TEXAS BOARD OF ARCHITECTURAL EXAMINERS  
Minutes of May 21, 2020 Board Meeting  
By Videoconference/Telephone Call During Disaster Due to COVID-19  
William P. Hobby Jr. Building, 333 Guadalupe Street  
Tower III, Conference Room 102  
Austin, TX 78701  
10:00 a.m. until completion of business

<table>
<thead>
<tr>
<th>AGENDA ITEMS</th>
<th>DESCRIPTIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td>1A. Call to Order</td>
<td>Ms. Dockery called the meeting to order at 10:03 a.m.</td>
</tr>
</tbody>
</table>
| 1B. Roll Call             | Ms. Hildebrand called the roll. The following Board members acknowledged their presence for the meeting:  
                           | Debra Dockery Chair, Architect Member  
                           | Robert (Bob) Wetmore Vice-Chair, Architect Member  
                           | Joyce J. Smith Secretary/Treasurer, Public Member  
                           | Michael (Chad) Davis Landscape Architect Member  
                           | Jennifer Walker Architect Member  
                           | Rosa G. Salazar Registered Interior Designer  
                           | Fernando Trevino Public Member  
                           | Chase Bearden Public Member |
| 1C. Excused and Unexcused Absences | A MOTION WAS MADE AND SECONDED (Wetmore/Smith) TO APPROVE THE EXCUSED ABSENCE OF MR. ANASTOS.  
                           | Julie Hildebrand (Executive Director) requested roll call from the Board members on the vote and received the following responses:  
                           | Debra Dockery – Yes  
                           | Bob Wetmore – Yes  
                           | Joyce Smith – Yes  
                           | Chad Davis – Yes  
                           | Jennifer Walker – Yes  
                           | Chase Bearden – Yes  
                           | Rosa Salazar – Yes  
                           | Fernando Trevino – Yes  
                           | THE MOTION PASSED UNANIMOUSLY. |
### 1D. Determination of a Quorum
Ms. Hildebrand confirmed attendees by roll call.

A quorum was present.

### 1E. Chair’s Opening Remarks
Ms. Dockery acknowledged the possible occurrence of technical difficulties during the conference call meeting. She stated that Staff would monitor the platform to ensure the continued presence of a quorum throughout the meeting. She noted that the meeting would continue if connection with any Board member was lost but a quorum was maintained. In the event of a disconnection, she asked Board members to reconnect if possible. In the event of her own disconnection, Ms. Dockery stated that the Vice Chair Mr. Wetmore would preside until such time that Ms. Dockery was able to reconnect or the meeting was adjourned. In the event that a quorum was lost, Ms. Dockery stated that the Board would recess until a quorum was reconvened.

### 1F. Public Comments
Ms. Dockery outlined the procedure for a member of the public to provide comment to the Board and opened the meeting for public comment. Mr. Garry responded that Catherine Belan had requested an opportunity to speak. Ms. Belan, the Respondent in a pending case before the Board, was recognized and asked to provide her comment.

Ms. Belan stated that she was trying to find out what she needed to do. Ms. Hildebrand explained that Ms. Belan’s disciplinary case would be considered by the Board later in the meeting along with the other enforcement matters. Ms. Hildebrand stated that Ms. Belan could make a comment now, but that the vote would be taken later.

Ms. Belan asked whether she could make a comment at the time the case was considered.

Lance Brenton (General Counsel) stated that Ms. Belan was subject to a default hearing at the State Office of Administrative Hearings. Mr. Brenton invited Ms. Belan to provide her comment to the Board later in the meeting when it considered her case, if that was her preference.

Ms. Hildebrand asked Mr. Garry to recognize Ms. Belan for comment at the time her case was considered by the Board.

Mr. Garry stated that Samuel Anderson wished to provide a comment. Mr. Anderson was recognized and invited to provide comment. Mr. Anderson addressed the Board and stated that his continuing education case would be heard by the Board today. He apologized for the violation and asked to address the Board at the time his case was considered.

