

MINUTES
LICENSING AND REGISTRATION COMMITTEE MEETING
TEXAS BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS
1917 S. Interstate 35
Austin, Texas 78741

May 11, 2022—2:00 PM

Discuss and Possibly Act on the Following Agenda Items:

1. Preliminary Matters (Catherine Norwood, P.E., Chair)

A. Call to Order

Ms. Catherine Norwood, P.E., Chair, called the Licensing and Registration Committee meeting of the Texas Board of Professional Engineers and Land Surveyors to order at 2:00 p.m. at the Texas Board of Professional Engineers and Land Surveyors at 1917 S. Interstate 35, Austin, TX. (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
Albert Cheng	Public Member
Coleen Johnson, R.P.L.S.	Member
Rolando Rubiano, P.E.	Member

Melissa Juarez, Assistant Attorney General and General Counsel for the Board was present 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
Mason Schoolfield	Lead Systems Developer
Cristabel Bodden	Executive Assistant
Ed Brannan, P.E.	Technical Engineering Specialist
Tejashri Kyle, P.E.	Technical Engineering Specialist

C. Excuse absent Committee members

All Committee members were present.

D. Welcome Visitors

Ademola Adejokun, P.E., Board Member; Lamberto Ballí, P.E., Advisory Member; Brian Brecheisen; Dr. Sina K. Nejad, P.E., P.Eng., Board Member; Mark Neugebauer, R.P.L.S., L.S.L.S., Board Member; and Kiran Shah, Public Member, were present.

E. Public Comment

There were no public comments.

2. February 9, 2022 Licensing and Registration Committee Meeting Minutes

It was MOVED/SECONDED (Johnson/Cheng) to approve the February 9, 2022, Licensing and Registration Committee meeting minutes as submitted. A vote was taken and the MOTION PASSED.

3. Applications for Licensure

- **Personal Interviews Cases:**
 - **Brecheisen, Brian Kelly**

This applicant sought approval to sit for the P.E. exam. He came before the Committee due to multiple reported incidents. The applicant has completed all court requirements. The Committee and applicant discussed his experience and lessons learned.

It was MOVED/SECONDED (Rubiano/Cheng) to recommend to the Board at its Regular Quarterly Board meeting on May 12, 2022, to allow Brecheisen to sit for the PE exam after completing 1 year of qualifying engineering experience, submitting a signed SER and PE reference describing the 1 year of experience, and successful completion of the 60-hour Intermediate Level Ethics course from Texas Tech Murdough Center for Engineering. A vote was taken and the MOTION PASSED.

- **Faz, Gerardo**

This applicant sought approval for a waiver of both the F.E. and the Principals of Practice exams. He came before the Committee due to multiple reported incidents. The applicant has completed all court requirements. The Committee and applicant discussed his experience and lessons learned.

It was MOVED/SECONDED (Rubiano/Cheng) to recommend to the Board at its Regular Quarterly Board meeting on May 12, 2022, to allow waiver of the F.E. exam but not the Principals of Practice exam and be required to present 30 hours of continuing education prior to being allowed to take the Principals of Practice exam. A vote was taken and the MOTION PASSED.

Agenda items #4-7 were discussed as a group.

Dr. Kinney stated that these rule proposals were presented at previous meetings and there had been a robust discussion based on the current language. No additional modifications have been made and staff is seeking additional feedback and direction.

Dr. Kinney stated that there is a memo included in the exhibits that capture some of the items.

Ms. Norwood announced that the Committee members and Dr. Kinney, Mr. Strong, and Ms. Juarez would go into Executive Session to discuss agenda items #4 - 7 at 3:05 p.m.

Non-critical staff and public members were asked to step out of the room for the discussion on these agenda items and would be allowed to return once the session concluded.

The meeting reconvened at 4:38 p.m.

All Committee members were present.

No action was taken during the closed session. The committee took no action on items 4-7.

4. Propose Amendments to 22 Tex. Admin. Code Chapter 133, Subchapter H – Review Process of Applications and License Issuance

- **§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**

5. Propose Amendment to 22 Tex. Admin. Code Chapter 134, Subchapter H – Review Process of Applications and Registration Issuance

- **§134.83 Executive Director Review, Evaluation, and Processing of Applications**
- **§134.85 Board Review of and Action on Applications**
- **§134.87 Final Action on Applications**
- **§134.89 Processing of Administratively Withdrawn Applications**

6. Propose Amendments to 22 Tex. Admin. Code Chapter 140, Subchapter A – Criminal History and Convictions

- **§140.1 Criminal History and Convictions – Engineers**
- **§140.3 Criminal History and Convictions – Surveyors**

7. Propose Repeal to 22 Texas Admin. Code Chapter 133, Subchapter H – Review and Process of Applications and Registration Issuance

- **§133.99 Processing of Applications with a Criminal Conviction**

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

Mr. Strong stated the report was available as an exhibit and would be discussed fully at the Regular Quarterly Board meeting.

Mr. Strong briefly discussed the Surveying exams scheduled on April 8, 2022. Mr. Strong stated that the event at Norris Conference Center was very successful and has proven to be a good partnership for the exams.

No action was required on this agenda item.

9. Licensing and Registration Director's Report

Mr. Strong stated that two new P.E.s were hired and had trained with Mr. Hartmann before his retirement.

Mr. Strong stated that the two additional Program Specialists had been hired and would start on June 1, 2022.

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

Mr. Strong stated the report was available as an exhibit and would be discussed fully at the Regular Quarterly Board meeting.

No action was required on this agenda item.

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

Mr. Strong stated the report was available as an exhibit and would be discussed fully at the Regular Quarterly Board meeting.

No action was required on this agenda item.

10. Future Committee Meetings: Agenda items, dates, locations, and other arrangements

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

11. Adjourn

It was MOVED/SECONDED (Johnson/Rubiano) to adjourn the meeting at 4:52 p.m. A vote was taken and the MOTION PASSED.

Date Committee approved minutes:

August 17, 2022

Date Board approved minutes:

August 18, 2022