

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, July 12, 2018

Time: 9:00 a.m.

Place: King Kalakaua Conference Room  
King Kalakaua Building  
335 Merchant Street, 1<sup>st</sup> Floor  
Honolulu, Hawaii 96813

Present: Roberto Yumol, Chairperson, Architect Member  
Ken Ota, Vice Chairperson, Public Member  
Alan Inaba, Land Surveyor Member, Secretary  
Brian Fujiwara, Architect Member  
Ron Iwamoto, Structural Engineer Member  
Dan Hirota, Land Surveyor Member  
Kevin Katayama, Mechanical Engineer Member  
Joel Kurokawa, Landscape Architect Member  
Benedict Lee, Landscape Architect Member  
Richard Suzuki, Civil Engineer Member  
Marc Ventura, Architect Member  
Krishna Jayaram, Esq., Deputy Attorney General ("DAG")  
James Kobashigawa, Executive Officer  
Sandra Matsushima, Executive Officer  
LaJoy Lindsey, Secretary  
Kellie Teraoka, Secretary

Excused: Robert Eggleston, Public Member

Guests: None

Call to Order: There being a quorum present, the meeting was called to order at 9:01 a.m. by Chair Yumol.

Agenda: Additions and Revisions: It was moved by Mr. Kurokawa, seconded by Mr. Iwamoto, and unanimously carried to add the following to the agenda:

- 6. New Business, defer the following to August 9, 2018 meeting:
  - e. Status and Update on License Certificate Re-Design by  
by Theodore Garduque
- 8. Executive Officer's Report, add:
  - b. John T. Hassler Affidavit

Approval of  
Minutes:

It was moved by Mr. Suzuki, seconded by Mr. Kurokawa and unanimously carried to approve the June 14, 2018 meeting minutes as circulated.

Applications:

a. Ratifications

None.

b. Professional Engineer Committee Recommendations

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

APPROVE CIVIL ENGINEER BY ENDORSEMENT

- BABER, Dwight
- BENTIVEGNA, Anthony
- HOLLINGSWORTH, Ruth
- KENNEDY, Matthew
- KING, Judd
- LEEPER, Michael
- REDFORD, David
- SHAFFER, William
- SORENSON, Ted
- STIVER, John

APPROVE ELECTRICAL ENGINEER BY ENDORSEMENT

- HICKS, Brian
- JOHNSON, Ruth
- MANIRAGUHA, Methode
- MICKELSON, Derek
- MORRIS, Hugh
- SALVAGIN, Jeffrey
- TAKAHASHI, Alexander
- TRAM, Bryant
- TRAN, James

- VOSS, Tamara

APPROVE MECHANICAL ENGINEER BY ENDORSEMENT

- BELKE, Timothy
- BUDZIK, Todd
- BURTON, David
- EZOLD, Robert
- GIBSON, Paul
- JESUDASAN, Benjamin
- KOBAYASHI, Lisa
- MURPHY, Patrick

APPROVE STRUCTURAL ENGINEER BY ENDORSEMENT

- BAKER, William
- HORNSBY, David
- JONES, Cliff
- STEMMER, Mark

APPROVE ENGINEER BY EXAM (PE)

- CHING, Jordan (CE)
- IINUMA, Blake (ME)
- IWASAKI, Heather (CE)
- KADOKAWA, Chad (CE)
- KEAO, Craig (CE) (also FE)
- LAU, Kevin (SE)
- LI, Yishan (CE)
- OKIMOTO, Laine (CE)
- RIMANDO, Tomas (CE) \**Added*
- SUGAMOTO, Ryan (ME)
- TAKAMINE, Trevor (CE)
- WALTON, Cody (CE)

APPROVE ENGINEER BY EXAM (FE)

- KEAO, Craig

DEFER CIVIL ENGINEER BY ENDORSEMENT

- ABOLHASSANI, Ali
- GARCIA, Ramon

- JOHNSON, Kristopher

DEFER CIVIL ENGINEER BY EXAM

- DO, Steven
- PROPST, Eric

DEFER ELECTRICAL ENGINEER BY ENDORSEMENT

- *NONE*

DEFER MECHANICAL ENGINEER BY ENDORSEMENT

- JOHNSON, Jeremiah
- NICA, Marius

DEFER STRUCTURAL ENGINEER BY ENDORSEMENT

- ADAMS, Brenden
- WEBBER, Dominic

DENY CIVIL ENGINEER BY ENDORSEMENT

- BENNARDO, Frank
- RIMANDO, Tomas

DENY ELECTRICAL 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

- BAYER, Leah
- BERGMAN, Bruce
- CLINE, Curt
- DUNCAN, Scott

- JUDGE, Margaret
- KNAPP, Thomas
- MARRO, John III
- MEYERS, Christopher
- PENDERGRASS, Michael
- REU, Ryan
- SEMEL, Adam
- STEEN, Douglas

APPROVE ARCHITECT BY EXAM

- MURAOKA, Garrett
- SELLEY, Jason
- WEATHERFORD, Rebecca

It was moved by Mr. Suzuki, seconded by Mr. Inaba, 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 action as follows:

APPROVE LAND SURVEYOR BY ENDORSEMENT

- *NONE*

DEFERRED LAND SURVEYOR BY ENDORSEMENT

- RIES, Geoffrey (state-constructed exam)

APPROVE LAND SURVEYOR BY EXAM

- OKIMOTO, Darren (PS and state-constructed)
- SOLMERIN, Richard (FS, PS and state constructed)  
*NOTE: Mr. Inaba recused himself from voting on Mr. Solmerin's application.*

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

e. Professional Landscape Architect Committee Recommendations

None.