Ms. Hildebrand noted that Mr. Anderson would provide a comment when the Board heard his enforcement case.
<table>
<thead>
<tr>
<th>2. Approval of February 20, 2020 Board Meeting Minutes</th>
</tr>
</thead>
<tbody>
<tr>
<td>A MOTION WAS MADE AND SECONDED (Walker/Salazar) TO APPROVE THE FEBRUARY 20, 2020 BOARD MEETING MINUTES.</td>
</tr>
<tr>
<td>Ms. Hildebrand requested roll call from the Board members on the vote and received the following responses:</td>
</tr>
<tr>
<td>Debra Dockery – Approved</td>
</tr>
<tr>
<td>Bob Wetmore – Approved</td>
</tr>
<tr>
<td>Joyce Smith – Approved</td>
</tr>
<tr>
<td>Chad Davis – Approved</td>
</tr>
<tr>
<td>Jennifer Walker – Approved</td>
</tr>
<tr>
<td>Chase Bearden – Approved</td>
</tr>
<tr>
<td>Rosa Salazar – Approved</td>
</tr>
<tr>
<td>Fernando Trevino – Approved</td>
</tr>
<tr>
<td>THE MOTION PASSED UNANIMOUSLY.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>3. Executive Director’s Report</th>
</tr>
</thead>
<tbody>
<tr>
<td>A. Summary of Executive Accomplishments</td>
</tr>
<tr>
<td>Ms. Dockery invited Ms. Hildebrand to deliver the Executive Director’s report.</td>
</tr>
<tr>
<td>Ms. Hildebrand referred the Board to her report in the supplemental materials previously provided to the Board and invited any questions from the Board.</td>
</tr>
<tr>
<td>There were no questions from the Board members.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>4. Discussion of the Agency’s Response to the COVID-19 Outbreak and Any Need to Request Gubernatorial Suspension of Laws or Agency Rules</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ms. Dockery invited Ms. Hildebrand to address the Board regarding the agency’s response to the COVID-19 outbreak.</td>
</tr>
<tr>
<td>Ms. Hildebrand began her presentation by stating that the staff has been healthy. The majority of the workforce had been teleworking since the outbreak but she had allowed up to five (5) people in the office at a time in order to process mail and checks, obtain supplies and/or prepare for the upcoming move. She had informed the State Auditor’s office and the Comptroller’s office that TBAE had been processing checks once per week, which was common across all agencies. Furthermore Ms. Hildebrand stated that all travel had ceased. With respect to disruptions for registrants, Ms. Hildebrand noted that registrants were able to renew their registrations online, so there were no delays in the renewal process. In addition, the</td>
</tr>
</tbody>
</table>
agency had waived late fees on a case by case basis for cause. Additionally, to address the possibility that registrants may be facing layoffs or other stoppages in work, fees to change registration status to inactive were being waived. Finally, the agency had temporarily suspended audits of continuing education (CE) compliance, and any registrant with a pending audit had been allowed an extension, if needed. Ms. Hildebrand also noted that staff had been conducting outreach to remind registrants that continuing education could be completed on-line and that this year’s continuing education could be completed any time before the end of the calendar year. Ms. Hildebrand did note that some registrants had asked whether the Board would eliminate the continuing education requirement for the year due to COVID-19. Ms. Hildebrand noted that only the governor had the authority to waive a law or rule due to an emergency; under the process set up by the governor, the agency would be required to submit a request to the governor’s office to waive any CE requirements.

Ms. Hildebrand stated that she had not requested a waiver thus far. She noted that this was based partially on the availability of online CE as well as the fact that registrants still had until the end of the year to complete CE requirements.

But she also wanted to present the issue to the Board to receive guidance on how to proceed.

Ms. Hildebrand provided three options for the Board’s consideration. The first would be the status quo – a temporary abatement of CE audits, but no general waiver of CE requirements for 2020. Second, Ms. Hildebrand suggested the Board could ask the governor to temporarily increase the number of self-directed CE allowable for annual compliance. Third, the Board could ask the governor to waive the CE requirement for 2020. Ms. Hildebrand invited input from the Board on these alternatives.

Ms. Dockery noted that the Board had heard from registrants who had expressed concern about completing CE requirements while responding to unexpected challenges like homeschooling kids and keeping business afloat or even unemployment. She said she wanted to hear from the other Board members on this topic in light of any challenges they were facing.

Mr. Wetmore stated that, in his office, every other week, they offered a continuing education class for all employees. However, during the crisis, they had not been able to offer those classes and instead had to rely upon online classes. Mr. Wetmore stated that it had not yet been an issue for him, but that he knew other registrants may be facing additional challenges.

Mr. Bearden indicated his preference for keeping the status quo, given that registrants still had until December 31 to complete CE. He also noted that
the agency could continue to monitor the situation and reserve the option of addressing the matter later in the year.

Mr. Davis provided a summary of how his firm had been addressing the crisis, including having employees work from home. He also described his work group’s attendance at two online CE courses, which he said was a good alternative to in-person CE. He agreed with Mr. Bearden that the status quo should be continued, with the possibility of addressing the matter later in the year if necessary.

