

**MINUTES**  
**REGULAR QUARTERLY BOARD MEETING**  
**TEXAS BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS**  
**1917 S INTERSTATE 35**  
**AUSTIN, TX 78741**  
**NOVEMBER 14, 2024 – 9:30 A.M.**

**Discuss and Possibly Act on the Following Agenda Items:**

1. Preliminary Matters – Officer Presiding

A. Call to Order

Dr. Sina K. Nejad, P.E., P. Eng., Chair, called the Regular Quarterly Board Meeting of the Texas Board of Professional Engineers and Land Surveyors to order at 9:32 a.m. (NOTE: all votes are unanimous unless noted.)

B. Roll Call

Ms. Trevino called the roll. It was noted, for the record, that a quorum was present.

**The following Board members were present:**

Dr. Sina K. Nejad, P.E., P.Eng.	Chair
Coleen Johnson, R.P.L.S.	Vice-Chair
Karen Friese, P.E.	Secretary
Kiran Shah	Treasurer
Ademola Adejokun, P.E.	Member
Albert Cheng	Member
Roberto Moreno, P.E.	Member
Catherine Norwood, P.E.	Member

Mr. Steven Ogle, Assistant Attorney General and General Counsel for the Board, was present to provide legal counsel to the Board.

**The following Board members were absent:**

Mark Neugebauer, R.P.L.S., L.S.L.S.	Member
Dr. Marguerite McClinton Stoglin	Member

**The following staff members were present:**

Lance Kinney, Ph.D., P.E.	Executive Director
Michael Sims, P.E.	Director of Compliance and Enforcement
Ricky Strong, P.E.	Director of Licensing and Registration
Mason Schoolfield	Director of Operations
Jeff Mutscher	Chief Financial Officer
Elissa Mazza	Staff Attorney
Ed Brannan, P.E.	Technical Engineering Specialist

Brian Waltmann, P.E.  
Odilia Trevino

Technical Engineering Specialist  
Executive Administrator

C. Excuse Absent Board members

It was MOVED/SECONDED (Nejad/Johnson) to excuse the absent board members from the Regular Quarterly Board meeting.

A vote was taken, and the MOTION PASSED.

D. Recitation of the Pledge of Allegiance

Dr. Nejad led the recitation of the Pledge of Allegiance.

E. Welcome Visitors

Jon Hodde, R.P.L.S., Advisory Member; Lamberto Balli, P.E., Advisory Member; Govind Nadkarni, P.E., Advisory Member; Trish Smith, TSPE; Richard Arvizu, TSPE; Stephanie Stanford, TSPE; Colby Brackin, S.I.T., C.F.M.; and K.V. Vartevan were present.

F. Public Comment

There were no public comments.

2. **Consent Agenda\***

**The following items may be acted upon under Consent Agenda\*:**

- A. August 7, 2024, Licensing and Registration Committee Meeting Minutes (See agenda item #3)
- B. August 8, 2024, Policy Advisory Committee Meeting Minutes (See agenda item #4)
- C. August 8, 2024, Nominating Committee Meeting Minutes (See agenda item #5)
- D. August 8, 2024, Regular Quarterly Board Meeting Minutes (See agenda item #6)
- E. TBPELS 2025 Meeting Dates (See agenda item #7)
- F. Administrative Reports, Outstanding Administrative Penalties, Default Judgment, Dismissed Cases, Violation Terminated Cases, Voluntary Compliance Cases (See agenda item #19)
- G. Licensing and Registration Applications – Engineering and Land Surveying (See agenda item #23)

It was MOVED/SECONDED (Shah/Norwood) to approve items A-G as presented in the Consent Agenda.

A vote was taken, and the MOTION PASSED.

**Board and Committee Meeting Minutes:**

- 3. **Consent Agenda\* August 7, 2024, Licensing and Registration Committee Meeting Minutes**
- 4. **Consent Agenda\* August 8, 2024, Policy Advisory Committee Meeting Minutes**
- 5. **Consent Agenda\* August 8, 2024, Nominating Committee Meeting Minutes**
- 6. **Consent Agenda\* August 8, 2024, Regular Quarterly Board Meeting Minutes**
- 7. **Consent Agenda\* TBPELS 2025 Board Meeting Dates**

Agenda items 3-7 were approved under **Consent Agenda**, see agenda item #2.

**Board and Advisory Members' Quarterly Activity Matters:**

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

Agenda items 8-9 are provided as exhibits. No action was taken on agenda items 8-9.

