

MINUTES
LICENSING COMMITTEE MEETING
TEXAS BOARD OF PROFESSIONAL ENGINEERS
1917 IH35 SOUTH, BOARD ROOM, AUSTIN, TX 78741
November 16, 2016—1:00 PM

Call to Order. Dr. Sina Nejad, P.E., P.Eng., Chair called the Licensing Committee of the Texas Board of Professional Engineers to order at 1:04 pm on November 16, 2016, 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.

Sina Nejad, D.Eng., P.E., P.Eng.	Chair
Lamberto “Bobby” Ballí, P.E.	Member
Edward L. Summers, Ph.D.	Member
Kyle Womack, P.E.	Member

Ms. Veena Mohan, Assistant Attorney General, was present to provide legal counsel to the Board. Mr. Jose Guerra, P.E., Advisory Member, was present. Mr. Edmundo Gonzalez, Jr. P.E., Advisory Member arrived after the meeting convened.

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
Morgen Cuming, JD	Staff Attorney
Dorothy Gonzales	Executive Assistant

Personal Appearances: Santiago, Araque Rojas; Anthony, Cavallo; Calvin, Crowdis; Joseph, Fraccaro; Rodolfo, Garcia Mondel; Alexandar, Gitman; Christopher, Hackett; James, Lott; Richard, McCullough; James, Peterson; Jacob, Valentien; Lewis, Wandke; Jose, Bravo.

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

2. Public comment. None.

Discuss and Possibly Act on the Following (Agenda Items 3-9):

3. Discuss and possibly approve the August 17, 2016 Licensing Committee Minutes.

It was MOVED/SECONDED (Ballí/Summers) to approve the August 17, 2016, Licensing Committee Minutes as submitted. A vote was taken and the MOTION PASSED.

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

Jose Bravo. This applicant applied for licensure contingent upon passing the PE exam. He came before the Committee due to completion of conditions from a previous Board action. The Committee and applicant discussed his experience and lessons learned.

It was MOVED/SECONDED (Summers/Womack) to recommend to the Board at its Regular Quarterly Meeting on November 17, 2016, to approve the applicant for licensure contingent upon passing the PE exam. A vote was taken and the MOTION PASSED.

Santiago Araque Rojas. This applicant applied for licensure contingent upon passing the PE exam. He came before the Committee due to a disclosed 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 (Summers/Ballí) to recommend to the Board at its Regular Quarterly Meeting on November 17, 2016, to approve for licensure contingent upon passing the PE exam. A vote was taken and the MOTION PASSED.

Jacob Valentien. This applicant applied for licensure contingent upon passing the PE exam. He came before the Committee due to a disclosed 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 /Womack) to recommend to the Board at its Regular Quarterly Meeting on November 17, 2016, to approve the applicant for licensure contingent upon passing the PE exam. A vote was taken and the MOTION PASSED.

Lewis Wandke. This applicant applied for licensure. He came before the Committee due to a disclosed 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 /Summers) to recommend to the Board at its Regular Quarterly Meeting on November 17, 2016, to approve the applicant for licensure. A vote was taken and the MOTION PASSED.

Anthony Cavallo. This applicant applied for licensure. He came before the Committee due to an undisclosed 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 /Summers) to recommend to the Board at its Regular Quarterly Meeting on November 17, 2016, to approve the applicant for licensure. A vote was taken and the MOTION PASSED.

Calvin Crowdis. This applicant applied for licensure contingent upon passing the PE exam. He came before the Committee due to disclosed recent criminal incidents. He has completed the terms related to the criminal incidents. The Committee and applicant discussed the incident, his experience, and lessons learned.

It was MOVED/SECONDED (Ballí /Womack) to recommend to the Board at its Regular Quarterly Meeting on November 17, 2016, to place the application on hold and have the applicant return to the Licensing Committee in November 2017 to reconsider licensure. A vote was taken and the MOTION PASSED.

