

MINUTES
LICENSING COMMITTEE MEETING
TEXAS BOARD OF PROFESSIONAL ENGINEERS
1917 IH35 SOUTH, BOARD ROOM, AUSTIN, TX 78741
November 18, 2015—1:00 PM

Call to Order. Lamberto “Bobby” Ballí, P.E., Chair called the Texas Board of Professional Engineers Licensing Committee meeting to order at 1:00 pm on November 18, 2015, at Texas Board of Professional Engineers, 1917 S. Interstate 35 in Austin, Texas. A quorum was present. (Note: all votes are unanimous unless noted)

1. Roll call and welcome visitors.

Lamberto “Bobby” Ballí, P.E.	Chair
James “Jim” Greer, P.E.	Member
Sina Nejad, D.Eng., P.E.	Member
Kyle Womack, P.E.	Member

A quorum was present. Ms. Veena Mohan, Assistant Attorney General, was present to provide legal counsel to the Board. Mr. Jose Guerra, P.E., Emeritus Board Member, was present.

The following staff members were present:

Lance Kinney, Ph.D., P.E.	Executive Director
David Howell, P.E.	Deputy Executive Director
Robert Opiela, P.E.	Director of Licensing
Dewey Helmcamp, III JD	Staff Attorney
Morgen Cuming, JD	Staff Attorney
Dorothy Gonzales	Executive Assistant

Personal Appearances: Thomas McVey, James Cardenas, Andrew Jerome, Fey Keng, Joseph Lewiston, Alfredo Martinez, Rodolfo Mireles, Jeffrey Navarre, and Matthew Panariello, Michael York, Raymond Miller, Jose Bravo, Stuart Matthews, Michael Porasef, Keith Redmond, Bryan Weisgerber, Sylvester Brown, Carlos Valenzuela, Richard Klassen.

Visitors. Kent O’Brien, P.E., Texas Department of Transportation (TxDOT); Bill Tucker, P.E., TxDOT.

2. Public comment. None.

Discuss and Possibly Act on the Following (Agenda Items 3-12):

3. Discuss and possibly approve the August 26, 2015, Licensing Committee Minutes.

It was MOVED/SECONDED (Greer/Womack) to approve the August 26, 2015, Licensing Committee Minutes as submitted. A vote was taken and the MOTION PASSED.

4. Discuss and possibly act on applications for licensure: Personal Interviews:

Thomas McVey. This applicant applied for licensure. He came before the Committee due to a reported recent criminal incident. He has completed the terms related to the criminal incident. The Committee and applicant discussed the incident, his experience, and lessons learned.

It was MOVED/SECONDED (Ballí/Greer) to recommend to the Board at its Regular Quarterly Meeting on November 19, 2015, to approve the applicant for licensure. A vote was taken and the MOTION PASSED.

James Cardenas, Andrew Jerome, Fey Keng, Joseph Lewiston, Alfredo Martinez, Rodolfo Mireles, Jeffrey Navarre, and Matthew Panariello. These applicants applied to take the PE exam. Each came before the Committee due to a reported recent criminal incident. Each has completed the terms related to the criminal incident. The Committee and applicants discussed the incidents, their experiences, and lessons learned.

It was MOVED/SECONDED (Ballí/Greer) to recommend to the Board at its Regular Quarterly Meeting on November 19, 2015, to approve the each applicant to take the PE exam. A vote was taken and the MOTION PASSED.

Michael York. This applicant applied to take the PE exam. He came before the Committee due to a reported recent criminal incident. He has completed the terms related to the criminal incident. The Committee and applicant discussed the incidents, his experience, and lessons learned.

It was MOVED/SECONDED (Greer /Womack) to recommend to the Board at its Regular Quarterly Meeting on November 19, 2015, to approve the applicant to take the PE exam. A vote was taken and the MOTION PASSED.

Raymond Miller. This applicant applied for licensure. He came before the Committee due to an unreported criminal incident. He has completed the terms related to the criminal incident. The Committee and applicant discussed the incidents, his experience, and lessons learned.

It was MOVED/SECONDED (Ballí/Womack) to recommend to the Board at its Regular Quarterly Meeting on November 19, 2015, to approve the applicant for licensure. A vote was taken and the MOTION PASSED.

Jose Bravo. This applicant applied to take the PE exam. He came before the Committee due to an unreported criminal incident. He has completed the terms related to the criminal incident. The Committee and applicant discussed the incidents, his experience, and lessons learned.

