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**Architect - endorsement**

Lausso, Carlos Dennys	License - AR
Lund, Christopher	License - AR
Sakata, Thom Hiro	License - AR
Wilson, Christian	License - AR

**Architect - ARE Exam**

Vergabera, Julius	Exam - ARE
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**DEFICIENT APPLICATIONS - May 11, 2022**

Board of Professional Engineers, Architects,  
Surveyors and Landscape Architects  
Minutes of the June 16, 2022  
Page 10

Blanchette, Jeffrey	License - SE
Breaux, Stephen L.	Exam - State (licensure via endorsement)
Clark, Jonathan	License - CE
Clements, Kevin	License - CE
Dela Cruz, Valentino	Exam - ME
Dobbins, Richard	License - EE
Earl, Steven C.	License - CE
Fitzgerald, Joel P.	Exam - CE & SE
Lee, Erik C.	Exam - CE

Board of Professional Engineers, Architects,  
Surveyors and Landscape Architects  
Minutes of the June 16, 2022  
Page 11

Santiago Acosta, Jovian	Exam - CE = Not yet licensed
Swanson, Devin	Exam - CE = Not yet licensed
Warner, Jason Taylor	Exam - State (licensure via endorsement)
Wentland, Kevin	License - SE