

Texas Board of Professional Engineers and Land Surveyors
Regular Quarterly Board Meeting
February 16, 2023
10:30 am-12:00 pm Central Time

Physical Meeting Location:

Texas Board of Professional Engineers and Land Surveyors
1917 S. Interstate 35, Austin, TX 78741

AGENDA

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*:

- A. November 16, 2022 Licensing and Registration Committee Meeting Minutes (See agenda item #3)
- B. November 17, 2022 Policy Advisory Opinion Committee Meeting Minutes (See agenda item #4)
- C. November 17, 2022 Legislative Issues Committee Meeting Minutes (See agenda item #5)
- D. November 17, 2022 Regular Quarterly Board Meeting Minutes (See agenda item #6)
- E. Administrative Reports, Outstanding Administrative Penalties, Default Judgment, Dismissed Cases, Violation Terminated Cases, Voluntary Compliance Cases (See agenda item #16)
- F. Licensing and Registration Applications – Engineering and Land Surveying (See agenda item #20)

Board and Committee Meeting Minutes:

3. **Consent Agenda* November 16, 2022 Licensing and Registration Committee Meeting Minutes**
4. **Consent Agenda* November 17, 2022 Policy Advisory Opinion Committee Meeting Minutes**

5. [Consent Agenda* November 17, 2022 Legislative Issues Committee Meeting Minutes](#)
6. [Consent Agenda* November 17, 2022 Regular Quarterly Board Meeting Minutes](#)

Board and Advisory Members' Quarterly Activity Matters:

7. Board Members' Quarterly Activity Update, including conferences and meetings attended and presentations given:
 - A. Adejokun
 - B. Cheng
 - C. Friese
 - D. Johnson
 - E. Nejad
 - F. Neugebauer
 - G. Norwood
 - H. Rubiano
 - I. Shah
 - J. McClinton Stoglin
8. Advisory Members' Quarterly Activity Update, including conferences and meetings attended and presentations given:
 - A. Ballí
 - B. Edwards
 - C. Gonzalez
 - D. Hodde
 - E. Nadkarni

Finance and Budget Matters:

9. Finance and Budget
 - A. FY23 1st Quarter Budget Report
 - B. Biennial Self-Directed Semi-Independent Report

Committee Matters:

10. Licensing and Registration Committee Meeting Summary
 - A. Applications for Licensure Personal Interviews Cases:
 1. Geitner, Kyle Joseph
 2. Miller, Casey Alexander
 3. Russillo, David William
 4. Wiseman, Aaron Henri

- B. Adopt Amendments to 22 Tex. Admin. Code Chapter 133, Subchapter C – Professional Engineer License Application Requirements
 - 1. §133.21 Application for Standard License
 - 2. §133.23 Applications from Standard License Holders
 - 3. §133.25 Applications from Engineering Educators
 - 4. §133.27 Application for Temporary License for Engineers Currently Licensed Outside the United States
- C. Adopt Amendments to 22 Tex. Admin. Code Chapter 133, Subchapter F – Reference Documentation
 - 1. §133.53 Reference Statements
- D. Adopt Amendments to 22 Tex. Admin. Code Chapter 133, Subchapter H – Review Process of Applications and License Issuance
 - 1. §133.81 Receipt and Processing of Applications by the Board
 - 2. §133.83 Executive Director Review, Evaluation and Processing of Applications
 - 3. §133.85 Board Review of and Action on Applications
 - 4. §133.87 Final Action on Application
 - 5. §133.89 Processing of Administratively Withdrawn Applications
 - 6. §133.97 Issuance of a License
 - 7. §133.101 Proposed Actions on Applications
- E. Adopt Amendments to 22 Tex. Admin. Code Chapter 134, Subchapter C – Land Surveyor Application Requirements
 - 1. §134.21 Application for Standard Application
 - 2. §134.23 Application from Standard Registration Holders
 - 3. §134.25 Application from Out-of-State Registration Holders
- F. Adopt Amendments to 22 Tex. Admin. Code Chapter 134, Subchapter F – Reference Documentation
 - 1. §134.53 Reference Statements
- G. Adopt Amendments to 22 Tex. Admin. Code Chapter 134, Subchapter H – Review Process of Applications and Registration Issuance
 - 1. §134.81 Receipt and Processing of Applications by the Board
 - 2. §134.83 Executive Director Review, Evaluation, and Processing of Applications
 - 3. §134.85 Additional Review of and Action on Applications
 - 4. §134.87 Final Action on Applications
 - 5. §134.89 Processing of Administratively Withdrawn Applications
 - 6. §134.97 Issuance of Registration

