

**TEXAS BOARD OF ARCHITECTURAL EXAMINERS**  
**Board Meeting Minutes – August 17, 2023**  
Centennial Building, 505 E. Huntland Dr., Ste. 350  
Austin, TX 78752  
10:00 a.m. until completion of business

<b>AGENDA ITEMS</b>	<b>DESCRIPTIONS</b>														
<b>1A. Call to Order</b>	Ms. Dockery called the meeting to order at 10:00 a.m.														
<b>1B. Roll Call</b>	<p>Mr. James called the roll.</p> <p><u>Present Board Members</u></p> <table> <tr> <td>Debra Dockery</td><td>Chair, Architect</td></tr> <tr> <td>Tim Bargainer</td><td>Vice-Chair, Landscape Architect</td></tr> <tr> <td>Darren James</td><td>Secretary/Treasurer, Architect</td></tr> <tr> <td>Jennifer Walker</td><td>Architect</td></tr> <tr> <td>Rosa Salazar</td><td>Registered Interior Designer</td></tr> <tr> <td>Joyce Smith</td><td>Public Member</td></tr> <tr> <td>Fernando Trevino</td><td>Public Member</td></tr> </table>	Debra Dockery	Chair, Architect	Tim Bargainer	Vice-Chair, Landscape Architect	Darren James	Secretary/Treasurer, Architect	Jennifer Walker	Architect	Rosa Salazar	Registered Interior Designer	Joyce Smith	Public Member	Fernando Trevino	Public Member
Debra Dockery	Chair, Architect														
Tim Bargainer	Vice-Chair, Landscape Architect														
Darren James	Secretary/Treasurer, Architect														
Jennifer Walker	Architect														
Rosa Salazar	Registered Interior Designer														
Joyce Smith	Public Member														
Fernando Trevino	Public Member														
<b>1C. Excused and Unexcused Absences</b>	None.														
<b>1D. Determination of a Quorum</b>	A quorum was present.														
<b>1E. Recognition of Guests</b>	Ms. Dockery acknowledged the following members of TBAE staff and guests in the audience: Becky Walker of the Texas Society of Architects; Julie Hildebrand, Executive Director; Lance Brenton, General Counsel; Glenda Best, Operations Manager; Sharon Briceno, Continuing Education Coordinator; Jack Stamps, Managing Investigator; Julio Martinez, Information Security Officer; Mike Alvarado, Registration Manager; Nellie Clayton, Finance Department; Dale Dornfeld, IT Manager; Pim Mayo, Assistant General Counsel; and Jessica Ramirez, Legal Assistant.														
<b>1F. Chair's Opening Remarks</b>	Ms. Dockery began by recognizing Mr. James for his receipt of the Community Service Award from the Texas Society of Architects. This award recognizes a Texas Society member for extended commitment to community service and contributions to the community evidenced by a positive impact on urban, environmental, and neighborhood issues. She said Mr. James is very deserving of the award for all the donated hours that he has given to our community and thanks him for his service.														

	<p>The Board joined Ms. Dockery in recognizing Mr. James.</p> <p>Ms. Dockery noted that this is her last Board meeting as Chair, and probably as a Board member. She said it has been an honor to serve on the Board and that it has made her a better architect. She said it has been an eventful twelve and half years. In March of 2011, she was serving on the government affairs committee of the Texas Society of Architects when then-TBAE Chair Alfred Vidaurri and TxA President Dan Hart, along with their counterparts in the engineering profession, were crafting language for a legislative bill that would end years of litigation between the two Boards. She said it was her job to bring consensus among the government affairs committee. Then, in April, she received a call that she had been appointed to TBAE. With humor, Ms. Dockery related that the experience was very much “out of the frying pan, and into the fire” and found herself asking what the governor had gotten her into.</p> <p>Ms. Dockery discussed the highlights and accomplishments during her time on the Board. This included her service on the three-member committee that would determine the protocols and review the applications for status as an exempt engineer; two very contentious SOAH mediations; the selection of Ms. Hildebrand as executive director (what she considers perhaps the most significant achievement or accomplishment during her term); Mr. Brenton’s guidance through the fallout from the North Carolina Dental Board case; the agency’s response to the pandemic (which included meeting virtually for the first time); and hosting the NCARB Annual Conference in Austin.</p> <p>Ms. Dockery lauded those accomplishments, but said with a new Chair and new members joining the Board, it is an opportune time to reevaluate Board operations: Is the Board agenda the right format? Are there committees that we no longer need, or new committees that should be formed? Are there issues or focus areas that need to rise to the top? There are many opportunities.</p> <p>Ms. Dockery said it is with some sadness that she ends her second term. She said it was wonderful to serve with her fellow Board members and the fantastic staff and to meet family members of both. She said the citizens of Texas have been very well served by the Board and staff. She will also miss the people she met through NCARB service. Ms. Dockery said she would always be available to assist the Board, and volunteers specifically to help with the onboarding of new Board members, particularly as it relates to service with NCARB. In closing, Ms. Dockery said she appreciates the opportunity to have served as chair.</p> <p>The Board and staff shared their appreciation of Ms. Dockery and her service.</p>
--	--