Ms. Smith was also in favor of maintaining CE requirements under the status quo. She also asked, how long would it take to get a response if the agency requested a waiver of laws or rules from the governor?

Ms. Hildebrand said she was not sure, but she would expect it would be at least a few weeks.

Ms. Salazar agreed with the other Board members in maintaining the status quo. She noted that she had young kids at home but had been able to complete CE from Zoom and webinars. She said the industry had stepped up to provide flexible and creative alternatives for CE, so much so that she had felt she couldn’t take advantage of all that was available.

Ms. Walker agreed with a continuation of the status quo. As a mother to young children, she stated she was initially overwhelmed by the challenges presented by the outbreak but had been feeling more comfortable recently. Given that the year was not yet half over, she felt the Board could allow the situation to play out further and review the issue later in the year, if it became necessary.

Mr. Trevino stated that TREC, his licensing agency, had allowed extended license renewals to provide more time for individuals to respond to the crisis, so he felt a continuation of the status quo was appropriate, given the time left in the year.

Ms. Dockery noted the consensus opinion of the Board to maintain the status quo and to reassess the situation at the next Board meeting.

Ms. Hildebrand stated that she would place the item of the agenda for August.

| 5. Office Relocation Update | Ms. Hildebrand stated that she had been sending weekly emails on the office relocation project. In summary, she noted that everything was moving along. She said that the move-in date had been rescheduled from June 1 due to construction delays. She said this was a good thing because it would allow staff more time to prepare for the move. Ms. Hildebrand |

expected construction to be completed by June 30, with furniture delivered by early July and move-in on July 15.

<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Ms. Hildebrand directed the Board to page 22 of the Board materials. She stated that the Strategic Plan is filed every two years and this year’s report was due June 1, 2020. Ms. Hildebrand provided a summary of the report as described beginning on page 22 of the Board materials and invited comments from the Board, particularly on Section C, “External/Internal Assessment Issues and Trends”; and whether the SDSI payment and administrative penalties should be included in the “Redundancies and Impediments” section of the report.</td>
<td></td>
</tr>
<tr>
<td>Mr. Bearden suggested that the agency not address the SDSI payment as an impediment in the report, given that the state budget would be stretched thin due to the COVID-19 crisis. He stated that the issue could be reassessed in the future, once the state is on better footing.</td>
<td></td>
</tr>
<tr>
<td>Mr. Davis stated that this was a rare moment where he had to disagree with Mr. Bearden. Mr. Davis stated that the agency only has one opportunity every two years to address the SDSI payment and that it was important to be consistent in expressing disagreement with the amount of the payment. He noted that the SDSI payments were not based on any equal apportionment between the SDSI agencies and that this burden falls much more heavily on some registrants than others. From the perspective of a citizen of the state, Mr. Davis expressed his concern that this did not reflect good governance or equitable governance. With respect to budgetary difficulties that the state would be facing, Mr. Davis noted the state’s large rainy-day fund and suggested that the current crisis should qualify for reliance upon this fund.</td>
<td></td>
</tr>
<tr>
<td>Mr. Davis also addressed the fund balance. He expressed his concern about the impact to the fund balance resulting from the cost of TBAE’s move to the new office, as well as the increased rent payments for private rental space. He suggested that these costs be highlighted in the report to the governor to provide a better understanding of how the fund balance would be impacted in the future.</td>
<td></td>
</tr>
<tr>
<td>Ms. Dockery sought clarification about whether Mr. Davis was suggesting that the expected reduction in the fund balance be addressed in the Strategic Plan.</td>
<td></td>
</tr>
<tr>
<td>Mr. Davis replied that the issue could be addressed in the Strategic Plan, provided that the impact was significant and the Board agreed. He was concerned that someone who read the Strategic Plan and saw that the agency had a 98% fund balance would conclude that the agency’s financial</td>
<td></td>
</tr>
</tbody>
</table>
position was better than it really was, given the significant additional expenses that the agency was facing.

Ms. Hildebrand suggested that she could address this concern in the strategic plan by providing a forecast of the expected decrease in the fund balance over the next four years.

Ms. Dockery invited Ms. Hildebrand to address the results of the Customer Service Survey, and Survey of Employee Engagement.

Ms. Hildebrand provided a summary of the Customer Service Survey results. Notably, TBAE received a 94% satisfaction rate.

Ms. Hildebrand referred the Board to the Survey of Employee Engagement on page 27 of the Board materials and provided a summary thereof.

Ms. Dockery requested that the Board members vote on the Strategic Plan as drafted or with amendments and opened the floor to a motion.