It was MOVED/SECONDED (Ballí /Nejad) to recommend to the Board at its Regular Quarterly Meeting on November 19, 2015, to approve the applicant to take the PE exam pending completion of the Level I (30 hour) Ethics course from Texas Tech, submittal of documentation to staff, and no more criminal incidents. A vote was taken and the MOTION PASSED. The vote was 3-1.

Stuart Matthews. This applicant applied to take the PE exam. He came before the Committee due to an unreported criminal incident. He has completed the terms related to the criminal incident. The Committee and applicant discussed the incidents, his experience, and lessons learned.

It was MOVED/SECONDED (Womack/Greer) to recommend to the Board at its Regular Quarterly Meeting on November 19, 2015, to approve the applicant to take the PE exam pending completion of the Level I (30 hour) Ethics course from Texas Tech and submittal of documentation to staff. A vote was taken and the MOTION PASSED.

Michael Porasef. This applicant applied to waive the FE exam and take the PE exam. He came before the Committee due to an unreported criminal incident. He has completed the terms related to the criminal incident. The Committee and applicant discussed the incidents, his experience and lessons learned.

It was MOVED/SECONDED (Greer/Nejad) to recommend to the Board at its Regular Quarterly Meeting on November 19, 2015, to approve the applicant's FE exam waiver and to take the PE exam pending completion of the Level I (30 hour) Ethics course from Texas Tech, submittal of documentation to staff, and no more criminal incidents. A vote was taken and the MOTION PASSED.

Keith Redmond. This applicant applied to take the PE exam. He came before the Committee due to an unreported criminal incident. He has completed the terms related to the criminal incident. The Committee and applicant discussed the incidents, his experience, and lessons learned.

It was MOVED/SECONDED (Ballí /Greer) to recommend to the Board at its Regular Quarterly Meeting on November 19, 2015, to approve the applicant to take the PE exam pending completion of the Level I (30 hour) Ethics course from Texas Tech, submittal of documentation to staff, and no more criminal incidents. A vote was taken and the MOTION PASSED.

Bryan Weisgerber. This applicant applied to take the PE exam. He came before the Committee due to an unreported criminal incident. He has completed the terms related to the criminal incident. The Committee and applicant discussed the incidents, his experience, and lessons learned.

It was MOVED/SECONDED (Womack/Greer) to recommend to the Board at its Regular Quarterly Meeting on November 19, 2015, to approve the applicant to take the PE exam pending completion of the Level I (30 hour)

Ethics course from Texas Tech, submittal of documentation to staff, and no more criminal incidents. A vote was taken and the MOTION PASSED.

Sylvester Brown. This applicant applied to waive the FE exam and take the PE exam. He came before the Committee due to an unreported criminal incident. He has completed the terms related to the criminal incident. The Committee and applicant discussed the incidents, his experience, and lessons learned.

It was MOVED/SECONDED (Womack/Greer) to recommend to the Board at its Regular Quarterly Meeting on November 19, 2015, to approve the applicant's FE exam waiver and to take the PE exam pending completion of the Level I (30 hour) Ethics course from Texas Tech, submittal of documentation to staff, and no more criminal incidents. A vote was taken and the MOTION PASSED.

Carlos Valenzuela. This applicant applied for licensure. He came before the Committee due to multiple reported recent criminal incidents. He has completed the terms related to the criminal incidents. The Committee and applicant discussed the incidents, his experience, and lessons learned.

It was MOVED/SECONDED (Ballí /Greer) to recommend to the Board at its Regular Quarterly Meeting on November 19, 2015, to deny the application for licensure and allow the applicant to reapply in two years. When conditions are completed and no further criminal judgements against him, he will reappear before the Licensing Committee for consideration. A vote was taken and the MOTION PASSED.

Richard Klassen. This applicant applied for licensure. He came before the Committee due to multiple unreported criminal incidents. He has completed the terms related to the criminal incidents. The Committee and applicant discussed the incidents, his experience, and lessons learned.

It was MOVED/SECONDED (Ballí /Greer) to recommend to the Board at its Regular Quarterly Meeting on November 19, 2015, to deny the application for licensure and to allow the applicant to reapply in two years after completing Level II (60 PDH) Ethics course. When conditions are completed and no further criminal judgements against him, he will reappear before the Licensing Committee for consideration. A vote was taken and the MOTION PASSED.

