

AGENDA
REGULAR QUARTERLY BOARD MEETING
TEXAS BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS
Hyatt Regency Lost Pines
575 Hyatt Lost Pines Road
Lost Pines, Texas 78612
May 27, 2021—9:00 AM

Discuss and Possibly Act on the Following Agenda Items:

1. Preliminary Matters (Sina K. Nejad, P.E., P.Eng., Presiding Officer)
 - A. Call to Order
 - B. Recitation of the Pledge of Allegiance
 - C. Roll Call
 - D. Excuse absent Board members
 - E. Welcome Visitors
 - F. Public Comment
2. **Consent Agenda***
(The following items may be acted upon under **Consent Agenda and are highlighted in blue on the Regular Quarterly Board Meeting Agenda)**
 - February 24, 2021 Licensing Committee Meeting Minutes (**See agenda item #3**)
 - February 25, 2021 Policy Advisory Opinion Committee Meeting Minutes (**See agenda item #4**)
 - February 25, 2021 Legislative Issues Committee Meeting Minutes (**See agenda item #5**)
 - February 25, 2021 Regular Quarterly Board Meeting Minutes (**See agenda item #6**)
 - Administrative Reports, Outstanding Administrative Penalties, Default Judgment, Dismissed Cases, Violation Terminated Cases, Voluntary Compliance Cases (**See agenda item #16**)
 - Licensing and Registration Applications – Engineering and Land Surveying (**See agenda item #21**)

Board and Committee Meeting Minutes:

3. (**Consent Agenda**) February 24, 2021 Licensing Committee Meeting Minutes
4. (**Consent Agenda**) February 25, 2021 Policy Advisory Opinion Committee Meeting Minutes

5. ([Consent Agenda](#)) February 25, 2021 Legislative Issues Committee Meeting Minutes
6. ([Consent Agenda](#)) February 25, 2021 Regular Quarterly Board Meeting Minutes
7. Board Members' Quarterly Activity Update
 - Adejokun
 - Ballí
 - Cheng
 - Johnson
 - Nejad
 - Neugebauer
 - Norwood
 - Rubiano
 - Shah
 - McClinton Stoglin
8. Advisory Members' Quarterly Activity Update
 - Edwards
 - Gonzalez
 - Hodde
 - Nadkarni
 - Womack
9. Finance and Budget
 - FY21 2nd Quarter Budget Report
 - FY22 Budget and Fees Discussion
10. Performance Measures Report

Issues Relating to Committee Matters:

11. Policy Advisory Opinion Committee Meeting Summary
(May 26, 2021)

- Policy Advisory Opinion Request Regarding the Application of the Texas Engineering Practice Act to Predominant Use Studies Involving the Use of Natural Gas or Electricity by a Business Entity (Policy Advisory Request No. 56)
- Policy Advisory Opinion Request Regarding the Requirements of an Engineer to Sign and Seal Amended Engineering Plans and the Ability of a Governmental Entity to Accept Unsealed Revised Plans (Policy Advisory Request No. 57)
- Policy Advisory Opinion Request Regarding whether the Installation of Fiber Optic Lines by a Telecommunications Provider Qualifies for the Public Works or Telephone Company Exemptions in the Texas Engineering Practice Act (Policy Advisory Request No. 53)
- Policy Advisory Opinion Request Regarding the Application of the Exemption for Employees of Certain Utilities or Affiliates to the Crossing of Transit Corridors (Policy Advisory Request No. 55)

12. Legislative Issues Committee Meeting Summary (May 26, 2021)

- Important Dates and Information Related to the 87th Legislative Session
- Update on bills relating to the Texas Board of Professional Engineers and Land Surveyors

13. Licensing Committee Meeting Summary (May 26, 2021)

- Applications for Licensure
 - Personal Interviews Cases:
 - Aminabadi, Khashay
 - Blevins, Jamie Lynn
 - Campos, Daniel Esteban
 - Dixon, Larry Dean
 - Gonzalez, Priscilla Monica
 - Guerriero, Joseph Dean
 - Martinez, Selinda Avenenti
 - McIntyre, Thomas Andrew
 - Perez-Angon, Osiel

- Sanchez Arellano, Ever
- Propose Amendments to 22 Tex. Admin. Code Chapter 133, Subchapter C – Professional Engineer License Application Requirements
 - §133.21 – Application for Standard License
 - §133.23 – Applications from Former Standard License Holders
 - §133.25 – Applications from Engineering Educators
 - §133.27 – Applications for Temporary License for Engineers Currently Licensed Outside the United States
- Propose Amendment to 22 Tex. Admin. Code Chapter 133, Subchapter F – Reference Documentation
 - §133.53 – Reference Statements
- Propose Amendments to 22 Tex. Admin. Code Chapter 133, Subchapter H – Review Process of Applications and License Issuance
 - §133.81 Receipt and Processing of Applications by the Board
 - §133.83 Executive Director Review, Evaluation, and Processing of Applications
 - §133.85 Board Review of and Action on Applications
 - §133.87 Final Action on Applications
 - §133.89 Processing of Administratively Withdrawn Applications
 - §133.97 Issuance of a License
 - §133.99 Processing of Applications with a Criminal Conviction
 - §133.101 Proposed Actions on Applications
- Propose Repeal of 22 Tex. Admin Code Chapter 133, Subchapter H – Review Process of Applications and License Issuance
 - §133.91 Reconsideration of Denied Applications or Requests for Examination Waivers
 - §133.93 Personal Interview of Applicants
- Propose Amendments to 22 Tex. Admin. Code Chapter 134, Subchapter C – Land Surveyor Application Requirements
 - §134.21 – Application for Standard Registration
 - §134.23 – Applications from Standard Registration Holders
 - §134.25 – Applications from Out-of-State Registration Holders
- Propose Amendment to 22 Tex. Admin. Code Chapter 134, Subchapter F – Reference Documentation
 - §134.53 – Reference Statements
- Propose Amendment to 22 Tex. Admin. Code Chapter 134, Subchapter H – Review Process of Applications and Registration Issuance