<b>1G. Public Comments</b>	No public comments were offered.
<b>2. Approval of June 5, 2023, Board Meeting Minutes</b>	<p>A MOTION WAS MADE AND SECONDED (Walker/James) TO APPROVE THE JUNE 5, 2023, BOARD MEETING MINUTES.</p> <p>THE MOTION PASSED UNANIMOUSLY.</p> <p>Subsequently, during the discussion of Agenda Item 4, an error was identified in the minutes, as follows:</p> <p>Ms. Smith asked whether the Board would encounter additional expenses due to the sunset process, and whether those expenses are reflected in the budget.</p> <p>Ms. Hildebrand asked for clarification because the agency's sunset review has been legislatively delayed until 2033.</p> <p>Ms. Smith noted that the minutes that were presented and approved earlier in the meeting indicated that sunset has been delayed until 2023.</p> <p>Ms. Hildebrand asked Mr. Brenton to review the issue and provide any needed remedy.</p> <p>Mr. Brenton confirmed the error and provided a recommended motion to the Board.</p> <p>A MOTION WAS MADE AND SECONDED (James/Salazar) TO REVISE THE MINUTES FOR THE JUNE 5<sup>TH</sup> BOARD MEETING TO CORRECT THE ENTRY UNDER AGENDA ITEM 3 TO REFELCT THE SUNSET PROCESS HAS BEEN DELAYED UNTIL 2033, RATHER THAN 2023.</p> <p>THE MOTION PASSED UNANIMOUSLY</p>

<p><b>3. Executive Director Report</b></p> <p>A. Summary of Executive Accomplishments</p> <p>B. Operating Budget/Scholarship Fund: Presentation on 3<sup>rd</sup> Quarter Fiscal Year 2023 Expenditures and Revenues</p>	<p>Ms. Dockery invited Ms. Hildebrand to deliver the Executive Director's report.</p> <p>Ms. Hildebrand discussed the summary of staff accomplishments as described on page 18 of the board materials and referred the Board to those materials as a supplement to her verbal presentation.</p> <p>Ms. Hildebrand directed the Board to the report on agency trends beginning on page 22 of the board materials and provided a summary of the information.</p> <p>Ms. Hildebrand referred the Board to the FY 23 budget on page 20 of the board materials and provided an update of the current state of the agency's finances and budgetary line items.</p> <p>Ms. Hildebrand referred the Board to page 21 of the board materials and addressed the scholarship fund balance.</p>
<p><b>4. FY24 Proposed Budget</b></p>	<p>Ms. Hildebrand directed the Board to the FY 2024 proposed budget on page 24 of the Board materials. She summarized the budget, her line-item projections for the fiscal year, and how she arrived at those projections.</p> <p>A MOTION WAS MADE AND SECONDED (Bargainer/Walker) TO APPROVE THE FISCAL YEAR 2024 OPERATING BUDGET AS PRESENTED.</p> <p>Mr. Bargainer asked Ms. Hildebrand to explain the increase in convenience fees over the budgeted amount in FY 2023.</p> <p>Ms. Hildebrand said her estimate for convenience fees in the coming fiscal year is equal to the projected actual collections for FY 2023. Since the collected amount projects to be larger than what was budgeted for FY 2023, the line item for FY 2024 has been increased.</p> <p>Ms. Salazar asked for a reminder about what the convenience fees are.</p> <p>Ms. Hildebrand said this is a pass-through charge that TBAE collects on behalf of the state as a fee for online payments. Ms. Hildebrand said theoretically the amount collected and the amount expended should be the same, but in practice will differ in any given fiscal year due to timing discrepancies about when the fees are collected and when they are ultimately passed on to the state.</p> <p>Ms. Dockery asked whether the Board should budget for additional positions in the salaries and wages line item, given the continued growth in registration numbers.</p>