A MOTION WAS MADE AND SECONDED (Davis/Smith) TO APPROVE THE STRATEGIC PLAN WITH AMENDMENTS TO INCLUDE LANGUAGE UNDER ITEM B – TO REFLECT THE FISCAL IMPACTS OF MOVING FROM A STATE-OWNED FACILITY TO A MARKET RATE FACILITY AND TO CONTINUE TO INCLUDE THE ANNUAL $510,000 SDSI PAYMENT AS AN IMPEDIMENT.

Mr. Wetmore questioned whether the motion was asking for a reduction or an annulment of the SDSI payment? Ms. Dockery answered that the plan was asking for a legislative review of the SDSI payment.

Ms. Dockery asked Ms. Hildebrand to record the vote. Ms. Hildebrand requested roll call from the Board members on the vote and received the following responses:

Debra Dockery – Yes
Bob Wetmore – Yes
Joyce Smith – Yes
Chad Davis – Yes
Jennifer Walker – Yes
Chase Bearden – Yes
Rosa Salazar – Yes
Fernando Trevino – Yes

THE MOTION PASSED UNANIMOUSLY.

Mr. Davis referred to page 36 of the Survey of Employee Engagement and noted that there were several survey questions that resulted in negative responses by 5.6% of surveyed employees, which he noted would be equivalent to one person providing a negative response on any given
question. He noted that these survey questions related to unfair treatment, ethics in the workplace, and a failure to adequately address harassment in the workplace. Mr. Davis reiterated the overall strong ratings that the agency had received in the employee survey, which he felt was indicative of a very strong management team. But he also expressed concern that any employee would feel that harassment was not adequately addressed. Mr. Davis asked Ms. Hildebrand to describe how the human resources department would handle those types of issues.

Ms. Hildebrand expressed her own concern about these survey responses. She stated that it hurt her heart and bothers her that somebody would feel that way. Ms. Hildebrand described the processes in place for employees to file complaints with HR. She also identified alternative procedures for the general counsel to take on responsibilities if the complaint involved HR personnel. Ms. Hildebrand stated that she relied upon the HR department heavily to ensure that the agency was following the required procedures, whether that involved the consideration of complaint or other process such as hiring. She also highlighted her ability to rely upon in-house counsel for advice, as well as the attorney general’s office. Ms. Hildebrand acknowledged the possibility that HR investigations could result in outcomes or decisions that not everybody would agree with, but she emphasized the importance that correct procedures were in place to ensure that everybody had an opportunity to be heard.

Mr. Davis thanked Ms. Hildebrand for the information. He said it was important for Board members and employers to ensure that items do not get lost in high scores. He said that employees needed to feel comfortable that a network was available to them. He thanked Ms. Hildebrand and Ms. Brister for their efforts and emphasized the importance to Board members that these issues were appropriately addressed by the agency.

**7. Proposed FY21 Operating Budget Discussion**

Ms. Hildebrand directed the Board to page 72 of the Board materials to discuss the proposed budget for FY2021. Ms. Hildebrand provided an analysis of revenues and expenditures for the current year and discussed her projections for the upcoming year. In particular, Ms. Hildebrand discussed the expectations for how the COVID-19 crisis and office move would impact the agency’s finances.

Ms. Hildebrand also addressed the governor’s May 20th letter directing state agencies to prepare a plan to decrease general revenue appropriations by 5% for the 2010-2021 biennium. Ms. Hildebrand provided a summary of her planned response to the governor’s office, noting the agency’s status as an SDSI agency and possible sources of cost savings. Ms. Hildebrand also suggested that convening the budget committee might be helpful in light of the challenges associated with the COVID-19 crisis.

Mr. Davis thanked Ms. Hildebrand and staff for the thorough presentation of the dynamic factors involved in presenting the budget for FY21. Mr.
Davis noted that after employee payroll, the SDSI payment to general revenue, and SWCAP, the agency had very little in discretionary expenditures to cut. This illustrated the difficulty for small agencies, with high fixed costs, to respond nimbly to difficult conditions. He opined that licensing fees as well as business registration fees might be reduced as a result of layoffs, significant delays in projects for all three professions, and out-of-state registrants dropping their Texas registrations. He suggested that this may require the Board to dip into the fund balance even more than originally expected.

Ms. Dockery stated that she would consider the establishment of a budget committee and thanked Ms. Hildebrand for her informative presentation during this dynamic situation.