- §134.81 Receipt and Processing of Applications by the Board
- §134.83 Executive Director Review, Evaluation, and Processing of Applications
- §134.87 Final Action on Applications
- §134.89 Processing of Administratively Withdrawn Applications
- §134.97 Issuance of Registration
- §134.99 Applications with a Criminal Conviction
- §134.101 Proposed Actions on Applications

- Propose Repeal of 22 Tex. Admin. Code Chapter 134, Subchapter H – Review Process of Applications and Registration Issuance
 - §134.91 Reconsideration of Denied Applications
 - §134.93 Personal Interview of Applicants

- Criminal History Question Revision on Application Form

- Texas Board of Professional Engineers and Land Surveyors’ Land Surveying Exam Update

- Licensing Director’s Report
 - Engineer Results and Statistics: Licensing Application and Examination Report
 - Surveyor Results and Statistics: Registration Application and Examination Report

Executive Matters:

14. Executive Director Activities and Reports

- Quarterly Meeting Activity Update
- Agency Operations/COVID-19 Report
- Surveying Advisory Committee (SAC) Report
- Texas Board of Professional Engineers and Land Surveyors’ Strategic Planning Meeting – Summer 2021
- National Council of Examiners for Engineering and Surveying (NCEES) – Meeting and Activity Update
 - Southern Zone Meeting
 - Lamberto Ballí – Southern Zone Assistant Vice President
 - Annual Meeting – August 19-20, 2021 – New Orleans
 - Annual Meeting Workshop Presentation – To Be Determined
- Texas Board of Professional Engineers and Land Surveyors’ Regional Advisory Meeting – Fall 2021
- Outreach Report

- Kudos Report

Enforcement/Disciplinary Matters:

15. Compliance and Enforcement Report

- Update on Compliance and Enforcement Department
- Status of Compliance and Enforcement caseload
- Status of Continuing Education audit(s)

16. (**Consent Agenda**) Administrative Reports, Outstanding Administrative Penalties, Default Judgment, Dismissed Cases, Violation Terminated Cases, Voluntary Compliance Cases

17. Consent Orders

Engineering

1. Ponce Engineering – B-40787
2. Ricardo Fierro-Stevens, P.E. – D-37582 & D-38160 (Cheng – recused)
3. Jorge Luis Trevino, P.E. – D-38128
4. Douglas Eugene Winters, Jr., P.E. – D-38398
5. Jordan Michael Rey, P.E. – D-38530
6. Craig Joseph Patterson, P.E. – D-38602
7. Neil B Hall & Associates LLC, DBA Groundtruth Forensics – D-40396
8. Thomas Joseph Gaetano, P.E. – D-40487
9. Daniel Ray Roseman, P.E. – D-40561
10. Nathan Anton Seifert, P.E. – D-40587
11. Michael Henry Matustik, P.E. – D-40600

Informal Reprimands

12. D-38429
13. D-38473
14. D-40717
15. D-40718
16. D-40719

Surveying

17. Edward Christopher Rumsey, RPLS – D-38595

18. Bryan Douglas Connally, RPLS – D-40384

18. Johnnie Almaguer Terrazas, P.E. – D-38282, Request for an extension to complete ethics course

19. Revocation Orders

- Stewart Andre Aucoin, P.E. – D-38250

20. Final Board Order

- SOAH Docket No.: 460-18-4641; *Texas Board of Professional Engineers & Land Surveyors v. Manuel Jesus Montemayor*; Before the State Office of Administrative Hearings – Our File D-30672

Licensing Applications Requiring Board Ruling:

21. (**Consent Agenda**) Licensing and Registration Applications – Engineering and Land Surveying


- Professional Surveyor Registration:
 - Firms Approved
 - Licensed State Land Surveyors (RPLS) Approved
 - Registered Professional Land Surveyors (RPLS) Approved
 - Surveyor-In-Training (SIT) Approved
- Professional Engineer Licensing:
 - Licensure/Registration Status Counts
 - Approved for Exams
 - Approved for Licensure
 - Approved for Registration
 - Firms Approved
 - Waivers – Fundamentals of Engineering Examination
 - Waivers – Professional Engineering Examination
 - Waivers – Both
 - Not Approved for Licensure

22. Issues for consideration for the next scheduled Board meeting of the Texas Board of Professional Engineers and Land Surveyors

23. Adjourn

*The consent agenda consists of those agenda items which are routine or non-controversial, and which neither a member of the Board nor the public has asked to be pulled for separate consideration. The Board may vote on all items in the consent agenda under one motion and will not discuss items separately unless requested by the Presiding Officer, a Board Member, or a member of the public, in which event the item will be removed from the consent agenda and considered as a regular agenda item.

The Board may meet in closed session on any agenda item listed above as authorized by the Texas Open Meetings Act, Texas Government Code Chapter 551.

 Individuals needing auxiliary aids or services should contact the Texas Board of Professional Engineers and Land Surveyors at (512) 440-3051, in a timely manner.