

MINUTES
LICENSING COMMITTEE MEETING
TEXAS BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS
VIA VIDEOCONFERENCE
August 19, 2020—1:00 PM

Discuss and Possibly Act on the Following Agenda Items:

1. Preliminary Matters:

A. Call to Order.

Ms. Catherine Norwood, P.E., Chair, called the Licensing Committee meeting of the Texas Board of Professional Engineers and Land Surveyors to order at 1:01 p.m. via Videoconference. (NOTE: all votes are unanimous unless noted.)

B. Roll Call.

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

The following Committee members were present:

Catherine Norwood, P.E.	Chair
Lamberto Ballí, P.E.	Member
Albert Cheng	Public Member
Coleen Johnson, R.P.L.S.	Member

Veena Mohan, Assistant Attorney General and General Counsel for the Board, was present via Videoconference to provide legal counsel to the Board.

The following staff members were present:

Lance Kinney, Ph.D., P.E.	Executive Director
Rick Strong, P.E.	Director of Licensing and Registration
Michael Sims, P.E.	Director of Compliance and Enforcement
Elissa Mazza	Staff Attorney
Janet Sobieski	Director of Operations
Mason Schoolfield	Lead Systems Developer
Cristabel Bodden	Executive Assistant

C. Excuse absent Committee members.

All Committee members were present.

D. Welcome Visitors.

Visitors: Jibrael Ahmad, R.P.L.S.; Mike Fletcher, P.E., Structural Engineers Association of Texas (SEAoT); Edmundo Gonzalez, P.E., R.P.L.S., Advisory Member; Charles Hammond, P.E., SEAoT; Richard Lawson, SEAoT; Dr. Sina K. Nejad, P.E., P.Eng., Board Member; Kent O'Brien, P.E., Texas Department of Transportation; Rolando Rubiano, P.E., Board Member; Lance Tyson, P.E., SEAoT; and R. Kyle Womack, P.E., Retired, Advisory Member, were present via Videoconference.

Personal Appearances: Victor Raymond Baltazar; Orien Butler; Matthew Shane Gill; David Mantone; Joshua Mead; and Eliseo Suarez were present via Videoconference.

E. Public Comment.

There were no public comments.

2. May 20, 2020 Licensing Committee Meeting Minutes.

It was MOVED/SECONDED (Ballí/Johnson) to approve the May 20, 2020 Licensing Committee minutes as submitted. A vote was taken and the MOTION PASSED.

3. Applications for Licensure: Personal Interviews Cases.

Mr. Strong read the Criminal History Record Check question for the Committee members and relayed that the question appears in its entirety on both versions of the application.

• **Baltazar, Victor Raymond**

This applicant applied for licensure. He came before the Committee due to a reported incident. The applicant has completed all court requirements. The Committee and applicant discussed his experience and lessons learned.

It was MOVED/SECONDED (Ballí/Johnson) to recommend to the Board at its Regular Quarterly Board meeting on August 20, 2020, to allow licensure in Texas. A vote was taken and the MOTION PASSED.

• **Butler, Orien**

This applicant applied for licensure. He came before the Committee due to an unreported incident. The applicant has completed all court requirements. The Committee and applicant discussed his experience and lessons learned.

It was MOVED/SECONDED (Ballí/Johnson) to recommend to the Board at its Regular Quarterly Board meeting on August 20, 2020, to allow licensure in Texas upon the successful completion of the 30-hour Basic Level Ethics course from Texas Tech Murdough Center for Engineering Ethics. A vote was taken and the MOTION PASSED.

• **Flagg, Edwin**

This applicant did not come before the Committee.

No motion is required.

• **Gill, Matthew Shane**

This applicant applied for licensure. He came before the Committee due to reported incidents. The applicant has completed all court requirements. The Committee and applicant discussed his experience and lessons learned.

It was MOVED/SECONDED (Ballí/Johnson) to recommend to the Board at its Regular Quarterly Board meeting on August 20, 2020, to allow licensure in Texas. A vote was taken and the MOTION PASSED.

• **Mantone, David**

This applicant applied for licensure. He came before the Committee due to reported incidents.

The applicant has completed all court requirements. The Committee and applicant discussed his experience and lessons learned.

It was MOVED/SECONDED (Ballí/Johnson) to recommend to the Board at its Regular Quarterly Board meeting on August 20, 2020, to allow licensure in Texas. A vote was taken and the MOTION PASSED.

- **Mead, Joshua**

This applicant applied for licensure. He came before the Committee due to an unreported incident. The applicant has completed all court requirements. The Committee and applicant discussed his experience and lessons learned.

It was MOVED/SECONDED (Johnson/ Ballí) to recommend to the Board at its Regular Quarterly Board meeting on August 20, 2020, to allow licensure in Texas upon the successful completion of the 30-hour Basic Level Ethics course from Texas Tech Murdough Center for Engineering Ethics. A vote was taken and the MOTION PASSED.

- **Suarez, Eliseo**

This applicant applied for licensure. He came before the Committee due to an unreported incident. The applicant has completed all court requirements. The Committee and applicant discussed his experience and lessons learned.