	<p>Ms. Hildebrand responded that she does not believe this is presently necessary, due in part to the experience and expertise of current staff. However, she noted that staff could leave the department due to retirement, which could necessitate hiring additional staff over and above current levels.</p> <p>Ms. James asked whether retirements can be expected in the following year.</p> <p>Ms. Hildebrand responded that several individuals will be eligible for retirement in the coming year. She said she would address this in more detail under the agenda item for succession planning.</p> <p>Ms. Dockery asked for an update on the current fund balance level.</p> <p>Ms. Hildebrand responded that the Board has approximately one year of agency funding in the fund balance.</p> <p>THE MOTION PASSED UNANIMOUSLY</p>
<p><b>5. Consideration of Proposed Amendments for Adoption</b></p> <p>Consideration of proposed amendments to 22 Tex. Admin. Code §§ 1.43, 1.44, 3.43, and 3.44, relating to the time period within which applicants must complete registration examinations and requests for extensions to the time period for completing the examination.</p>	<p>Mr. Brenton referred the Board to page 25 for the summary and associated Board materials for this rulemaking action. He summarized those materials, provided staff's recommendation, and invited any questions or comments from the Board.</p> <p>A MOTION WAS MADE AND SECONDED (Bargainer/Trevino) TO APPROVE THE PROPOSED AMENDMENTS TO 22 TEX. ADMIN. CODE §§ 1.43, 1.44, 3.43, and 3.44 FOR FINAL ADOPTION.</p> <p>Ms. Dockery asked whether the Governor's office reviewed the proposed rules.</p> <p>Mr. Brenton responded that the proposed rules and preambles were submitted to and approved by the Governor's office prior to publication in the Texas register.</p> <p>THE MOTION PASSED UNANIMOUSLY</p>

<p><b>6. Enforcement Cases Review and possibly adopt ED's recommendation in the following enforcement cases:</b></p> <p>6A. Registrant/Non-Registrant Cases:</p>	<p>Ms. Dockery asked Mr. Brenton to present the enforcement cases for Board consideration.</p> <p><b>Clay, Bruce Willis (Case #058-20N SOAH Docket #459-23-14579)</b> Mr. Brenton directed the Board to the written materials for the case beginning on page 40 and provided a summary of the case as well as staff's recommendation.</p> <p>A MOTION WAS MADE AND SECONDED (James/Bargainer) TO ENTER THE ATTACHED ORDER OF THE BOARD, WHICH INCORPORATES THE STAFF'S NOTICE OF HEARING, FORMAL CHARGES AND ORDER NO. 2 OF DEFAULT DISMISSAL ISSUED BY ALJ ANDREW LUTOSTANSKI ON JUNE 28, 2023, IMPOSES AN ADMINISTRATIVE PENALTY IN THE SUM OF \$40,000, AND ORDERS THE RESPONDENT TO CEASE AND DESIST FROM ENGAGING IN ANY CONDUCT THAT VIOLATES TEXAS OCCUPATIONS CODE, CHAPTER 1051 OR 22 TEXAS ADMINISTRATIVE CODE, CHAPTER 1.</p> <p>THE MOTION PASSED UNANIMOUSLY.</p> <p><b>Prieto, Jose Luis (Case #112-21N)</b> Mr. Brenton directed the Board to the written materials for the case beginning on page 54 and provided a summary of the case as well as staff's recommendation.</p> <p>A MOTION WAS MADE AND SECONDED (Walker/Bargainer) TO ENTER AN ORDER WHICH ADOPTS THE FINDINGS OF FACT, CONCLUSIONS OF LAW, AND RECOMMENDED ADMINISTRATIVE PENALTY OF \$5,000 AND WHICH ORDERS THE RESPONDENT TO CEASE AND DESIST ANY AND ALL VIOLATIONS OF TEXAS OCCUPATIONS CODE CHAPTER 1051 AND BOARD RULES, AS SET FORTH IN THE REPORT AND NOTICE OF VIOLATION DATED MAY 2, 2023.</p> <p>THE MOTION PASSED UNANIMOUSLY.</p> <p><b>Ramon, Esteban A. (Case #146-20N, SOAH Docket #459-23-11664)</b> Mr. Brenton directed the Board to the written materials for the case beginning on page 55 and provided a summary of the case as well as staff's recommendation.</p> <p>A MOTION WAS MADE AND SECONDED (Walker/James) TO ENTER THE ATTACHED ORDER OF THE BOARD, WHICH INCORPORATES THE STAFF'S NOTICE OF HEARING, FORMAL CHARGES AND ORDER NO. 2 OF DEFAULT DISMISSAL ISSUED BY ALJ STEVE RIVAS ON MAY 15, 2023, IMPOSES AN</p>
--	---

