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

February 19, 2020

35GL-20-1576
Speaker Tina Rose Muña Barnes

FEB 21 2020
Time 12:06 ( )AM, (X)PM
Received By:

2020 FEB 21 PM 1:35

Memorandum

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

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

Subject: **Approved CLB Board Meeting Minutes of January 22, 2022** 2020

Buenas and Hafa Adai Speaker Tina Muna Barnes,

Please see attached Contractors License Board Meeting Minutes of January 22, 2020 which was approved on the Contractors License Board Regular Board Meeting on February 19, 2020. We also have attached a copy of the February 19, 2020 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

1576

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Regular Board Meeting
Minutes of **January 22, 2020**
CLB Conference Room

I. Call To Order:

The Regular Board Meeting of Guam Contractors License Board was called to order at 10:09 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. Selina Ashland, Board Member, General Public
d. Matthew C. Cruz, Board Member, General Public

CLB Staff Members Present:

e. Cecil "Buddy" Lujan Orsini, Executive Director
f. Nida Bailey, CLB Investigator Supervisor
g. Lloyd Quiao, CLB Investigator
h. Maria Perez, Administrative Officer
i. Carmelita Santos, Administrative Assistant (sitting in for Private Secretary)

Special Guests/Attendees Present:

j. John Q. Cepeda

III. Approval of the Minutes for December 18, 2019 CLB Regular Board Meeting:

- Motion made to approve Minutes of December 18, 2019 by Board Member S. Ashland. Seconded by Vice Chair B. Benavente.
  Nays: None All in Favor- Unanimous Motion carried.

IV. Public Comment:

- Vice Chair Benavente asked to proceed for public comment.
- Mr. John Q. Cepeda. representing himself in his Case No. 2019-09-02 (John Q. Cepeda vs. Pacific Solar & Photovoltaics Inc.), thanked the Board for sending a Decision and Order letter to Pacific Solar & Photovoltaics Inc.. Mr. Cepeda further stated he is asking for clarifications regarding the suspension of license for Pacific Solar & Photovoltaics Inc. that this company is to not do any work; Board Member Mr. Cruz assured Mr. Cepeda that they cannot do any work for 90 days but they are responsible to pay for warrantee of work that was done. Chairman Casallo, Ms. Ashland, Mr. Cruz and M. Perez emphasized to Mr. Cepeda that Pacific Solar & Photovoltaics Inc. is liable within the 90 days suspension to comply with the board's decision and order. Ms. Nida informed Mr. Cepeda all documents are forwarded to Legal Counsel and there is already a legal opinion. Chairman stated to Mr. Cepeda if he feels violated, he may hire his own private attorney as Legal Counsel Keeler has provided his legal findings to the board. Mr. Cepeda has stated he has originally requested to speak to Attorney General, but he was informed that he would have to go to the Board. Mr. Cruz stated to Mr. Cepeda that this is the first time he ever mentioned that he wanted to speak to the Attorney General. Chairman Casallo stated to Mr. Cepeda there is no more further action that the board can do due to a decision and order has been issued.

V. Section Report:

Administration Section:

- Maria Perez reported there are six (6) new application licenses:

    1. AEL & L LLC (LLC – RME: Andrey Kurtin)
    2. Securo U.S.A. Co. LLC (LLC – RME: Phillip C. Ahn)
    3. Vision K& H, Inc. (Corporation – RME: Edward Kim)
    4. Lagman Constuction (Sole Proprietor – Larry L. Lagman)
    5. GJ Builders (Sole Proprietor – Generio Q. Danila)
    6. Abad Construction (Sole Proprietor with RME: Harrison C. Abad)

- Updates of Contractors License as of January 21, 2020:
  2020 Active Contractors: 875
  Inactive: 45
  Total Contractors: 918
  Master Electrican: 38

Investigation Section:

- Statistics for Investigation:
  There are five (5) open cases:
  1. Paula S. Chin vs. Mike Binuya (Unlicensed Contractor) Status: Notice to Appear sent
  2. Anne J. Perez vs. Sterling Design, Inc. (Unfinished work) Status: Contractor Processing occupancy

3. GR Construction, LLC vs. G4S Security (Sub-contract work unpaid) Status: Notice to Appear sent)
4. Anonymous vs. Performance Water Blasting (Business License issued by Rev. & Tax (No contractors License) Status: Will take exam on 1/28/2020
5. Danny Rosell/Glass Concept vs. Tutujan Hill Group (Services rendered – unpaid) Status: Promissory Note to be paid by 2/15/2020

- Two (2) cases closed:
  1. Joshua & Desiree Losongco vs. Join Corp. (Work completed & customer satisfied)
  2. Dawna Jo L. Cruz vs. Chito Evaristo (Citation paid)

- Ms. Nida reported for December, there are sixy-five (65) Building Permit Clearances processed.