Old Business:

a. Rules Committee Report

- Proposed Language for Fire Protection Plan
  - Chair Yumol suggested that version two of the Fire Protection Plan be reviewed and that the Board should indicate what it plans to do. The objective is to ensure that statutes, rules, and the guide all coincide. Mr. Suzuki and Mr. Katayama both agreed that the revisions were acceptable.

It was moved by Mr. Katayama to accept Chair Yumol's recommendation, seconded by Mr. Suzuki, and unanimously carried to accept version two of the Fire Protection Plan.

New Business:

a. Professional Engineers Report

- Matters Related to the National Council of Examiners for Engineering and Surveying ("NCEES")
  - Mr. Katayama will attend the NCEES annual meeting for Engineers and Surveyors on August 15-18, 2018. Mr. Katayama asked for guidance on the Board's position in regards to voting on the proposed amendments to the resolutions. The Engineer and Surveyor Committees will meet to discuss the proposed amendments at next month's meeting.
  - Ms. Matsushima's travel reports for NCARB and CLARB were made available for Board members to review. There were no questions.
  - Chair Yumol stated that all members were doing a good job reporting to the state. There are issues with time as some reports are lengthy. He suggested that only regulatory matters be reported to the state.

b. Architects Report

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

- Ms. Matsushima, Chair Yumol and Mr. Ventura attended the National Council of Architectural Boards (“NCARB”) annual meeting on June 28-30, 2018, which was held in Detroit, MI. They reported that John Baker is the newly elected Region 6 Chair. Mr. Ventura mentioned that financial indicators for FY18 showed a budget deficit of \$900K; but there was actually a surplus. There has also been an increase in exam activity. The budget for FY19 is \$15M. NCARB is relocating their offices to Washington, D.C. Next year will be their 100th year centennial celebration. The move to D.C. will be more cost effective for NCARB. It was also shared that there is a new system for tracking continuing education credits.
- Chair Yumol reported that four new rules of conduct resolutions were approved, which are very important and will affect the Board. He suggested that once the rules are made available, the Board’s Rules Committee will review and decide what to include in the Rules of Conduct Guide.
- Mr. Kobashigawa mentioned that the Rules Committee is losing members, so the Board may want to appoint new members. Ms. Matsushima will ask Mr. Constantino (former Board member) if he is interested in serving. Mr. Katayama volunteered to serve on the committee. Chair Yumol agreed to remain as the committee chair until the Rules of Conduct Guide is approved. He will then still remain as a member, but not as the committee chair.
- Ms. Matsushima mentioned a vacancy for the Member Board Executive (“MBE”) Director’s position on the NCARB Board of Directors, as Maria Brown has resigned. Ms. Katherine Hillegas, Executive Director of the Louisiana State Board of Architectural Examiners, announced her interest as a candidate to fill the vacancy of the position. The MBEs unanimously approved her as their candidate for the Board of Directors.
- It was reported that there is an ARE 4.0 exam applicant who filed a formal request have the results of his failed exam reviewed. This is a very expensive process, requiring a

minimum fee of \$300.00 to start the process, in addition to \$100.00 per question. The normal procedure would require an NCARB representative from the mainland to review the test results with the applicant in Hawaii and the Board. With the new 5.0 test version, an encrypted code can be used to review the document so that the NCARB representative does not have to travel. The query will only show the test questions and the answer for each question(s) that were paid for. Chair Yumol stated that the Board is only involved in the process but not in the decisions. Ms. Matsushima is working closely with NCARB.

Mr. Kobashigawa shared that an NCARB representative previously came to Hawai'i to discuss an individual's exam. The NCARB representative only provided information, but no advice. Since then, the exam has been revised and certain subjects realigned. It's possible that he needed that 4.0 division to transition to the 5.0.

c. Surveyors Report

- No report.