	<p>ADMINISTRATIVE PENALTY IN THE SUM OF \$48,000, AND ORDERS THE RESPONDENT TO CEASE AND DESIST FROM ENGAGING IN ANY CONDUCT THAT VIOLATES TEXAS OCCUPATIONS CODE, CHAPTER 1051 OR 22 TEXAS ADMINISTRATIVE CODE, CHAPTER 1.</p> <p>THE MOTION PASSED UNANIMOUSLY.</p> <p><b>Sargenti, Robert J. Jr. (Case #039-23A and Case #095-23A)</b>  Mr. Brenton directed the Board to the written materials for the case beginning on page 69 and provided a summary of the case as well as staff's recommendation.</p> <p>A MOTION WAS MADE AND SECONDED (Trevino/Bargainer) TO ENTER AN ORDER WHICH ADOPTS THE FINDINGS OF FACT, CONCLUSIONS OF LAW, AND RECOMMENDED ADMINISTRATIVE PENALTY OF \$2,000, AS SET FORTH IN THE REPORT AND NOTICE OF VIOLATION DATED MAY 16, 2023.</p> <p>Mr. Bargainer noted that the Respondent is located out-of-state and represents a corporate client providing services on multiple projects for that client within the state. He asked how staff arrived at the recommendation of discipline of \$1,000, given that the Respondent was previously subject to a warning.</p> <p>Mr. Brenton responded that the agency has a standard operating procedure for accessibility cases. For the first violation, the Respondent is eligible for a warning. If another violation occurs after the initial warning is issued, then a disciplinary order will be entered for \$1,000 per violation, which is specifically required under the Board's rules. If a violation occurs following the first order, a second order will be entered, which should include an increased penalty of up to \$5,000 and mandatory attendance at the TDLR Accessibility Academy.</p> <p>Ms. Dockery noted that the Respondent did ultimately submit drawings, though the submission occurred after the deadline.</p> <p>THE MOTION PASSED UNANIMOUSLY.</p> <p><b>Strombom, Dean Howard (Case #124-23A )</b>  Mr. Brenton directed the Board to the written materials for the case beginning on page 70 and provided a summary of the case as well as staff's recommendation.</p> <p>A MOTION WAS MADE AND SECONDED (Walker/Smith) TO ENTER AN ORDER WHICH ADOPTS THE FINDINGS OF FACT, CONCLUSIONS OF LAW, AND RECOMMENDED ADMINISTRATIVE PENALTY OF \$1,000 AND WHICH ORDERS THE RESPONDENT TO CEASE AND DESIST ANY AND ALL VIOLATIONS OF OCCUPATIONS CODE CHAPTER 1051 AND BOARD RULES, AS</p>
--	--