**Finance and Budget Matters:**

10. Finance and Budget
  - A. FY 24<sup>th</sup> 4<sup>th</sup> Quarter Budget Report

Mr. Mutscher reviewed the 4<sup>th</sup> Quarter Budget report with the Board. The report reflects activity through the end of August 2024 with both, expenditures and revenue, showing a positive variance. He stated we are on track and no fee adjustments are foreseen for a few years.

Agenda item provided as an exhibit. No action required on this agenda item.

- B. Annual Financial Report

Mr. Mutscher reviewed the annual financial statement report with the Board. The report is required by the Comptroller's office and was submitted timely and accurately.

Agenda item provided as an exhibit. No action required on this agenda item.

- C. Annual SDSI Report

Mr. Mutscher reviewed the annual SDSI report with the Board. He stated the report is required by the Statue; and that it includes combined financial data for the last five years and performance measures.

Agenda item provided as an exhibit. No action required on this agenda item.

11. Four Year Rule Review
  - A. Chapter 131 – Organization and Administration
  - B. Chapter 133 – Licensing for Engineers
  - C. Chapter 134 – Licensing, Registration, and Certification for Surveyors
  - D. Chapter 135 – Engineering Firm Registration
  - E. Chapter 136 – Surveying Firm Registration
  - F. Chapter 137 – Compliance and Professionalism for Engineers
  - G. Chapter 138 – Compliance and Professionalism for Surveyors
  - H. Chapter 139 – Enforcement
  - I. Chapter 140 – Criminal History and Convictions

Dr. Kinney reviewed the rule review procedure with the Board. He announced that these announcements need to be published in the Texas Register to begin the process.

It was MOVED/SECONDED (Moreno/Norwood) for the rule review announcements to be published.

A vote was taken, and the MOTION PASSED.

#### **Committee Matters:**

12. Licensing and Registration Committee Meeting Summary

Mrs. Norwood reported that the Committee had met and discussed the personal interview cases and shared a review of each case.

- A. Applications for Licensure

Personal Interview Cases:

1. Narvaez, Julio Cesar

It was MOVED/SECONDED (Norwood/Johnson) to approve Mr. Narvaez for Texas PE licensure.

A vote was taken, and the MOTION PASSED.

2. Venson, Anthony Ray

It was MOVED/SECONDED (Norwood/Johnson) to approve Mr. Venson for Texas PE licensure after reappearing before the Licensing and Registration Committee upon successful completion of the 90-hour Advanced Level Ethics course from the Texas Tech Murdough Center for Engineering.

A vote was taken, and the MOTION PASSED.

3. Casarez, Jeffrey

It was MOVED/SECONDED (Norwood/Johnson) to approve that Mr. Casarez reappear before the Licensing and Registration Committee after gaining an additional year of engineering experience, and providing an additional reference for that time.

A vote was taken, and the MOTION PASSED.

## 4. Kabir, Md Amanullah

It was MOVED/SECONDED (Norwood/Johnson) to approve Mr. Kabir for Texas PE licensure after reappearing before the Licensing and Registration Committee upon successful completion of the 60-hour Intermediate Level Ethics course from the Texas Tech Murdough Center for Engineering.

A vote was taken, and the MOTION PASSED.

## 5. Mojekwu, Eugene Chukwunonso

It was MOVED/SECONDED (Norwood/Johnson) to approve Mr. Mojekwu for Texas PE licensure upon successful completion of the 60-hour Intermediate Level Ethics course from the Texas Tech Murdough Center for Engineering.

A vote was taken, and the MOTION PASSED.

## 6. Polizzi, Andrew

It was MOVED/SECONDED (Norwood/Johnson) that Mr. Polizzi submit documentation after successful completion of the 90-hour Advanced Level Ethics course from the Texas Tech Murdough Center for Engineering and reappear before the Licensing and Registration Committee to review his application and learnings from the course.

A vote was taken, and the MOTION PASSED.

## 7. Resendez, Erika

It was MOVED/SECONDED (Norwood/Johnson) to approve Ms. Resendez for Texas PE licensure upon passing the NCEES PE exam.

A vote was taken, and the MOTION PASSED.

## 8. Anyanwu, Donatus

It was MOVED/SECONDED (Norwood/Johnson) that Mr. Anyanwu's application for licensure be denied based on his Compliance and Enforcement history and lack of understanding of the Practice Act Law and Rules.

A vote was taken, and the MOTION PASSED.

## 9. Burgos Zepeda, Jose Luis

It was MOVED/SECONDED (Norwood/Johnson) that Mr. Burgos Zepeda's application for licensure be denied based on his Compliance and Enforcement history.

A vote was taken, and the MOTION PASSED.

## 10. Vartevan, Koruin Vahan (Reconsideration)

This item is addressed under agenda item #22.