Ms. Dockery provided an update on TBAE’s efforts to address the disciplinary database and related issues with NCARB. Ms. Dockery reminded the Board that this matter was a topic of consideration during previous Board meetings. Ms. Dockery provided a summary of previous developments and discussions of the issue at the NCARB Regional Meeting. She noted that those discussions had resulted in NCARB taking another look at their practices and scaling back. She referred the Board to the letter from NCARB which is included in the Board materials on page 73. Ms. Dockery summarized and discussed the steps outlined by NCARB to address the issue. Ms. Dockery stated it was the right move for TBAE to speak up and share its concerns with NCARB.

Ms. Smith complimented the Chair and thanked Board leadership for addressing the matter with NCARB.

Mr. Brenton referred the Board to the summary and associated Board materials for this rulemaking action beginning on page 74. He summarized those materials, provided staff’s recommendation, and invited any questions or comments from the Board.

A MOTION WAS MADE AND SECONDED (Wetmore/Davis) TO APROVE THE PROPOSED AMENDMENTS TO 22 TEX. ADMIN. CODE §§ 1.5, 1.65, 3.5, 3.65, 5.5, AND 5.75 FOR FINAL ADOPTION.

Ms. Hildebrand requested roll call from the Board members on the vote and received the following responses:

<table>
<thead>
<tr>
<th>Name</th>
<th>Vote</th>
</tr>
</thead>
<tbody>
<tr>
<td>Debra Dockery</td>
<td>Yes</td>
</tr>
<tr>
<td>Bob Wetmore</td>
<td>Yes</td>
</tr>
<tr>
<td>Joyce Smith</td>
<td>Yes</td>
</tr>
<tr>
<td>Chad Davis</td>
<td>Yes</td>
</tr>
<tr>
<td>Jennifer Walker</td>
<td>Yes</td>
</tr>
<tr>
<td>Chase Bearden</td>
<td>Yes</td>
</tr>
<tr>
<td>Rosa Salazar</td>
<td>Yes</td>
</tr>
</tbody>
</table>
registration renewal to persons who default on certain student loans.

**B. Adoption of amendments to 22 Tex. Admin. Code §§1.26, 1.27, 1.149, 1.153, 3.26, 3.27, 3.149, 3.153, 5.36, 5.37, 5.158, 5.162 implementing House Bill 1342 (86th Tex. Leg., R.S.), relating to the effect of certain criminal offenses on eligibility for registration.**

Mr. Brenton referred the Board to the summary and associated Board materials for this rulemaking action beginning on page 91. He summarized those materials, provided staff’s recommendation, and invited any questions or comments from the Board.

A MOTION WAS MADE AND SECONDED (Smith/Davis) TO APROVE THE PROPOSED AMENDMENTS TO 22 TEX. ADMIN. CODE §§ 1.26, 1.27, 1.149, 1.153, 3.26, 3.27, 3.149, 3.153, 5.36, 5.37, 5.158 AND 5.162 FOR FINAL ADOPTION.

Ms. Hildebrand requested roll call from the Board members on the vote and received the following responses:

- Debra Dockery – Yes
- Bob Wetmore – Yes
- Joyce Smith – Yes
- Chad Davis – Yes
- Jennifer Walker – Yes
- Chase Bearden – Yes
- Rosa Salazar – Yes
- Fernando Trevino – Yes

THE MOTION PASSED UNANIMOUSLY.

Mr. Brenton explained to the Board that item C would not be considered at this Board meeting due to a publishing error by the Texas Register. He stated that this item would be considered at the August Board meeting.

**C. Adoption of amendments to 22 Tex. Admin. Code §5.183 implementing House Bill 2847 (86th Leg., R.S.), relating to the elimination of administrative penalties for nonregistered persons and the elimination of criminal offenses for violating Texas Occupations Code Chapter 1053.**

Ms. Dockery asked Mr. Brenton to present the disciplinary cases.

<p>| 10. Enforcement Cases Review and possibly adopt ED's | Ms. Dockery asked Mr. Brenton to present the disciplinary cases. |</p>
<table>
<thead>
<tr>
<th>Registrant/Non-Registrant Cases:</th>
<th>Belan, Catherine (#325-17N) (SOAH Docket Case No. 459-20-1258)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mr. Brenton directed the Board to the written materials for this case beginning on page 135 of the Board packet. Mr. Brenton provided a history of the proceeding at SOAH, summarized the Notice of Hearing, Formal Charges, Conditional Order of Default Dismissal and Remind filed by SOAH ALJ Meitra Farhadi, and the proposed Order of the Board on page 135 of the Board materials. Mr. Brenton provided staff’s recommendation that the Board adopt the proposed Order of the Board.</td>
<td></td>
</tr>
</tbody>
</table>

Ms. Dockery invited Ms. Belan to make her presentation to the Board. Ms. Belan asked, “what happens from here on?”