VI. Executive Director's Report:

- Chairman asked Mr. Orsini to speak about Unlicensed Contractors. Mr. Orsini has scheduled a meeting with Senator Pedro Terlaje on January 29, 2020 regarding the existing public law 33-103 from Senator Morrison to have it amended; if a unlicensed contractor is found in violation, law currently states half payment goes to consumer and half goes to the government. Mr. Orsini and Ms. Bailey has researched that some the consumers have taken advantage of the system, knowingly the consumers hired a unlicensed contractor. Ms. Bailey has stated the Morrison Law had good intention in cases where senior citizens were being victimized, so the law protected consumers. Mr. Orsini stated he and Ms. Bailey are gathering information an documents to present to Senator Terlaje and asked for Board's input and also to be reviewed before meeting. Vice Chair Benavente stated all payment should go back to the government, and the contractor found in violation should pay the consumer directly. Ms. Bailey requested if meeting can be rescheduled to a later date; Mr. Orsini will advise of new date of meeting. Mr. Cruz asked that there be a draft and schedule a special board meeting for discussion.
- Letter of Appeals was received from Mr. Bill Hagen from Pacific Solar & Photovoltaics Inc. on January 17, 2020. He had an opportunity of notice of defense and he indicated he did not want a hearing, Mr. Orsini and Ms. Bailey is working on a letter of response and will be hand carried to Mr. Hagen.
- Chairman Casallo asked Mr. Orsini if CLB will be getting more Investigators; Mr. Orsini stated there is a job announcement already posted and Ms. Bailey stated it is continuous status, Ms. Perez stated she will look into it as there was a list with one person whom is off island. She will call and provide an update of status.
- Mr. Orsini stated CLB is one step closer to updating Testing; as vendor is to administer all CLB examinations. CLB is awaiting price quotation and should be available in a week or so.

VII. New Business:

- Ms. Bailey stated she is requesting for CLB's Rules and Regulations clarifications regarding C30 (Limited Home Improvement & Renovation) License. Chairman Casallo asked Ms. Bailey briefly remind the Board what this topic is about. She stated for board's

clarifications/decision regarding CLB Application states there is $4,500.00 and CLB Rules and Regulations is $3,500.00. Recommended Legal Counsel to look into this matter for clarifications. Ms. Bailey stated when she was first employed with CLB in 2014, this amount of $4,500.00 was already in place in CLB's application packet. M. Perez stated there is a email she just received from the Law Library that she will email all Board members. Ms. Ashland stated there should be a record of changes in file. M. Cruz stated no action is to be taken at this time as the application is different vs. the CLB Rules and Regulations. Mr. Cruz requested to table this discussion once more and to seek legal opinion from Legal Counsel. Chairman asked that M. Perez gather all information and provide for next meeting.

VIII. Announcement:

Next regular board meeting is scheduled for **February 19, 2020 at 10:00 a.m.** at the CLB conference room.

IX. Adjournment:

S. Ashland motioned to adjourn at 11:13 a.m., seconded by B. Benavente.
Nays: None
All in Favor- Unanimous Motion carried.

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EXECUTIVE DIRECTOR

Regular Board Meeting
February 19, 2020 10:00 A.M.
CLB Conference Room

AGENDA

I. Call to Order:

II. Roll Call

III. Approval of the Minutes for **January 22, 2020 Board Meeting**

IV. Public Comment

V. Section Report
   a. Administration Division – Maria Perez (Administrative Officer)
   - Approval of New Contractors Licenses by Executive Director

   b. Investigation Division – Nida Bailey (Investigator Supervisor)

VI. Executive Director's Report

VII. Old Business

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

VIII. New Business:
- Proposed Violation/Penalty Schedule
- Case Number 2019-07-02 Yvette Costa vs. On-line Construction, LLC

IX. Announcement:
   a. Next Scheduled Regular Board Meeting is for **March 18, 2020** at 10:00 a.m., CLB Conference Room.

X. Adjournment

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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 10:07 **a.m. on** February 19, 2020 **by** Chairman James 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:

Yvette M. Costa

Meeting Adjourned at 11:24 **a.m./p.m.**