B. Adoption of Rule Amendments

1. Recommendation on Adoption of Amendments to 22 Tex. Admin. Code Chapter 131-Subchapter A – Scope and Definitions  
§131.2 Definitions
2. Recommendation on Adoption of Amendments to 22 Tex. Admin. Code Chapter 133-Subchapter D – Education  
§133.31 Educational Requirements for Applicants
3. Recommendation on Adoption of Amendments to 22 Tex. Admin. Code Chapter 133-Subchapter E – Experience  
§133.43 Experience Evaluation
4. Recommendation on Adoption of Amendments to 22 Tex. Admin. Code Chapter 133-Subchapter F – Reference Documentation  
§133.53 Reference Statements
5. Recommendation on Adoption of Amendments to 22 Tex. Admin. Code Chapter 133-Subchapter G – Examinations  
§133.67 Examination on the Principles and Practice of Engineering  
§133.69 Waiver of Examinations
6. Recommendation on Adoption of Amendments to 22 Tex. Admin. Code Chapter 134-Subchapter C – Examinations  
§134.25 Application from Out-Of-State Registration Holders
7. Recommendation on Adoption of Amendments to 22 Tex. Admin. Code Chapter 134-Subchapter E – Experience  
§134.43 Experience Evaluations
8. Recommendation on Adoption of Amendments to 22 Tex. Admin. Code Chapter 134-Subchapter F – Reference Documentation  
§134.53 Reference Statements
9. Recommendation on Adoption of Amendments to 22 Tex. Admin. Code Chapter 134-Subchapter G – Examinations  
§134.67 Examination on the Principles and Practices of Surveying  
§134.68 Licensed State Land Surveyor Examination

Dr. Kinney briefed the Board on the Rules and discussion of the Licensing Committee.

It was MOVED/SECONDED (Norwood/Johnson) to adopt the rule amendments in agenda items #1 through #9, excluding §133.69.

A vote was taken, and the MOTION PASSED.

It was MOVED/SECONDED (Norwood/Johson) to withdraw rule §133.69 Waiver of Examinations.

A vote was taken, and the MOTION PASSED.

10. Recommendation on Proposal of Amendments to 22 Tex. Admin. Code Chapter 131-Subchapter A – Scope and Definitions  
§131.2 Definitions
11. Recommendation on Proposal of Amendments to 22 Tex. Admin. Code Chapter 133-Subchapter B – Professional Engineer Licenses  
§133.11 Types of Licenses

12. Recommendation on Proposal of Amendments to 22 Tex. Admin. Code Chapter 133-Subchapter C – Professional Engineer License Application Requirements
  - §133.26 Application for Licensure Via Comity
  - §133.27 Application for Temporary License for Engineers Currently Licensed Outside of the United States
13. Recommendation on Proposal of Amendments to 22 Tex. Admin. Code Chapter 133-Subchapter G – Examinations
  - §133.69 Waiver of Examinations

Dr. Kinney briefed on the proposed rules related to licensure mobility and the discussion of the Licensing Committee.

It was MOVED/SECONDED (Norwood/Johnson) to publish the rule amendments in agenda items #10 through #13.

A vote was taken, and the MOTION PASSED.

C. Texas Board of Professional Engineers and Land Surveyors' Land Surveying Exam Update

Mr. Strong reviewed the exhibits provided and gave an overview of the summary and statistics.

No action was required on this agenda item.

13. Policy Advisory Committee

A. Policy Advisory Opinion Request Regarding the Use of Artificial Intelligence in Professional Practice (Policy Advisory Opinion Request No. 71)

Ms. Friese briefed the Board on the Committee discussion. Mr. Sims gave an overview of the policy developed by Agency staff.

It was MOVED/SECONDED (Friese/Moreno) that the Board adopt the staff's policy.

A vote was taken, and the MOTION PASSED.

14. Legislative Issues Committee

A. Monitoring Bills Related to the Texas Board of Professional Engineers and Land Surveyors During the 89<sup>th</sup> Legislative Session

Mr. Cheng reviewed the national and statewide election results. Dr. Kinney explained the process of tracking bills.

No action required on this agenda item.

B. Important Dates for 89<sup>th</sup> Legislative Session

Dr. Kinney gave the following information, which was provided as an exhibit:

- Early Filing of Legislation began on November 11, 2024
- Tracking Report was added on November 13, 2024
- Final bill filing date is in March 2025
- Regular session is scheduled to end June 2, 2025

No action required on this agenda item.

**Executive Matters:**

## 15. Executive Director Activities and Reports

- A. Quarterly Meeting Activity Update, including conferences and meetings attended and presentations given

Dr. Kinney reviewed the report of his meetings and presentations which was provided as an exhibit.

No action was required on this agenda item.