Ms. Dockery explained that the Board would entertain a motion and a vote on this item, and if it was approved the action would move forward.

Ms. Belan stated that she did not know what to say. She said “I don’t know where you’re coming up with the fact that I represented myself as an architect because I know after I let the license lapse, I have been very specific about saying that I have a degree in architecture but I do not have a license. So, I don’t understand that - the item that you brought up from 2003. The term, the one – what source are you using for the unauthorized term of the word architect?”

Ms. Dockery responded that Ms. Belan was given the opportunity to present her arguments in front of SOAH and noted that she hadn’t done so. Ms. Dockery stated that this proceeding is not the time to do that.

Ms. Belan responded, “Well then just let me say that if it’s from my old website, that my sister was working on for me and then she suddenly passed. I just haven’t even been able to make myself go look at that website to make any changes to it. I don’t know what to tell you other than I don’t have three thousand dollars, much less ten. But there’s nothing I can do at this point, obviously.”

Ms. Dockery thanked Ms. Belan for her attendance at the meeting and called for a motion if there was nothing further.

A MOTION WAS MADE AND SECONDED (Davis/Bearden) TO ENTER THE ORDER OF THE BOARD ON PAGE 135 OF THE BOARD MATERIALS.

Ms. Hildebrand requested roll call from the Board members on the vote and received the following responses:

Debra Dockery – Yes
Bob Wetmore – Yes
Joyce Smith – Yes
Chad Davis – Yes
Jennifer Walker – Yes
Chase Bearden – Yes
Rosa Salazar – Yes
Fernando Trevino – Yes

THE MOTION PASSED UNANIMOUSLY.

Dunaway, James S. (#259-19A)
Mr. Brenton provided a summary of this matter as described on page 143 of the Board materials.

A MOTION WAS MADE AND SECONDED (Davis/Wetmore) TO ENTER AN ORDER WHICH ADOPTS THE FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ADMINISTRATIVE PENALTY OF $1,000 AS SET FORTH IN THE REPORT AND NOTICE OF VIOLATION DATED FEBRUARY 21, 2020.

Ms. Hildebrand requested roll call from the Board members on the vote and received the following responses:

Debra Dockery – Yes
Bob Wetmore – Yes
Joyce Smith – Yes
Chad Davis – Yes
Jennifer Walker – Yes
Chase Bearden – Yes
Rosa Salazar – Yes
Fernando Trevino – Yes

THE MOTION PASSED UNANIMOUSLY.

Felan, Russell D. (#265-17N) (SOAH Docket No. 459-20-2740)
Mr. Brenton provided a summary of this matter as described on page 144 of the Board materials.

A MOTION WAS MADE AND SECONDED (Bearden/Walker) TO ENTER AN ORDER WHICH ADOPTS THE FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ADMINISTRATIVE PENALTY OF $3,000 AS SET FORTH IN THE REVISED REPORT AND NOTICE OF VIOLATION DATED APRIL 7, 2020.

Ms. Hildebrand requested roll call from the Board members on the vote and received the following responses:

Debra Dockery – Yes
Bob Wetmore – Yes
Joyce Smith – Yes
Chad Davis – Yes
Jennifer Walker – Yes
Chase Bearden – Yes
Rosa Salazar – Yes
Fernando Trevino – Yes

THE MOTION PASSED UNANIMOUSLY.

Martin, David E. (#057-20A)
Mr. Brenton provided a summary of this matter as described on page 145 of the Board materials.

A MOTION WAS MADE AND SECONDED (Davis/Bearden) TO ENTER AN ORDER WHICH ADOPTS THE FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ADMINISTRATIVE PENALTY OF $1,500 AS SET FORTH IN THE REPORT AND NOTICE OF VIOLATION DATED APRIL 9, 2020.

Mr. Wetmore stated that he would recuse himself from consideration because he knows the Respondent.

Ms. Hildebrand requested roll call from the Board members on the vote and received the following responses:

Debra Dockery – Yes
Bob Wetmore – Recused
Joyce Smith – Yes
Chad Davis – Yes
Jennifer Walker – Yes
Chase Bearden – Yes
Rosa Salazar – Yes
Fernando Trevino – Yes

THE MOTION PASSED UNANIMOUSLY.

Monroe, Ludie B. (#269-19N)
Mr. Brenton provided a summary of this matter as described on page 146 of the Board materials.