5. Discuss and possibly approve the following rule adoptions as posted in the Texas Register:

- Military licensing (SB 807 and SB 1307)–
 - §133.21 Application for Standard License
 - §133.23 Applications from Former Standard License Holders
 - §133.25 Applications from Engineering Educators
 - §133.81 Receipt and Processing of Applications by the Board
 - §137.9 Renewal for Expired License

Mr. Howell stated that these rules had been posted in the Texas Register and no comments had been received. It was MOVED/SECONDED (Ballí/Greer) to recommend to the Board at its Regular Quarterly Board meeting on November 19, 2015, to adopt §§133.21, 133.23, 133.25, 133.81, 137.9 as presented. A vote was taken and the MOTION PASSED.

6. Discuss and possibly approve the following rule proposals regarding PE exam Decoupling for posting in the Texas Register for comment.

- PE Decoupling
 - §133.3 Engineer-in-Training Application and Certification
 - §133.61 Engineering Examinations Required for a License to Practice as a Professional Engineer
 - §133.65 Examination on the Fundamentals of Engineering
 - §133.67 Examination on the Principles and Practice of Engineering
 - §133.71 Examination for Record Purposes
 - §133.87 Final Action on Applications

Mr. Howell stated that these rules had been posted in the Texas Register and no comments had been received. It was MOVED/SECONDED (Womack/Greer) to recommend to the Board at its Regular Quarterly Board meeting on November 19, 2015, to approve §§133.3, 133.61, 133.65, 133.67, 133.71, 133.87 to be posted in the Texas Register for comment. A vote was taken and the MOTION PASSED.

7. International Licensure.

- Mutual Recognition Agreement (MRA) with S. Korea
- Mutual Recognition Agreement (MRA) with Spain
- Mutual Recognition Agreement (MRA) with México

Dr. Kinney reported that Board staff under the direction of the Board is working on Mutual Agreements with Spain and México. The discussions with Spain have been more active, and their representatives are planning a trip to Texas in the near future. The discussions with México are in the early stages with the assistance of Emeritus Member Mr. Jose Guerra, P.E. Dr. Kinney also added that the Mutual Recognition Agreement with South Korea is ready for approval. The Korean delegation had some changes in their government so the initial agreement had to go through the newly appointed officials, and it has been approved. The Korean delegation is planning a trip to Texas in the near future. Dr. Kinney asked the Committee for a recommendation to the Board to approve the Korean Mutual Recognition Agreement.

It was MOVED/SECONDED (Ballí/Nejad) to recommend to the Board at its Regular Quarterly board meeting on November 19, 2015, to approve the Mutual Recognition Agreement with South Korea that has been presented. A vote was taken and the MOTION PASSED.

8. NCEES Examination for Professional Engineers (EPE) Survey Responses.

Dr. Kinney explained that the NCEES EPE committee has sent a survey to each state Board as well as each Board Member. He suggested to the Committee that the survey be sent as one response instead of individual responses from each Board member. The Committee agreed.

It was MOVED/SECONDED (Ballí/Greer) to recommend to the Board at its Regular Quarterly Board meeting on November 19, 2015, to direct Dr. Kinney to poll each Board member regarding the NCEES survey and consolidate the response to submit to NCEES on behalf of the Board. A vote was taken and the MOTION PASSED.

9. Update on Enhancing Engagement of Engineers-In-Training (EIT).

Dr. Kinney reported that Board received over 500 applications of EITs interested on serving on the new advisory group. After reviewing all the applications, staff has selected 15 EITs to serve on the advisory group and will be sending them invitations. Board staff will also start working on the initial meeting that will be scheduled in January 2016.

Mr. Balli and Dr. Kinney also presented an idea concerning encouraging EITs to participate in continuing education activities during their work experience period. Staff was instructed to prepare a concept report on this issue for the next Licensing Committee meeting.

10. Licensing Director's Report.

- **Results and statistics: Application and Examination Report.**

Mr. Opiela reviewed the report which was included as an exhibit.

11. Issues for consideration and schedule next meeting.

New format of EIT advisory group.

12. Adjourn.

It was MOVED/SECONDED (Ballí/Greer) to adjourn the meeting at 4:45pm. A vote was taken and the MOTION PASSED.

Date Committee approved minutes as submitted: February 10, 2016

Date Board accepted minutes: February 11, 2016