Christopher Hackett. This applicant applied for licensure contingent upon passing the PE exam. He came before the Committee due to disclosed recent criminal incidents. He has completed the terms related to the criminal incidents. The Committee and applicant discussed the incident, his experience, and lessons learned.

It was MOVED/SECONDED (Ballí /Womack) to recommend to the Board at its Regular Quarterly Meeting on November 17, 2016, to approve the applicant for licensure contingent upon passing the PE exam. A vote was taken and the MOTION PASSED (Dr. Summers abstained).

James Lott. This applicant applied for licensure contingent upon passing the PE exam. He came before the Committee due to an undisclosed 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 (Womack/Summers) to recommend to the Board at its Regular Quarterly Meeting on November 17, 2016, to approve the applicant for licensure contingent upon passing the PE exam and successful 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.

Joseph Fraccaro. This applicant applied for licensure contingent upon passing the PE exam. He came before the Committee due to an undisclosed 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 /Womack) to recommend to the Board at its Regular Quarterly Meeting on November 17, 2016, to approve the applicant for licensure contingent upon passing the PE exam and successful 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.

Mondel Rodolfo Garcia. This applicant applied for licensure contingent upon passing the PE exam. He came before the Committee due to an undisclosed 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 (Summers/Ballí) to recommend to the Board at its Regular Quarterly Meeting on November 17, 2016, to approve the applicant for licensure contingent upon passing the PE exam and successful 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.

Alexander Gitman. This applicant applied for an FE exam waiver and approval to take the PE exam. He came before the Committee due to an undisclosed 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/Summers) to recommend to the Board at its Regular Quarterly meeting on November 17, 2016, to require successful completion of the Level (30 hour) Ethics and allow waiver of the FE and the applicant to sit for the PE exam. A vote was taken and the MOTION FAILED.

It was MOVED/SECONDED (Ballí /Womack) to recommend to the Board at its Regular Quarterly Meeting on November 17, 2016, to approve the FE exam waiver and 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.

Richard McCullough. This applicant applied for licensure. He came before the Committee due to an undisclosed 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 (Womack/Ballí) to recommend to the Board at its Regular Quarterly Meeting on November 17, 2016, to approve the applicant for licensure pending successful 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.

Committee Chair called for a break at 3:19pm. The Committee Chair reconvened the meeting at 3:30pm.

5. Discuss and possibly adopt the following rule proposals.

- § 133.35 Proof of Education Qualifications—Accredited/Approved Programs
- § 133.67 Examination on the Principles and Practice of Engineering

Mr. Howell shared with the Committee members that §§133.35 and 133.67 were posted in the Texas Register and no comments were received. The edit to §133.35 adds that transcripts received as part of the NCEES record may be accepted. The edit to §133.67 states that an applicant who has not successfully passed the Principles and Practice of Engineering (PE) exam within the prescribed time limits must wait 1 year to re-apply.

6. International Licensure.

- Status of Memorandum of Understanding (MOU) with Spain
- Status of Memorandum of Understanding (MOU) with Mexico

Dr. Kinney commented that the Board has signed an MOU with Spain and will continue to work with them. He added that the Spain delegation emailed to let the Board know that Spain approved the MOU as well. A process agreement will also be a part of the MOU to work with a larger group. A possible Mutual Recognition Agreement (MRA) would be the next step. Dr. Nejad thanked Dr. Kinney, staff, Board and Advisory Members for their hard work on the communication and agreements with Spain.

Dr. Kinney reported that the agreement with Mexico is being revised. The next step is to set up a working meeting. The Mexico delegation asked that the MOU remain on hold until after the US elections. Mr. Ballí requested that the Board contact Mexico to determine that they are still interested in moving forward with the MOU.

7. Licensing Director's Report.

- Results and statistics: Application and Examination Report

Mr. Opiela shared and reviewed the licensing director's report with Committee members which was submitted as an exhibit.

8. Issues for consideration and schedule next meeting.

None.

9. Adjourn.

Dr. Nejad adjourned the meeting at 3:50 p.m.

Date Committee approved minutes as submitted: February 15, 2017

Date Board accepted minutes: February 16, 2017