CONTRACTORS LICENSE BOARD

Inetnon Malisensiayen Kontratista

542 North Marine Corp Drive A. – Tamuning, Guam 96911
649-2211, 9676, 649-2210(Fax) Website: www.clb.guam.gov

LOURDES A. LEON GUERRERO
GOVERNOR

JOSHUA A. TENORIO
LIEUTENANT GOVERNOR

CECIL "BUDDY" l. ORSINI
EXECUTIVE DIRECTOR

November 19, 2019

356L-19-1243
Speaker Tina Rose Muña Barnes

NOV 2 1 2019
Time 11:38 (X)AM ( )PM
Received By: allan

2019 NOV 21 PM 2:08

Memorandum

To: The Honorable Tina Muna Barnes
Speaker, 35th Guam Legislature

From: Cecil "Buddy" L. Orsini, Executive Director

Subject: **Approval of CLB Board Meeting Minutes of September 18, 2019**

Buenas and Hafa Adai Speaker Tina Muna Barnes,

Please see attached Contractors License Board Meeting Minutes of September 18, 2019 which was approved on the Contractors License Board Regular Board Meeting on November 20, 2019. We also have attached a copy of the November 20, 2019 Agenda and Attendance Sheet.

If you have questions, please call me at 649-2215 or email me at cecil.orsini@clb.guam.gov.

Senseremente,

Cecil "Buddy" L. Orsini
Executive Director, CLB

Attachments

1243

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EXECUTIVE DIRECTOR

Regular Board Meeting
November 20, 2019
10:00 A.M.
CLB Conference Room

AGENDA

I. Call to Order:

II. Roll Call

III. Approval of the Minutes for **September 18, 2019 Board Meeting**

IV. Public Comment

V. Section Report

a. Administration Division – Maria Perez (Administrative Officer)
Approval of New Contractors Licenses by Executive Director after September 12, 2019:

1. Valencia Painting (DBA, Sole Proprietor) Mr. Gardy Torno Valencia
   Effective date: September 16, 2019
2. Top and Best Corp., Ltd. (Corporation) RME: Yun Fei Bai
   Effective date: September 25, 2019
3. USA Contractors, Inc. (Corporation) RME: Peter G. Barantes
   Effective date: September 25, 2019
4. Top Builders, LLC (LLC) RME: Daniel A. Hernandez
   Effective date: October 1, 2019
5. Guam Home Creators, Inc. (Corporation) RME: Li Gao
   Effective date: October 1, 2019
6. Keda Corporation (Corporation) RME: Jake X. Su
   Effective date: October 1, 2019
7. HG Power, LLC (LLC) RME: October 1, 2019
   Effective date: October 1, 2019
8. Cron Air (DBA, Sole Proprietor) Ronald Malabanan
   Effective date: October 15, 2019

9. Guam New World (Corporation) RME: Lu Wei
   Effective date: October 25, 2019
10. Samtin LLC (DBA Tri-Spec Construction) RME: Jeric C. Pareja
    Effective date: October 24, 2019
11. Solid Rock Builders (DBA, Sole Proprietor) Gennady Belyshev
    Effective date: October 30, 2019
12. Mobius (Partnership) RME: Iuliia Maurodieva
    Effective date: November 7, 2019

b. Investigation Division – Nida Bailey (Investigator Supervisor)

VI. Executive Director's Report

VII. Old Business

VIII. New Business:

- Case #2019-09-02 John Q. Cepeda vs. Pacific Solar & Photovoltaics Inc.

IX. Announcement:

a. Next Scheduled Regular Board Meeting is for **December 18, 2019** at 10:00 a.m., CLB Conference Room.

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Regular Board Meeting
Minutes of **September 18, 2019**
CLB Conference Room

I. Call To Order:

The Regular Board Meeting of Guam Contractors License Board was called to order at 10:05 a.m. by Board Chairman, Mr. James M. Casallo.