<p>6B. Continuing Education Cases:</p>	<p>SET FORTH IN THE REPORT AND NOTICE OF VIOLATION DATED MAY 16, 2023.</p> <p>THE MOTION PASSED UNANIMOUSLY.</p> <p>Mr. Brenton directed the Board to summaries for the continuing education cases beginning on page 71 of the board materials, which include staff's recommendations.</p> <p>Ms. Dockery stated that, unless any Board members need to recuse themselves from any case, she will entertain a motion to accept staff's recommendations for all the continuing education cases. There were no recusals.</p> <p>A MOTION WAS MADE AND SECONDED (Bargainer/Smith) TO ACCEPT STAFF'S RECOMMENDATION FOR DISCIPLINE IN THE FOLLOWING CONTINUING EDUCATION CASES:</p> <p><b>Case No. 020-23I Alford, Gordon B. RID #5650</b>  <b>Case No. 150-23A Chow, Chi-Chung Arch. #7553</b>  <b>Case No. 169-23L Drummond, Clare LA #3652</b>  <b>Case No. 132-23I Efrussy, Jasmine Jacobs RID #10104</b>  <b>Case No. 171-23I Holub, Alyssa Jayne RID #10483</b>  <b>Case No. 178-23L Maskooki, Nicole LA #3573</b>  <b>Case No. 177-23A Morris, Bryan David Arch. #25707</b>  <b>Case No. 174-23L Oliver, Bruce A. LA #3133</b>  <b>Case No. 145-23A Palis, Douglas Wayne Arch. #14031</b>  <b>Case No. 144-23L Rahn, Steven Michael LA #1600</b>  <b>Case No. 170-23I Teegarden, Sydney RID #10765</b>  <b>Case No. 172-23L Tipton, Albert C. III LA #2712</b></p> <p>THE MOTION PASSED UNANIMOUSLY.</p>
<p><b>7. Discussion of Issues Relating to Compliance with Continuing Education Requirements and Associated Disciplinary Actions</b></p>	<p>Ms. Dockery noted that this topic was placed on the agenda due to a comment provided at the June Board meeting by Ms. Smith. At that time, Ms. Smith noted that, when the Board takes enforcement action for a violation of continuing education (CE) requirements, an administrative penalty is entered, but there is no requirement for the Respondent to make up missing hours. Ms. Smith questioned whether that is something the Board should consider.</p> <p>Mr. Brenton presented information to the Board in response to Ms. Smith's inquiry. Mr. Brenton discussed how TBAE addresses a failure to complete CE requirements, recent changes to the CE program and the impact so far, current CE disciplinary practices, and comparisons to sister agencies and previous TBAE practices. Mr. Brenton identified a number of alternatives</p>



	<p>that the Board could consider to increase CE compliance amongst individuals who are found to be deficient after a CE audit.</p> <p>Mr. Bargainer suggested the Board should consider a response that would not increase the cost or demand on the agency.</p> <p>Mr. Brenton provided a recommendation that, if the Board preferred to act on this issue, a low cost response could be to encourage compliance by reducing the administrative penalty for respondents who fail an audit but agree to complete make-up CE. Mr. Brenton suggested this could be a reduction of 50% of the penalty for failing to timely complete CE. Based on previous agency experience in providing a similar opportunity, he suggested this could result in approximately 75% of respondents in CE cases completing make-up CE prior to the Board taking disciplinary action.</p> <p>Ms. Dockery said the goal is for registrants to stay current and to encourage CE. With that in mind, she expressed a preference to offer a carrot in the form of a reduced penalty for completing CE. However, she said the Board should not reduce the \$500 penalty for falsely certifying CE compliance at renewal.</p> <p>Ms. Smith asked whether registrants send in a copy of their CE log or other proof of CE compliance at the time of renewal.</p> <p>Mr. Brenton responded that registrants are required to certify compliance at the time of renewal but are not required to provide proof of compliance at the time of renewal.</p> <p>Ms. Smith asked whether it would help to require the submission of proof of compliance at renewal.</p> <p>Mr. Bargainer responded that some states do require the submission of CE logs at the time of renewal. He said that those states tend to require the completion of CE over a two- or three-year period, as opposed to annually. However, he said one of those states had recently adopted the Texas method of only requiring proof of compliance if the registrant is audited, with the goal of decreasing demand on that board's staff. Mr. Bargainer said he is concerned about the use of resources if the Board requires all registrants to submit proof of compliance at the time of renewal.</p> <p>Ms. Hildebrand said, if the Board adopted a program in which all registrants are required to submit CE at the time of renewal, the most-likely solution would be to utilize an outside service to track CE. She said this would be expensive – one available service would cost about four to five dollars per registrant per year, to be paid directly by the registrant.</p>
--	--