d. Landscape Architects Report

- Matters Related to the Council of Landscape Architectural Registration Boards ("NCLARB")
  - Ms. Matsushima attended the ASLA/CLARB's joint Licensure Summit on June 22-24, 2018, in Columbus, OH and shared a written travel report for the Board's review. The meeting was short but she learned a lot about CLARB and the ASLA's efforts in opposing legislation for deregulation. Mr. Kurokawa mentioned that there were many bills introduced to deregulate landscape architects and that they are monitoring the situation closely. With the anti-regulation climate, CLARB/ASLA has been proactive in changing how they operate rather than being reactive.
  - The annual CLARB meeting will be held on September 27-29, 2018 in Toronto. Mr. Lee will attend as the Hawaii Board

representative and voting delegate. CLARB requires each jurisdiction to vote. By-laws and government structure change has been rolling out over the past year and a half. Mr. Kurokawa shared that he is the CLARB Western Region Ambassador and wasn't sure if there's a conflict, however he is attending the meeting as the CLARB Western Region Ambassador and not as the state Board's representative. One of the issues CLARB is looking at is friction emerging in the process of licensing professional landscape architects. They are working to eliminate unnecessary friction in obtaining licenses.

e. Status and Update on License Certificate Re-Design by Theodore Garduque

- The status and update on the license certificate re-design by Theodore Garduque will be deferred until next month's meeting. The design has already been approved. The concept of the design will be discussed at next month's meeting. Mr. Garduque will also present cost estimates and the estimated man hours to process this change. The new emerging members are in favor.

7. Correspondence: E-mail from Mr. Christopher Nicolay Regarding Use of Job Title

- Mr. Nicolay is an unlicensed student "designer" who is working with licensed architects, engineers, surveyors, etc. He inquired as to what terminology he could use to define his role and responsibilities. During research, he found that the term "Design Engineer" defines as a licensed Civil Engineer in the State of Hawaii who stamps or certifies plans that are submitted to the Department for review. Mr. Kurokawa noted that he could not use the term "Architectural Engineer" and looked to DAG Jayaram for guidance.

Executive  
Session:

- At 9:51 a.m., it was moved by Mr. Kurokawa, seconded by Mr. Inaba, and unanimously carried to move into executive session, pursuant to §92-5(a)(4), HRS to consult with the Board's attorney on questions pertaining to the Board's powers, duties, privileges, immunities and liabilities.
- There were no guests present.
- At 9:53 a.m.. it was moved by Mr. Kurokawa, seconded by Mr. Inaba and unanimously carried to move out of executive session.

- After discussion, it was decided that Ms. Matsushima would draft a response to Mr. Nicolay. It was moved by Mr. Suzuki, seconded by Mr. Hirota, and unanimously carried to approve the response below.

*"At its meeting on July 12, 2018, the Board of Professional Engineers, Architects, Surveyors and Landscape Architects ("Board") reviewed your email dated June 27, 2018 regarding use of job titles and descriptions. After deliberation and by consensus, the Board recommends that you review §464-14, unlicensed activity; penalties, Hawaii Revised Statutes to understand the restrictions on titles."*

- E-mail from Ms. Maria Thompson Regarding 3-D Laser Scanning
  - Ms. Thompson inquired if there are any licensing requirements to perform 3-D laser scanner. She stated that the physical scanning would be performed with certified equipment and by an experienced technician from out of state, however a state licensed surveyor would be used for acquiring survey points (GCPs) for geo-referencing the model.
- At 10:08 a.m., it was moved by Mr, Kurokawa, seconded by Mr. Fujiwara, and unanimously carried to move into executive session pursuant to §92-5(a)(4) and to consult with the Board's

attorney on questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities.

- There were no guests present.
- At 10:12 a.m., it was moved by Mr. Kurokawa, seconded by Mr. Inaba, and unanimously carried to exit executive session.

After discussion, it was decided that Ms. Matsushima would draft a response to Ms. Thompson. It was moved by Mr. Hirota, seconded by Mr. Lee, and unanimously carried to approve the response below.

*“At its meeting on July 12, 2018, the Board of Professional Engineers, Architects, Surveyors and Landscape Architects ((Board”) reviewed your email dated June 29, 2018 regarding licensing requirements to perform 3-D laser scanning. After deliberation and by consensus, the Board opined that if you are using 3-D laser scanning in the practice of a licensed profession, then you will need to be licensed in Hawaii, pursuant to §464-1, Hawaii Revised Statutes.”*

8. Executive Officer's Report:

- Statistics on the April 2018 PE Structural Engineering Exams Lateral and Vertical Forces:

By Examination(s):	<u>Lateral Forces</u>	<u>Vertical Forces</u>
No. of candidates examined:	9	7
No. of candidates passed:	2	1
No. of candidates failed:	7	6

- John T. Hassler Affidavit
  - The Board issued a final order for Val Yanagihara to pay a fine within 30 days. Mr. Yanagihara has failed to pay so Mr. Hassler has filed an affidavit. Since then, Mr. Yanagihara's license has since expired. This requires no Board action.

Next Meeting:           **Thursday, August 9, 2018**  
9:00 a.m.  
King Kalakaua Conference Room  
King Kalakaua Building  
335 Merchant Street, 1<sup>st</sup> Floor  
Honolulu, Hawaii 96813

Adjournment:           The meeting was adjourned at 10:17 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

8/9/18

[ ] Minutes approved as is.

[ X ] Minutes approved with changes; see minutes 8/9/18.