II. Roll Call:

a. James M. Casallo, Chairman-Construction Industry
b. Bernard S. Benavente, Vice Chair, Construction Industry
c. Rena Borja, Board Member, General Public
d. Selina Ashland, Board Member, General Public
e. Matthew C. Cruz, Board Member, General Public

CLB Staff Members Present:

f. Cecil "Buddy" Lujan Orsini, Executive Director, CLB
g. Nida Bailey, Investigator Supervisor, CLB
h. Joseph O. Terlaje, CLB Investigator
i. Maria Perez, Administrative Officer, CLB

Special Guests/Attendees Present:

j. Tom Keeler, Assistant Attorney General

III. Approval of the Minutes for August 21, 2019 CLB Regular Board Meeting:

Motion made to approve Minutes of August 21, 2019 by S.Ashland. Seconded by M. Cruz Nays: None All in Favor- Unanimous Motion carried.

IV. Public Comment: None.

V. Section Report:

Administration Section:

- Maria Perez reported there are five (5) new licenses:

    1. Modular Tech Construction Corporation - (Corporation)
    2. Ramachandran Job1, Inc. - (Corporation)
    3. Artiko, LLC - (Limited Liability Company)
    4. 3Bros. Builder - (Sole Proprietor)
    5. Valencia Painting – (Sole Proprietor)

- Updates of Contractors License:
  2020 Active Contractors: 827
  Inactive: 45
  Master Electrican: 34

- M. Perez stated she received an email regarding new ID Badging System informing our office it is enroute.
- M. Perez stated there an air condition licensing and service concern regarding individuals applying at the Rev & Tax Business Section. She spoke and emailed Maelinda (Supervisor at Rev & Tax Business License Section) and she will provide a listing for CLB's review for compliance.

- CLB Revenues to date from AS400 System: $708,726 (October 1, 2019 through September 17, 2019)

- CLB Administrative Aide Chris Leon Guerrero is detailed to Chamorro Affairs to end of November 2019.

- Board Member R. Borja requesting for spreadsheet showing company name, Owner, RME type of business, classifications they are applying for, for all new applications and renewals effective this date on. Chairman Casallo requesting if all new applications are in order; M. stated all took the exams which they applied for; Ramachandran is currently licensed and only adding another classification. Chairman Casallo stated to show on listing also if there are no pending violations.

- C. Orsini stated these people getting an air conditioning license whom are going to Rev & Tax Business License Section needs to be redirected to the CLB for contractors license for repairing or installing air condition units. Those not following the law are also not paying their fair share on taxes.
- Chairman reminded C. Orsini to share some highlights on the Baltimore trip.

- Chairman asked re: CLB Revenues $708,726, how much is allocated for CLB; M. Perez stated total amount stated is from incoming revenues collected from October 1, 2018 through September 17, 2019 sourced from the AS400 System.
  Attorney Keeler stated per law there is a cap set for each department then anything above amount transfers to general fund. C. Orsini stated for the past 5 years, revenues collected has been below the budget amount; M. Perez agreed.

Investigation Section:

- Investigator Supervisor N. Bailey good news to report two investigators are on board, Mr. Joseph Terlaje, has degree in criminal justice, worked at the Attorney General's office and the Sinajana Mayor's Office. The other Investigator is pending results of drug testing prior to employment and should be on board another week to start the Investigation team. Training for Osha's Safety 30 hour course. CLB is providing in house orientation regarding policies regarding rules and regulations, complaints, field work, etc.

- Statistics for Investigation for August:
  89 building permits
  8 cases (4 to be closed; some claims are not in CLB's jurisdiction)
  6 new applications received (4 already took exams / 2 pending documents to submit)

- N. Bailey will forward one case to Attorney Keeler for review regarding a retaining wall that customer wanted contractor to put up due to eroding. She stated it was not part of the plan, contractor did advised customer to put up retaining wall but now blaming contractor because property is eroding. It was ten (10) years ago, Attorney Keeler stated statute of limitation of work is three (3) years. R. Borja requests for a spreadsheet of information from Investigation Section. N. Bailey acknowledged request and will attach to report.

VI. Executive Director's Report

- C. Orsini announced congratulations to Board Members Rena, Selina and Matt on their confirmation; their expertise is greatly needed.