It was MOVED/SECONDED (Ballí/Johnson) to recommend to the Board at its Regular Quarterly Board meeting on August 20, 2020, to allow licensure in Texas upon the successful completion of the 30-hour Basic Level Ethics course from Texas Tech Murdough Center for Engineering Ethics. A vote was taken and the MOTION PASSED.

4. Adopt Proposed Amendments to 22 Texas Administrative 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 - Application for Temporary License for Engineers Currently Licensed Outside the United States**

Dr. Kinney stated that Chapter 133, Subchapter C – Professional Engineer License Application Requirements rules had gone through the full process and were ready for adoption. These rules were previously proposed to the Board, have been reviewed by the Governor’s Office, were posted on the Texas Register for public comment and no comments were received.

It was MOVED/SECONDED (Cheng/Ballí) to recommend to the Board at its Regular Quarterly Board meeting on August 20, 2020, that the Board adopt Chapter 133, Subchapter C – Professional Engineer License Application Requirements rules as presented. A vote was taken and the MOTION PASSED.

5. Adopt Amendments to 22 Texas Administrative Code Chapter 133, Subchapter G – Examinations.

- **§133.73 – Examination Results and Analysis**

Dr. Kinney stated that Chapter 133, Subchapter G – Examinations, rule §133.73 – Examination Results and Analysis had gone through the full process and was ready for adoption. This rule was previously proposed to the Board, has been reviewed by the Governor’s Office, was posted on the Texas Register for public comment and no comments were received.

It was MOVED/SECONDED (Cheng/Ballí) to recommend to the Board at its Regular Quarterly Board meeting on August 20, 2020, that the Board adopt Chapter 133, Subchapter G – Examinations, rule §133.73 – Examination Results and Analysis. A vote was taken and the MOTION PASSED.

6. Adopt Amendments to 22 Texas Administrative Code Chapter 133, Subchapter H – Review Process of Applications and License Issuance.

- **§133.89 – Processing of Administratively Withdrawn Applications**

Dr. Kinney stated that Chapter 133, Subchapter H – Review Process of Applications and License Issuance, rule §133.89 – Processing of Administratively Withdrawn Applications had gone through the full process and was ready for adoption. This rule was previously proposed to the Board, has been reviewed by the Governor’s Office, was posted on the Texas Register for public comment and no comments were received.

It was MOVED/SECONDED (Cheng/Ballí) to recommend to the Board at its Regular Quarterly Board meeting on August 20, 2020, that the Board adopt Chapter 133, Subchapter H – Review Process of Applications and License Issuance, rule §133.89 – Processing of Administratively Withdrawn Applications. A vote was taken and the MOTION PASSED.

7. Adopt Emergency Rule Amendment 22 Texas Administrative Code Chapter 133, Subchapter G – Examinations.

- **§133.67 – Emergency Rule for Extension of Exam Deadline.**

Dr. Kinney stated that Chapter 133, Subchapter G – Examinations, rule §133.67 – Emergency Rule for Extension of Exam Deadline is submitted to the Committee as an Emergency rule. Traditionally, an applicant has 4 years to complete the examination process. Some were due in April but the test was canceled in April and did not have the opportunity to complete the exam. The language proposed would address this issue.

It was MOVED/SECONDED (Johnson/Cheng) to recommend to the Board at its Regular Quarterly Board meeting on August 20, 2020, that the Board adopt Chapter 133, Subchapter G – Examinations, rule §133.67 – Emergency Rule for Extension of Exam Deadline. A vote was taken and the MOTION PASSED.

8. Request by The Structural Engineers Association of Texas (SEAOt) regarding the regulation of the Structural Engineer title in Texas.

Mr. Lawson came before the Committee do discuss the regulation of the Structural Engineer title in Texas. Mr. Lawson sought clarification about roster designations relative to the branch designations listed in the rules and the roster designations that show up on the public website. Dr. Kinney explained the relation between the roster branch listings.

Committee members considered and discussed the SEAoT request and thanked Mr. Lawson for his time and input.

Mr. Ballí requested that any future information be provided to the Committee members to be informed on this issue.

No action was required on this agenda item.

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

Mr. Strong provided an update on the professional engineers and land surveyor's exams.

Mr. Strong stated that the National Council of Examiners for Engineering and Surveying (NCEES) will hold the exams over a two-day period in October.

Mr. Strong stated that NCEES took the lead to provide a safe exam environment for the upcoming PE exams and provide additional options to allow for increased attendance for the pencil exams in October, including by accelerating the development of new computer-based exams.

No action was required on this agenda item.

10. Licensing Director's Report.

- **Engineer Results and Statistics: Licensing Application and Examination Report.**

Mr. Strong reviewed the report with the Committee members and provided application and exam results.

- **Surveyor Results and Statistics: Registration Application and Examination Report.**

Mr. Strong reviewed the report with the Committee members and provided application and exam results.

11. Issues for consideration for future Committee meetings.

No issues were presented or addressed for future consideration at the next Committee meeting.

12. Adjourn.

It was MOVED/SECONDED (Johnson/Cheng) to adjourn the meeting at 2:53 p.m. A vote was taken and the MOTION PASSED.

Date Committee approved minutes:
Date Board accepted minutes:

November 18, 2020
November 19, 2020