	<p>Ms. Smith noted that TBAE registrants are required to complete 12 hours of CE. She compared this to her licensing agency, the Texas State Board of Public Accountancy, which requires a minimum of 20 hours per year and 120 every three years. She suggested it would not be unreasonable to require registrants to list completed courses at the time of renewal. She also suggested that staff might not necessarily review the submissions at the time of renewal but would have the information available if the registrant was audited. Ms. Smith said identifying the claimed CE at the time of renewal would encourage completion of CE and emphasized the importance for registrants to comply with CE requirements.</p> <p>Mr. James expressed concern that this would result in an increased strain on staff resources.</p> <p>Ms. Hildebrand noted that, if registrants were prevented from renewing their registration due to failing to upload proof of completion at the time of renewal, it could result in additional need for disciplinary action due to practicing without a registration. She confirmed that this requirement would increase demand on staff resources.</p> <p>Ms. Walker said she preferred to incentivize completion of make-up CE through a reduction in administrative penalties.</p> <p>Mr. Trevino asked whether CE providers are required to submit classes to the Board for approval.</p> <p>Mr. Brenton said the Board does not pre-approve CE courses.</p> <p>Ms. Smith asked whether the agency discloses the amount of administrative penalties for violating CE requirements in the agency's written reminders to registrants to complete CE.</p> <p>Mr. Brenton responded that the reminders say a penalty could be imposed for violating CE requirements, but they do not identify the specific amount. He said this is a good idea and can be incorporated into the reminders.</p> <p>Ms. Smith said that could be helpful to incentivize registrants to complete CE and thanked Mr. Brenton for the work he put into the presentation.</p>
<p><b>8. Tim Bargainer 2023 CLARB Leadership Elections &amp; Voting Member</b></p>	<p>Ms. Dockery said she would need a motion to designate Tim Bargainer as the voting member at the CLARB 2023 Annual Meeting.</p> <p>A MOTION WAS MADE AND SECONDED (James/Walker) TO DESIGNATE TIM BARGAINER AS THE VOTING MEMBER AT THE CLARB 2023 ANNUAL MEETING.</p> <p>THE MOTION PASSED UNANIMOUSLY.</p>

<p><b>9. Discussion of Board Member and Executive Director Succession Planning</b></p>	<p>Ms. Hildebrand began by addressing the impending change in the Board's chair position. She noted that the chair is appointed by the governor and in the past has been a relatively long appointment. As a result, the agency relies a great deal on the chair and benefits from continuity. However, when a change occurs, it can be a big disruption.</p> <p>Ms. Hildebrand invited the Board to strategically discuss succession planning and offered questions to guide the conversation: What does the future look like? What impact will we have? We have talked about the need for more strategic planning, what does that look like? What are our expectations for the new chair? Regarding new appointees, what does onboarding look like?</p> <p>Mr. James noted that the Board has heavily relied upon Ms. Dockery and joked that the Board might not even be aware of all that she does. He said the Board sees the results, but it would be helpful to have an outline or list of her tasks and responsibilities, so the Board has a baseline moving forward. Mr. James said Ms. Dockery is the only Chair he has known. She's been excellent and he wants to make sure there isn't a drop-off.</p> <p>Ms. Dockery said it was only in the past week that she learned this would likely be her last meeting. As such, she has not prepared any such documentation for the next chair but would be willing to do so.</p> <p>Ms. Hildebrand noted that the agency has a very brief position description for the chair, which would be a good place to start. Ms. Hildebrand said she is preparing an action item check-list. She also noted the governor's office is willing to work with the agency on the timing of the chair appointment. On that point, Ms. Hildebrand had provided input to the governor's office that it would be helpful to have the new chair in place prior to the appointment of new Board members. That way, Ms. Dockery could still potentially be on the Board to overlap and help train the new chair.</p> <p>Mr. Bargainer asked for a best guess on how many new Board members will be appointed.</p> <p>Ms. Hildebrand said that the terms for Ms. Salazar and Ms. Smith are up but both have expressed interest in reappointment. Ms. Hildebrand said she is hopeful they will be reappointed. Ms. Hildebrand said two positions are vacant – the positions previously held by Mr. Wetmore and Ms. Taylor. So, given Ms. Dockery's departure, there will be at least three new Board members, perhaps up to five.</p> <p>Ms. Dockery said she would add to the Board chair job description as needed but said she doesn't want to insert too much because this is an opportunity to really look at what the Board does, how's it's done, focusing on the emergent issues that the Board will be facing. Ms. Dockery</p>
--	--