- C. Orsini reported regarding his trip to Baltimore with Chairman James Casallo. They attended the NASCLA (National Association of State Contractors Licensing Agencies) 2019 Annual Conference in Baltimore, Maryland from August 25 – August 31, 2019. C. Orsini stated it has been 8 years since CLB has attended the NASCLA Conference; Former CLB Executive Director and Former Senator Tommy Morrison was the last CLB representative; NASCLA was surely happy to have CLB present. C. Orsini stated there will be opportunities for board members and Investigators to attend the NASCLA Conference. He further stated there is a mid-conference scheduled for March 2020 and an annual conference scheduled for August 2020 in San Diego, CA. Investigator Training was very interactive, different investigators from different states stating their ideas how we can apply to Guam. C. Orsini stated there is a felony law to be added on to the existing law for unlicensed contractors (90 days incarceration). CLB would have to go through the Legislature to add on to the existing law. The positive note is that the states have encountered decriminalizing their community. It will force them in to get a contractor's license and be in compliance.

- Chairman Casallo stated there were other training going on simultaneously so the next personnel will ensure all training is covered. C. Orsini stated mainly the attendees will be Executive Director, Board Members and Investigation Section regarding the NASCLA Conferences.
- Chairman Casallo asked C. Orsini if working on Legislation; he stated he is waiting on NASCLA then will be meeting with the Chairman Pedro Terlaje.
- B. Benavente stated to implement in law; he stated there is also illegal activity with the RME doing sideline work; M. Cruz stated RME's cannot be working in different companies, as it's supposed to be only immediate family. N. Bailey acknowledged and stated there is also a maximum of three companies RME's can represent. Chairman stated that's' why the proposed weekend warrior will be implemented. C. Orsini mentioned from the NASCLA conference, there are states that Investigators work on the weekends. Chairman mentioned this coming October, NASCLA is asking for CLB to be in the spotlight for NASCLA's newsletter. C. Orsini will submit a history of the CLB since July 1977.

VII. Old Business:

- M. Cruz asked if CLB have a quorum and a full board now. C. Orsini stated DPW Vince Arriola and Jesse Garcia was not able to attend due to an emergency meeting. N. Bailey mentioned Rev & Tax did not inform CLB their attendance.

VIII. New Business:

- Chairman Casallo asked for a motion to approve the new applications. From previous meeting, it was voted on decided on that C. Orsini will have full delegation to approving new and renewal applications. Brief summary of new applications will be submitted. N. Bailey stated on the application questionnaire regarding bills, criminal section etc. a "yes" answer, she's suggesting to bring it to the board for discussion. M. Cruz stated in regards to a waiver, application can be brought to the Board's attention. R. Borja stated all applications will be reviewed by C. Orsini and will be his discretion to bring up to the Board.

X. Announcement:

B. Benavente motioned to adjourn at 10:55 a.m., seconded by M. Cruz
Nays: None
All in Favor- Unanimous Motion carried.

Next regular board meeting is scheduled for **Wednesday, October 16, 2019 at 10:00 a.m.** at the CLB conference room.

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ATTENDANCE SHEET

The regular meeting of the Board of Directors for the Guam Contractors License Board was called to order at 10:05 **a.m. on** Weds. 11/20/2019 **by** Chairman J. Casallo

Present for this meeting were:

James M. Casallo, Chairman

Bernard S. Benavente, Vice Chairman

Rena Borja, Member

Selina Ashland, Member

Matthew C. Cruz, Member

Dafne Shimizu, Ex-Off. (Rev & Tax) FOR

Vincent P. Arriola, Ex-Off. (DPW)

Cecil "Buddy" L. Orsini, CLB Executive Director

Nida Bailey, CLB Investigator Supervisor

Lloyd L. Quiao, CLB Investigator

Maria D. Perez, Administrative Officer

Carmelita H. Santos, Administrative Assistant

Others Present:

Tom KEELER AAC

ROB SANAGUSTIN; LT GOV OFC

John Cepeda

Meeting Adjourned at 11:03 **a.m./p.m.**

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