- B. Agency Operations Report

Dr. Kinney reviewed the report provided as an exhibit.

No action was required on this agenda item.

- C. National Council of Examiners for Engineering and Surveying (NCEES) – Meetings and Activity Update  
1. NCEES Annual Meeting – August 2024

Dr. Kinney announced that the meeting was well attended by Texas. He announced the dates for the upcoming Southern Zone Meeting in Little Rock, AR as April 24-26, 2025. We received a request for a list of funded delegates.

No action was required on this agenda item.

- D. Outreach Report

Dr. Kinney reported the outreach presentation statistics. He gave kudos to the TBPELS team, as a lot of hours go into these presentations. He stated we are in the process of working on adding on-demand webinars.

Agenda item was provided as an exhibit. No action was required on this agenda item.

- E. Kudos Report

Agenda item was provided as an exhibit. No action was required on this agenda item.

## 16. FY 24 Performance Measures Report

Mr. Sims and Mr. Strong briefed the Board on the exhibit provided. Dr. Nejad discussed the process for firm registrations and communication through the Secretary of State as well as tracking sole practitioners working with another firm. Mr. Strong provided numbers for engineering and surveying licensure and exams. Mr. Sims gave a briefing on Compliance & Enforcement cases and statistics.

Agenda item was provided as an exhibit. No action was required on this agenda item.



## 17. Department Director Reports

## A. Licensing and Registration Report, including updates on the department's operations and Workload

Mr. Strong discussed his report and provided an overview of the department's operations and workload with the Board. He announced they are working on filling the two vacancies currently in the department. He stated the team is working well together.

Agenda item provided as exhibit. No action was required on this agenda item.

## B. Compliance &amp; Enforcement Report, including updates on the department's operations and Workload

Mr. Sims discussed his report and provided an overview of the department's operations and workload with the Board. He stated they are working on filling the investigator position currently vacant in the department. He stated their caseload is down and we had 100% compliance on September's CEP audits. He is working on scheduling informal conferences.

Agenda item provided as an exhibit. No action was required on this agenda item.

## C. Operations Report, including updates on the department's operations and workload

Mr. Schoolfield discussed his report and provided an overview of the department's operations and workload with the Board. He stated that the WIFI is being upgraded. He indicated he is working on details for one of his vacant positions.

Agenda item provided as an exhibit. No action was required on this agenda item.

## 18. Surveying Advisory Committee Report – November 1, 2024

Dr. Kinney reviewed the report provided as an exhibit. He stated there are three new members and that the Committee will have two in-person meetings and two virtual meetings.

No action was required on this agenda item.

**Enforcement/Disciplinary Matters:**19. **Consent Agenda\* Administrative Reports, Outstanding Administrative Penalties, Dismissed Cases, Violation Terminated Cases, Voluntary Compliance Cases**

## 20. Consent Orders

## A. Engineering

1. Michael Anthony Gardina, P.E. – D-42934
2. Bradley Jay Olsen, P.E. – D-42938

## Informal Reprimand

3. D-42511

It was MOVED/SECONDED (Norwood/Shah) to approve the Consent Orders as submitted.

A vote was taken, and the MOTION PASSED.

21. Revocation by Operation of Law – Solomon Onolunonse Esekheigbe, P.E. – D-43102

This agenda item was approved under [Consent Agenda](#), see agenda item #2.

**Licensing and Registration Matters:**

22. Vartevan, Koruin Vahan – Request to Reconsider Application Requesting Waiver of FE and PE Exams

The applicant appeared before the Board requesting reconsideration of exam waivers. Mr. Strong briefed the Board on the Committee's recommendation at the August meeting. Dr. Nejad, Board Chair, allowed Mr. Vartevan five minutes to state his case. Mr. Vartevan reviewed the five items submitted for re-consideration. Dr. Nejad briefed him on the rules for reapplying and/or new applicants and informed Mr. Vartevan that the previous motion remained.

No motion was required on this item.

23. **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

This agenda item was approved under [Consent Agenda](#), see agenda item #2.

**Miscellaneous Matters:**

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

No issues were presented or addressed for consideration at the next Quarterly Board Meeting.

25. Adjourn

It was MOVED/SECONDED (Nejad/Johnson) to adjourn the meeting at 11:02 a.m.

A vote was taken, and the MOTION PASSED.

\*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.

Note: This meeting may be held by videoconference call pursuant to Texas Government Code §551.127. The member presiding over the meeting will be physically present at the location of the meeting listed above and will preside over the meeting at that location. The meeting will be accessible to the public at the physical location listed above.

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) 440-7723, in a timely manner.

Date Board Approved Minutes as Submitted: 02/13/2025