	<p>emphasized the importance for Board members to be involved with the national organizations: NCARB, CLARB, and CIDQ. As the third largest state, Ms. Dockery said it is vital for Texas to have a forceful voice. Additionally, Ms. Dockery said she supports the focus on strategic planning, especially as it relates to responding to an aging registrant population.</p> <p>Mr. Bargainer asked about the timing of the appointment and onboarding of new Board members.</p> <p>Ms. Hildebrand said she expects new Board members to be appointed together at the same time, likely before the November Board meeting. As for the chair, she hopes that the appointment will be made as soon as possible, to help in the transition.</p> <p>Mr. Bargainer asked whether the Board should have an off-cycle meeting, given the work that needs to be done to train and onboard the new chair and three to five new Board members. He said this could be an opportunity to discuss current and foreseeable issues to be addressed by the Board through strategic planning. He suggested Ms. Dockery could participate in the meeting as well.</p> <p>Ms. Hildebrand responded that staff engages new Board members in a training and orientation process prior to their first Board meeting, but said the Board could have an additional meeting, as discussed by Mr. Bargainer.</p> <p>Ms. Dockery recalled that when she had orientation as a new Board member, Chase Bearden, a Board member at the time, took her to lunch to welcome her to the Board and identify issues that the Board was facing at that time. She said it was a very special gesture that she would be willing to repeat for new Board members if it is helpful.</p> <p>Ms. Hildebrand asked whether a Board-involved onboarding of new Board members would occur in conjunction with the regularly-scheduled Board meeting. For example, a two-day meeting with a first-day session consisting of introductory and training information and a second day dedicated to regular business. Alternatively, the Board could have a separate meeting dedicated to orientation, but that would require additional travel time from the Board members.</p> <p>Mr. Bargainer said having back-to-back days, with general information on the first day and regular business on the second, with casual interaction or team-building, would be helpful.</p> <p>Ms. Hildebrand then asked the Board for input on how strategic planning should occur in the future.</p>
--	---

	<p>Mr. Bargainer asked what the required strategic planning process is for a government agency. He then suggested the Board could build upon that to consider current issues and foreseeable issues or trends, and then as a group discuss how those matters will impact Texas and how they can be interjected into the Board's strategy.</p> <p>Ms. Hildebrand said the required strategic plan is due every two years, with the next deadline in June. As part of that process, the agency conducts a customer service survey in January, which is then discussed at the February Board meeting along with any strategic planning that is needed for the June report.</p> <p>Ms. Dockery noted the required strategic plan is operational; it is not necessarily aspirational. She suggested additional Board attention could be devoted to the consideration of trends and how the Board messages what it does. For example, it is not merely about licensing professionals, but the protection of the public from incompetent practice.</p> <p>Mr. James said the Board needs to be ready to address artificial intelligence, which will impact the profession. He asked, how will that be regulated?</p> <p>Ms. Dockery then asked Ms. Hildebrand to address executive director succession.</p> <p>Ms. Hildebrand referred the Board to the draft Executive Director Succession Plan beginning on page 83 of the board materials and provided a summary of the plan.</p> <p>Ms. Dockery said it was important to consider previous experience in filling the executive director position. She said the most recent appointment was difficult, as it included a sudden resignation, a difficult process in appointing an interim executive director, and a stressful hiring process for both staff and the Board. So, she appreciates the consideration and development of this plan.</p> <p>Ms. Dockery asked whether the Board would be required to provide a public posting of the position if the Board preferred to fill the position from current staff.</p> <p>Ms. Hildebrand responded that an internal posting would be available to staff only. She also said the Board could use a stepped process, in which the Board posts the job on an internal basis first and then conducts interviews to determine whether a qualified candidate was available. If not, the Board could then post the job publicly.</p>
--	---

	<p>Mr. James suggested the policy should be revised to clarify which staff members would be responsible for completing various tasks under the policy.</p> <p>Ms. Smith asked whether an outside candidate would be eligible for the interim executive director position or would that be limited to agency staff.</p> <p>Ms. Hildebrand responded that, if the Board sought to appoint an outside candidate, the Board would have to go through the full outside hiring process. If the Board sought to appoint an internal candidate, then that person would keep their current role, but be designated as the acting executive director, along with a salary adjustment, until such time that a permanent ED was appointed.</p> <p>Ms. Smith asked what the expected timeline would be from the beginning of the process to the hiring date.</p> <p>Ms. Hildebrand responded that the policy was meant to be implemented over the course of three Board meetings, but that those meetings might not necessarily be regularly scheduled; it would be up to the Board to consider the situation and schedule accordingly.</p> <p>A MOTION WAS MADE AND SECONDED (Smith/Bargainer) TO APPROVE THE EXECUTIVE DIRECTOR SUCCESSION PLAN.</p> <p>THE MOTION PASSED UNANIMOUSLY.</p>
<p><b>10. Executive Director Annual Performance Evaluation</b></p> <p>A. Report on findings based upon performance evaluation.</p> <p>B. Consider and possibly act upon any personnel action that may be proposed by the Board.</p>	<p>The Board took a break at 11:36 a.m. and reconvened at 11:53 a.m.</p> <p>Ms. Dockery stated the Board would enter into executive session to discuss personnel matters under the authority of Tex. Govt. Code §551.074. The executive session convened at 11:53 a.m.</p> <p>The Board reconvened in open session at 12:17 p.m. Ms. Dockery noted that no final action, decision, or vote regarding any matter was considered or discussed during the executive session.</p> <p>Ms. Dockery said the Board does not feel there is a better executive director than Ms. Hildebrand. The Board is thankful for Ms. Hildebrand and hopes that she will continue in the position for some time going forward.</p> <p>The Board identified three items for Ms. Hildebrand to focus on during the next year. First, to continue the focus on succession planning. Second, to begin the strategic discussions in a more aspirational manner – what is the agency facing in the future? The Board would like this to be a part of every Board meeting. Third, to look at the growth and training of staff, given the number of employees who are or will be eligible for retirement. The Board</p>

