

MINUTES
POLICY ADVISORY OPINION COMMITTEE MEETING
TEXAS BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS
VIA VIDEOCONFERENCE
August 19, 2020—9:00 AM

Discuss and Possibly Act on the Following Agenda Items:

1. Preliminary Matters (Rolando Rubiano, P.E., Chair)

A. Call to Order.

Mr. Rolando Rubiano, P.E., Chair, called the Policy Advisory Opinion Committee meeting of the Texas Board of Professional Engineers and Land Surveyors to order at 9:04 a.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:

Rolando Rubiano, P.E.	Chair
Ademola Adejokun, P.E.	Member
Lamberto Ballí, P.E.	Member
Kiran Shah	Public 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.

It was MOVED/SECONDED (Ballí/Shah) to excuse Mr. Adejokun from the meeting until Mr. Adejokun could join the meeting later. A vote was taken and the MOTION PASSED.

Mr. Adejokun joined the meeting at 9:10 a.m.

D. Welcome Visitors.

Jibrael Ahmad, R.P.L.S; Edmundo Gonzalez, P.E., R.P.L.S., Advisory Member; Coleen Johnson, R.P.L.S., Board Member; Mark Neugebauer, R.P.L.S., L.S.L.S., Board Member; and R. Kyle Womack, P.E., Retired, Advisory Member, were present via Videoconference.

E. Public Comment.

There were no public comments.

2. Policy Advisory Opinion Request Regarding the Need to Seal Drawings or Calculations for Pressure Vessels Designed and Installed in Texas (Policy Advisory Request No. 54).

Mr. Sims discussed Policy Advisory Request No. 54 regarding the need to seal drawings or calculations for pressure vessels designed and installed in Texas with the Committee members.

At the February 20, 2020, Policy Advisory Opinion Committee meeting, the Committee tasked Mr. Sims to draft a response to the different scenarios available as the anonymous request itself did not address all the specifics needed to definitively address the questions posed. An exhibit with a draft letter was provided to the Committee for their review.

If approved by the Committee, the Committee would recommend to the Board for approval. Once approved by the Board, the letter would be posted on the agency website as this was an anonymous letter and no contact information is available.

It was MOVED/SECONDED (Ballí/Shah) to recommend to the Board at its Regular Quarterly Board meeting on August 20, 2020, that no Policy Advisory be issued and respond to the request as was recommended and answered by staff and post the letter on the agency website. A vote was taken and the MOTION PASSED.

3. Policy Advisory Opinion Request Regarding If 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).

Mr. Sims discussed Policy Advisory Request No. 53 regarding if 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.

This request was received in December 2019. Mr. Sims asked the Committee to accept this Policy Advisory Opinion request so that staff can further investigate the questions posed, engage stakeholders, and develop a response.

It was MOVED/SECONDED (Ballí/Shah) to recommend to the Board at its Regular Quarterly Board meeting on August 20, 2020, to accept this Policy Opinion and staff's recommendations so that staff may move forward with the process, bring together a stakeholder group, review past similarities in past Policy Advisory Committees, and develop a response to address this Policy Advisory request. A vote was taken and the MOTION PASSED.

4. Update on Work Group Regarding the Use of and Sealing Procedure for Digital Three-Dimensional Models (Policy Advisory Request No. 50).

Mr. Sims provided an update on Policy Advisory Request No. 50 regarding the use of and sealing procedure for digital three-dimensional models.

Mr. Sims stated that interested stakeholders met on July 21, 2020. Mr. Adejokun participated in this meeting and discussion. The take-away from this meeting was that, if the Board were to take any action, it would be to establish minimum requirements for digital sealing that ideally software modeling and design packages, could incorporate into their existing software. It was determined that the Board does not have the resources to develop any sort of software or become a digital repository for revision tracking.

The next step is to develop a potential list of specifications on the staff level with input from the Texas Board of Architectural Examiners as they are addressing similar issues. Once the list is developed, the list will be discussed at the next work group meeting. As part of the process, Mr. Sims plans to research the Florida Board of Engineers on digital sealings.

Mr. Adejokun thanked Mr. Sims his leadership for he has provoked a lot of questions and thinking on the subject matter.

Mr. Ballí added that staff did not have to reinvent the wheel nor did staff have to follow the National Council of Examiners for Engineering and Surveying (NCEES) report on this topic. Mr. Ballí does not want this process to change or affect how things are sealed and how things get approved and does not want to take more time on this subject matter than needed.

Mr. Rubiano stated that this agenda item was not ready to present to the full Board and asked staff to create a schedule of discussion and set out what we should do within a specific time frame and not add any delay to the individual response. Mr. Rubiano added that staff need to deliver a product and determine what is the deliverable.

No action was required on this agenda item.

5. Issues for consideration for future committee meetings.

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

6. Adjourn.

It was MOVED/SECONDED (Adejokun/Shah) to adjourn the meeting at 10:09 a.m. A vote was taken and the MOTION PASSED.

Date Committee approved minutes:

November 18, 2020

Date Board accepted minutes:

November 19, 2020