

MINUTES
INTERIM BOARD MEETING
TEXAS BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS
1917 S. IH 35
Austin, Texas 78741
September 26, 2019—11:00 AM

Discuss and Possibly Act on the Following Agenda Items:

1. Preliminary Matters:

A. Call to Order.

Daniel Wong, Ph.D., P.E., Presiding Officer, called the Interim Board meeting of the Texas Board of Professional Engineers to order at 11:00 a.m. at the Texas Board of Professional Engineers at 1917 S. IH 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 Board members were present:

Daniel Wong, Ph.D., P.E.	Chair
Catherine Norwood, P.E.	Secretary
Albert Cheng	Treasurer
Lamberto Ballí, P.E.	Member
Sina Nejad, P.E., P.Eng.	Member
Mark Neugebauer, L.S.L.S., R.P.L.S.	Member
Rolando Rubiano, P.E.	Member
Kiran Shah	Public Member

Veena Mohan, Assistant Attorney General, 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
Jeff Mutscher	Chief Financial Officer
Michael Sims, P.E.	Director of Compliance and Enforcement
Elissa Mazza	Staff Attorney
LeAnn Catron	Investigator
Cristabel Bodden	Executive Assistant

C. Excuse absent Board members.

Ms. Elvira Reyna and Mr. Ademola Adejokun, P.E., were not in attendance and were excused from the Interim Board meeting.

D. Welcome Visitors.

John Barnard, R.P.L.S., Bowman Consulting Group and President Texas Society of Professional Surveyors (TSPS); Bill O'Hara, R.P.L.S., Bill O'Hara Land Surveyor and Vice-President TSPS;

Charles Benson, R.P.L.S., Eagle Eye Construction Layout; Clifford Clotey, P.E., Clotey Engineering, Inc.; Josh Leamons, R.P.L.S., Searchers Land Surveying; and Mark Mercado, R.P.L.S., Surveying and Mapping, LLC, were present.

E. Public Comment.

Bill O'Hara, R.P.L.S., came before the Board and shared concerns from TSPS about appointing the Surveyor Advisory Committee prior to having a surveyor appointed to the Board.

2. Update on HB1523 related to the merger of the Texas Board of Professional Engineers and Land Surveyors.

Dr. Kinney stated that a report is provided as an exhibit.

Dr. Kinney relayed that the merger was official on September 1, 2019. Forms and processes have been updated and staff and materials have been moved and the team continues to work on the transition issues as listed in the report.

Dr. Kinney relayed that staff are preparing for the October surveying exams and it will be the first time as a combined agency that we will deliver these exams.

No action is required on this agenda item.

3. Appointment of Members of Surveying Advisory Committee.

Dr. Wong stated that the creation of a Surveying Advisory Committee comes directly from the Legislation. However, the Legislation did not provide any other provisions for the set-up of this committee.

Creating the Committee now is extremely important to enable a smooth transition and because we do not know when the Governor will appoint a Land Surveyor to the Board.

Dr. Wong recommended the appointment of 6 members to the Surveying Advisory Committee who would serve in a 6-month capacity. In addition, Dr. Wong appointed 3 Board Members to serve as Liaisons to this Committee; Lamberto Ballí, Sina Nejad, and Rolando Rubiano.

It was MOVED/SECONDED (Wong/ Ballí) to approve the following Land Surveyors to the Surveying Advisory Committee and the following Board Members:

Manuel Carrizales, R.P.L.S.
Mary Chruszczak, R.P.L.S.
William Edwards, R.P.L.S., L.S.L.S.
Jon Hodde, R.P.L.S.,
Coleen Johnson, R.P.L.S.
Paul Kwan, R.P.L.S.
Lamberto Ballí, P.E.
Sina Nejad, P.E., P.Eng.
Rolando Rubiano, P.E.

A vote was taken and the MOTION PASSED.

4. FY20 Texas Board of Professional Engineers and Land Surveyors Budget and Fees.

Mr. Mutscher stated his report is provided as an exhibit. Mr. Mutscher relayed that the report's effective date is September 1, 2019.

Mr. Mutscher discussed the General Revenue Fund and relayed that expenditures for FY20 have been set by the General Appropriations Act. These funds have been set-up in the state-wide accounting system and this is the amount of money that we will work with for Land Surveyor expenditures.

Mr. Mutscher stated that the agency will adopt the same fees for the coming year as last year. This makes the most sense for FY20 but the statute will allow the new Board to set new fees as deemed necessary for operations the following year in FY21.

Dr. Kinney relayed that Land Surveyors previously charged for Continuing Education courses delivered by the board but that starting this Fiscal Year, there would be no charge for taking these courses.

Mr. Mutscher explained that the Comptroller had determined that the Land Surveyors did not have the statutory authority to continue collecting fees for the Continuing Education courses. Therefore, staff have disabled the ability to collect fees for these courses.

It was MOVED/SECONDED (Ballí/Norwood) to approve the FY20 Texas Board of Professional Engineers and Land Surveyors Budget and Fees as presented by staff. A vote was taken and the MOTION PASSED.

5. Issues from Board members to consider at the next scheduled board meeting of the Texas Board of Professional Engineers and Land Surveyors.

Dr. Nejad inquired about the Outreach program and the process of presenting in the Outreach program. Dr. Kinney relayed that there is a pdf presentation that Board members can use to present and staff went through a training process before being able to present. Dr. Nejad stated that it would be a good idea to provide this presentation and training to the new Board members. Dr. Wong encouraged all Board members to become engaged in their communities and get more involved in the Outreach program. Dr. Wong asked Dr. Kinney to provide a copy of the Outreach pdf presentation to all Board members.

6. Adjourn.

It was MOVED/SECONDED (Rubiano/Norwood) to adjourn the meeting at 11:30 a.m. A vote was taken and the MOTION PASSED.

Date the Board approved the minutes as submitted:

November 14, 2019.