	<p>is encouraged that Ms. Hildebrand had already included funding for increased training in the budget.</p> <p>Mr. Bargainer emphasized the need for succession planning and training, comparing the agency staff to a national championship team, but one that is full of seniors. He said it is time to build the bench.</p> <p>A MOTION WAS MADE AND SECONDED (James/Bargainer) TO INCREASE THE EXECUTIVE DIRECTOR'S SALARY BY 9%.</p> <p>THE MOTION PASSED UNANIMOUSLY.</p> <p>Ms. Dockery said the Board could not thank Ms. Hildebrand enough for all that she does. She said the Board recognizes that, as the executive director of a smaller agency, it is not necessarily lesser duties. In fact, it is probably more, because she is required to do a little in everybody's department. The Board realizes the amount of effort that Ms. Hildebrand puts into the agency.</p>
<b>11. Approval of the Proposed 2024 Board Meeting Dates</b>	<p>Ms. Dockery identified the following proposed 2024 board meeting dates:</p> <p>Thursday, February 22 Thursday, May 23 Thursday, August 22 Thursday, November 21</p> <p>A MOTION WAS MADE AND SECONDED (Bargainer/Walker) TO APPROVE THE DESIGNATED MEETING DATES.</p> <p>THE MOTION PASSED UNANIMOUSLY.</p>
<b>12. Reports on National Regulatory Boards and Board Member and Staff Committee Service</b>	<p>Ms. Dockery invited the Board members to provide updates on their service with national regulatory board committees.</p> <p>Mr. Brenton said the NCARB Credentials Committee has met twice and is awaiting responses to a survey it issued.</p> <p>Mr. James is on the Education Committee, which has just scheduled its first meeting.</p> <p>Ms. Smith said she is pleased to be serving on the NCARB Credentials Committee with Mr. Brenton.</p> <p>Ms. Salazar said she will be attending a follow-up meeting for the ICOR discussion on task overlap.</p> <p>Ms. Dockery said it is wonderful to see so many Board members involved.</p>

<b>13. Report on Conferences and Meetings</b> A. NCARB Annual Business Meeting – June 15-17 B. ASID Texas Chapter: Celebrating Design Texas 2023 – Aug 2	<p>Ms. Dockery invited the Board members to report on conferences and meetings.</p> <p>Ms. Dockery summarized the events at the NCARB annual meeting. She said the governance proposal had been resolved with the addition of two at-large positions to the NCARB Board of Directors, with some promises to continue the discussion. She said she would be monitoring the transition.</p>
<b>14. Report on Upcoming Conferences and Meetings</b> A. 2023 LRGV-AIA Conference – Sep. 8 - 9 B. CLARB Annual Meeting – Sep. 20 - 22 C. TxA Annual Conference & Expo – Nov. 2 - 4 D. CIDQ Annual Business Meeting – Nov. 10 -11	<p>Mr. Bargainer said he would attend the CLARB Annual Meeting.</p> <p>Ms. Dockery noted the TxA Annual Conference is a good opportunity for architects to complete their CE before the end of the year.</p>
<b>15. Board Member Comments/Future Agenda Items</b>	<p>Ms. Dockery asked if the Board members had any comments or suggestions on future agenda items. No suggestions were received.</p>
<b>16. Upcoming Board Meeting</b>	<p>The next meeting is scheduled for Tuesday, November 14.</p>
<b>17. Adjournment</b>	<p>The meeting adjourned at 12:59 p.m.</p>

**APPROVED BY THE BOARD:**

  
Darren James  
Chair

TEXAS BOARD OF ARCHITECTURAL EXAMINERS