A MOTION WAS MADE AND SECONDED (Davis/Walker) TO ENTER AN ORDER WHICH ADOPTS THE FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ADMINISTRATIVE PENALTY OF $2,500 AS SET FORTH IN THE REPORT AND NOTICE OF VIOLATION DATED FEBRUARY 21, 2020.

Ms. Hildebrand requested roll call from the Board members on the vote and received the following responses:

Debra Dockery – Yes
Bob Wetmore – Yes
Joyce Smith – Yes
Chad Davis – Yes
Jennifer Walker – Yes
Chase Bearden – Yes
Rosa Salazar – Yes
Fernando Trevino – Yes

THE MOTION PASSED UNANIMOUSLY.

O’Dell, Carl Gene (#330-19A)
Mr. Brenton provided a summary of this matter as described on page 147 of the Board materials.

A MOTION WAS MADE AND SECONDED (Wetmore/Bearden) TO ENTER AN ORDER WHICH ADOPTS THE FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ADMINISTRATIVE PENALTY OF $1,250 AS SET FORTH IN THE REPORT AND NOTICE OF VIOLATION DATED JANUARY 10, 2020.

Ms. Hildebrand requested roll call from the Board members on the vote and received the following responses:

Debra Dockery – Yes
Bob Wetmore – Yes
Joyce Smith – Yes
Chad Davis – Yes
Jennifer Walker – Yes
Chase Bearden – Yes
Rosa Salazar – Yes
Fernando Trevino – Yes

THE MOTION PASSED UNANIMOUSLY.

10B. Continuing Education Cases:

Ms. Dockery suggested that the Board consider and vote upon the continuing education cases as a group unless there were recusals. No recusals were noted.

Ms. Dockery inquired whether Mr. Anderson was still in attendance at the meeting and if he would like to address the Board.

Mr. Garry stated that Mr. Anderson had to step away from the meeting, but he wanted to thank the Board for considering his case and expressed contrition.

The Board considered and voted upon the continuing education cases as a group.

A MOTION WAS MADE AND SECONDED (Bearden/Trevino) TO ENTER AN ORDER WHICH ADOPTS THE FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ADMINISTRATIVE PENALTIES AS SET FORTH IN THE REPORT AND
NOTICES OF VIOLATION FOR EACH OF THE FOLLOWING CONTINUING EDUCATION CASES:

<table>
<thead>
<tr>
<th>Case No.</th>
<th>Name</th>
<th>Arch#</th>
</tr>
</thead>
<tbody>
<tr>
<td>069-20A</td>
<td>Anderson, Samuel Mather</td>
<td>23362</td>
</tr>
<tr>
<td>062-20L</td>
<td>Brusveen, Kyle Jordan</td>
<td>3071</td>
</tr>
<tr>
<td>068-20A</td>
<td>Cotera, Juan E.</td>
<td>5789</td>
</tr>
<tr>
<td>065-20A</td>
<td>Ford, Andrew Scott</td>
<td>24654</td>
</tr>
<tr>
<td>061-20A</td>
<td>Hawks, Stephen Douglas</td>
<td>15568</td>
</tr>
<tr>
<td>369-19A</td>
<td>Henderson, Mark Wayne</td>
<td>13114</td>
</tr>
<tr>
<td>060-20A</td>
<td>Lambert, Robert Douglas</td>
<td>12493</td>
</tr>
<tr>
<td>067-20A</td>
<td>Li, Xiaohai</td>
<td>23260</td>
</tr>
<tr>
<td>472-18L</td>
<td>Powell, James Craig</td>
<td>2288</td>
</tr>
<tr>
<td>071-20I</td>
<td>Rachlin, Laura A.</td>
<td>10745</td>
</tr>
<tr>
<td>059-20L</td>
<td>Rector, Richard R.</td>
<td>1029</td>
</tr>
<tr>
<td>074-20I</td>
<td>Sonnier, Erin</td>
<td>10194</td>
</tr>
<tr>
<td>052-20I</td>
<td>Stockard, Pamela J.</td>
<td>5905</td>
</tr>
</tbody>
</table>

Ms. Hildebrand requested roll call from the Board members on the vote and received the following responses:

- Debra Dockery – Yes
- Bob Wetmore – Yes
- Joyce Smith – Yes
- Chad Davis – Yes
- Jennifer Walker – Yes
- Chase Bearden – Yes
- Rosa Salazar – Yes
- Fernando Trevino – Yes

THE MOTION PASSED UNANIMOUSLY.