7. §134.101 Proposed Actions on Applications
- H. Adopt Amendments to 22 Tex. Admin. Code Chapter 140, Subchapter A – Criminal History and Convictions
 1. §140.1 Criminal History and Convictions – Engineers (New)
 2. §140.3 Criminal History and Convictions – Surveyors (New)
- I. Adopt Repeal to 22 Tex. Admin. Code Chapter 133, Subchapter H – Review Process of Applications and License Issuance
 1. §133.99 Processing of Applications with Criminal Conviction
- J. Propose Amendments to 22 Tex. Admin. Code Chapter 134, Subchapter G – Examinations
 1. §134.61 Surveying Examinations Required for a Registration to Practice as a Professional Surveyor
 2. §134.67 Examination on the Principles and Practice of Surveying
 3. §134.71 Examination for Record Purposes
 4. §134.73 Examination Results and Analysis
- K. Adopt Amendments to 22 Tex. Admin. Code Chapter 133, Subchapter G – Examinations
 1. §133.67 Examination on the Principles and Practice of Engineering
- L. Texas Board of Professional Engineers and Land Surveyors’ Land Surveying Exam Update
- M. Propose Criminal History Guidelines
- N. Recommendation of NCEES Professional Surveying Exam Modules
11. Policy Advisory Opinion Committee Meeting Summary
 - A. Policy Advisory Opinion Request Regarding Mechanical Equipment Procurement, Repair, and Replacement (Policy Advisory Opinion Request No. 62)
 - B. Policy Advisory Opinion Request Regarding Sealing Certain Tests That Private Associations Require Certification to Issue (Policy Advisory Opinion Request No. 63)
12. Legislative Issues Committee Meeting Summary
 - A. Important Dates and Information Related to the 88th Legislative Session
 - B. Update on bills relating to the Texas Board of Professional Engineers and Land Surveyors
 - C. Legislative Communications Plan

Executive Matters:

13. Executive Director Activities and Report
 - A. Quarterly Meeting Activity Update, including conferences and meetings attended and presentations given

- B. Agency Operations Report
- C. National Council of Examiners for Engineering and Surveying (NCEES)
 - Meetings and Activity Update
 - 1. NCEES Zone Meeting - April 2023
 - 2. NCEES Annual Meeting - August 2023
 - 3. NCEES Committee Member Update
- D. Outreach Report
- E. Kudos Report
- 14. Department Director Reports
 - A. Licensing and Registration Report, including updates on the department's operations and workload.
 - 1. Licensed State Land Surveyor (LSLS) New License Recognition: Trent Busch RPLS, LSLS
 - B. Compliance & Enforcement Report, including updates on the department's operations and workload.
 - C. Operations Report, including updates on the department's operations and workload.
- 15. Surveying Advisory Committee Report

Enforcement/Disciplinary Matters:

- 16. **Consent Agenda* Administrative Reports, Outstanding Administrative Penalties, Default Judgment, Dismissed Cases, Violation Terminated Cases, Voluntary Compliance Cases**
- 17. Agreed Board Orders
 - A. Engineering
 - 1. Brian Edward Capps, P.E. - D-40521 (Friese - recused)
- 18. Consent Orders
 - A. Engineering
 - 1. William Anthony Plumlee, P.E. - D-38674
 - 2. David Edward Miller, P.E. - D-41398
 - 3. Samuel Abraham Greenberg, P.E. D- 41710
 - 4. David Howard Recht, P.E. - D-41734
 - 5. Sandeep Kumar Nallagula, P.E. - D-41822
 - B. Informal Reprimand
 - 1. D-41724
 - 2. D-41945

- C. Surveying
 - 1. Alliance Land Surveyors - B-41020
 - 2. Henry M. Santos, RPLS - D-38730
 - 3. Christopher Earl Griffith, RPLS - D-40815
 - 4. Mark Vincent Matthews, RPLS - D-41088
 - 5. Allan Caviness, RPLS - D-41183
 - 6. Jeremy Luke Deal, RPLS - D-41204
 - 7. Michael Dale Olson, RPLS - D-41731
 - 19. Request for Complaints to Be Deemed Frivolous
- A. Engineering
 - 1. P-41824
 - 2. P-41825
 - 3. P-41826
 - 4. P-41827
 - 5. I-41861
 - 6. I-41864
 - 7. I-41865
 - 8. I-41866
 - 9. I-41868
 - 10. I-41870
- B. Surveying
 - 1. P-41829
 - 2. I-41863
 - 3. I-41869

Licensing and Registration Matters:

- 20. **Consent Agenda* Licensing and Registration Applications – Engineering and Land Surveying**
 - A. Professional Surveyor Registration:
 - 1. Firms Approved
 - 2. Licensed State Land Surveyor (LSLS) Approved
 - 3. Registered Professional Land Surveyor (RPLS) Approved
 - 4. Surveyor-In-Training (SIT) Approved
 - B. Professional Engineer Licensing:
 - 1. Licensure/Registration Status Counts
 - 2. Approved for Exams

3. Approved for Licensure
4. Firms Approved
5. Waivers – Fundamentals of Engineering Examination
6. Waivers – Professional Engineering Examination
7. Waivers – Both
8. Not Approved for Licensure

Miscellaneous Matters:

21. Licensing Applications Reconsideration

Eghtedari-Tehrani, Behrouz - Reconsideration Purser, Benjamin -
Reconsideration

22. Future Board Meetings: Agenda items, dates, locations, and other
arrangements

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 considered separately from other agenda items. 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 separate 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.