11. Executive Director Annual Performance Evaluation Discussion

Ms. Dockery informed the Board members that the Executive Director’s Performance Evaluation would take place in August. Ms. Dockery referred to the proposed timeline on page 161 of the board materials. She proposed that the Board continue to use the same form as in the past.

Mr. Wetmore inquired how the scores would be calculated if a Board member left a rating criterium blank. He was concerned that it might be counted as a zero when the ratings were considered cumulatively, thus negatively impacting the average rating.

Ms. Dockery shared her understanding that non-ratings or “n/a” ratings would not be considered in the total average rating.

Ms. Smith and Mr. Wetmore expressed their agreement on that principle, and no other Board members expressed disagreement.
### Report on Conferences and Meetings

**A. NCARB Regional Summit – Cambridge, MA**

Ms. Dockery stated that she had already given her report on the meeting in Cambridge, MA and the results of the Board’s letter to NCARB.

**B. NCARB/TBAE Presentation – TX Tech University, April 3**

Ms. Dockery asked whether any Board members wished to provide a report on that or any other meeting. No other reports were offered.

**C. Board Member/Executive Director Personal Financial Filing Statement Deadline – July 31**

Ms. Dockery reminded the Board members that the deadline for filing Personal Financial Statements had been extended to July 31st due to the COVID-19 Disaster Declaration.

### Report on Upcoming Conferences and Meetings

**2020 NCARB Annual Business Meeting – Virtual, Jun 18**

Ms. Dockery noted that the NCARB meeting would have been held in Austin but had been converted to a virtual meeting due to the Coronavirus. She encouraged Board members to participate in the virtual meeting.

Ms. Hildebrand commented that Ms. Dockery was listed as the voting member of the Board. She noted that the voting would be limited to elections, as the resolutions had been postponed until next year.

### Resolution Honoring Tony Whitt

Ms. Dockery stated that the Board members were previously informed that TBAE’s very valued employee, Tony Whitt had retired. She then read the following Resolution into the record:

**BE IT KNOWN THAT ANTHONY “TONY” WHITT** Has distinguished himself by his more than two decades of dedicated employment with the State of Texas, including service at the Texas Real Estate Commission and the Texas Board of Architectural Examiners, and

**WHEREAS,** Mr. Whitt will retire from his State of Texas employment on the 31st day of May 2020; and

**WHEREAS,** Mr. Whitt provided more than seven years of dedicated service to the Texas Real Estate Commission; and

**WHEREAS,** Mr. Whitt provided more than thirteen years of dedicated service as a Licensing Specialist with the Texas Board of Architectural Examiners; and

**WHEREAS,** Mr. Whitt for the past decade also served as the Texas Board of Architectural Examiners’ Continuing Education Coordinator, responsible for ensuring compliance with the Board’s continuing education requirements; and
WHEREAS, Mr. Whitt was responsible, during his time with the Texas Board of Architectural Examiners, for a long and steady line of innovations, improvements, and enhancements to the Board’s continuing education program processes; and

WHEREAS, Mr. Whitt has been welcomed at many professional conferences, conventions, and trade shows to discuss and explain the Board’s continuing education program to registrants, future registrants, continuing education providers, and other stakeholders, now, therefore, be it

RESOLVED
That the Texas Board of Architectural Examiners, in Formal Meeting assembled this 21st day of May 2020, does publicly acknowledge its appreciation of outstanding service to the state of Texas and have voted unanimously for this

RESOLUTION OF APPRECIATION
To Anthony “Tony” Whitt and have caused a copy of this Resolution to be included within the minutes of this Board.

Ms. Dockery stated that if there was no objection, the resolution would be adopted by acclamation.

THE BOARD APPROVED THE RESOLUTION BY ACCLAMATION.

15. Board Member Comments/Future Agenda Items

Ms. Dockery asked if the Board members had any comments or suggestions on future agenda items. No suggestions were offered.

Mr. Davis thanked Ms. Dockery and the staff for a great job in organizing the meeting.

Mr. Bearden agreed and noted that he had participated in a number of virtual meetings recently and this particular call had been the most seamless meeting that he had attended.

Mr. Wetmore and Ms. Smith expressed their agreement.

16. Upcoming Board Meetings

Tuesday, August 25, 2020
Thursday, November 19, 2020

Ms. Dockery stated that the next Board meeting would be on August 25, 2020.
| 17. Adjournment | THE MEETING WAS ADJOURNED AT 12:41 P.M. |

APPROVED BY THE BOARD:

DEBRA J. DOCKERY, FAIA  
Chair, TEXAS BOARD OF ARCHITECTURAL EXAMINERS