



## Texas State Board of Plumbing Examiners

Board Meeting Agenda

929 E. 41<sup>st</sup> St., Austin, Texas 78751

October 5, 2022 - 10:00 am

This meeting will be held by videoconference call pursuant to Texas Government Code § 551.127. The Board member presiding over the meeting will be physically present at the location of the meeting listed above and will preside over the meeting at that location. The meeting will also be accessible to the public at the physical location listed above. Members of the public may also participate in this meeting by videoconference using the following link:

<https://us02web.zoom.us/j/84870085358?pwd=aXVQczJDWXMrb2oxc3ladU9uTzhQQT09>

You may also access the board meeting via telephone at: 1 346 248 7799

For individuals planning to physically attend the meeting, masks and social distancing are highly recommended. However, if you are not feeling well or were possibly exposed to COVID-19, please stay at home and view the meeting virtually. An audio-video recording of the meeting will be available shortly after the completion of the meeting at: <http://www.adminmonitor.com/>

An electronic copy of the agenda is now available at <https://tsbpe.texas.gov/> under "Open Meetings."

Members of the public not appearing in person, please email [dawn.saravia@tsbpe.texas.gov](mailto:dawn.saravia@tsbpe.texas.gov) in advance of the meeting if you know you would like to provide public comment. You may also use the "Raise Hand" feature in Zoom to indicate you wish to speak during the meeting. When the Board reaches the public comment time, the Chair will recognize you by name and give you an opportunity to speak.

The Board will meet at the above-stated time to consider and take appropriate action on the items listed below.

- 1. Call to Order – 10:00 a.m.**
- 2. Roll Call.**
- 3. Certification of Quorum.**
- 4. Excuse absent Board Members.**
- 5. Chairman's remarks including but not limited to Townhall meetings, outreach efforts, and interagency cooperation efforts.**

- 6. Report and discussion on high school and trade school plumbing programs including but not limited to student education, credit, examination, and tradesman licensure.**
- 7. Report and discussion on agency initiatives to deter unlicensed activity.**
- 8. Discussion and possible action to approve the Journeyman Reciprocity Agreement allowing reciprocity between Arkansas and Texas.**
- 9. Report and discussion on journeyman licensee reciprocity with other states.**
- 10. Discussion and possible action to adopt the proposed amendments to 22 Texas Administrative Code §361.1 and §361.13. The proposed rulemaking implements House Bill (HB) 636, 87th Legislature, Regular Session (2021).**
- 11. Discussion and possible action to adopt the proposed amendments to 22 Texas Administrative Code (TAC), §§365.1, 365.5, 365.7, 365.8, 365.14, 365.15, 365.19, 365.20, 365.21, 365.22, 365.23, 365.24 and the proposed new rule at 365.25. The proposed rulemaking implements House Bill (HB) 636, 87th Legislature, Regular Session (2021) and includes changes resulting from the four-year rule review conducted according to Texas Government Code §2001.039.**
- 12. Discussion and possible action for the publication of proposed amendments to 22 Texas Administrative Code (TAC) §§363.1, 363.2, 363.4, 363.5, 363.6, 363.7, 363.8, 363.10, 363.11, 363.12, 363.13, 363.14, 363.15, 363.16, 363.17, 363.18, 363.19, 363.24, 363.25, 363.27 and the repeal of rules at §§363.3 and 363.26. The proposed rulemaking implements changes originating from House Bill (HB) 636, 87th Legislature, Regular Session (2021), and includes changes resulting from the four-year rule review conducted according to Texas Government Code §2001.039.**
- 13. Discussion and possible action for the publication of proposed amendments to 22 Texas Administrative Code (TAC) §§367.1, 367.2, 367.3, 367.4, 367.5, 367.6, 367.7, 367.8, 367.9, 367.10, 367.11, 367.12, 367.13, 367.14, 367.15, 367.16, 367.17, 367.18, 367.19, 367.20, 367.21, and 367.22. The proposed rulemaking implements changes originating from House Bill (HB) 636, 87th Legislature, Regular Session (2021), and includes changes resulting from the four-year rule review conducted according to Texas Government Code §2001.039.**
- 14. Executive Director’s Report and discussion of agency activities including but not limited to:**
  - Personnel changes
  - Job postings
  - Continuing education program update
  - Mobile Testing Unit development
  - Spanish Translation
  - Outreach
    - Updates to Website
    - Best Practices “Assist a Plumber” Video Conference Workshop for Company Administrative Support

- Staff activities
  - State Employee Charitable Campaign (SECC) Kickoff and Calendar of Events
- Current statistics on plumber licenses and registrations

**15. Examination Department Report and Discussion – Lisa G. Hill, Executive Director**

- a. Pending Plumber Exams and Retakes Report.
- b. Examination Pass Fail Report.
- c. Computer Based Testing update.
- d. Master Plumber Exams administered in Waco on September 19, 2022.
- e. Pending new applications.

**16. Financial Department Report and discussion regarding department activities including but not limited to:**

- a. Annual Financial Report (AFR) Fiscal Year 2022.
- b. Budget and Revenue update.
- c. Initial Findings of the Comptroller’s Audit covering December 2020 to November 2021.

**17. Enforcement Department Report, discussion, and possible action regarding enforcement activities including but not limited to:**

- a. Summary of complaint cases reviewed, and administrative penalties imposed.
- b. Summary of applications approved or denied for registration and/or examination.
- c. Report of recent Field Activities.
- d. Summary of Cease and Desist Orders issued under §1301.5045 of the Plumbing License Law.
  - i. Aguilar, Gabriel; Complaint No. 2022-01381
  - ii. Barrera, Arturo; Complaint No. 2022-00752
  - iii. Beard, Wesley; Complaint No. 2022-00761
  - iv. Cunningham, Marcus; Complaint No. 2022-01004
  - v. Evers, Christopher; Complaint No. 2022-01166
  - vi. Gonzalez, Efrain J.; Complaint No. 2022-00745
  - vii. Johnson, Patrick Knud; Complaint No. 2022-00360
  - viii. Jones, Robert; Complaint No. 2022-01163
  - ix. Martinez, Julio; Complaint No. 2022-00875
  - x. McCarty, Eric W.; Complaint No. 2022-01749
  - xi. Salgado, Michael; Complaint No. 2022-01387
  - xii. Wilson, Blaine Lee; Complaint No. 2022-01002
- e. Board Order of Administrative Penalties paid by agreement.
- f. Default Final Orders imposing penalties under §1301.704 of the Plumbing License Law.
  - i. Amador Ordonez, Esdras Enoc; 2022-00906
  - ii. Bergbauer, Patrick; 2022-01077

- iii. Cano, Robert; 2022-01347
  - iv. Clark, Sharon; 2022-01113
  - v. Denson, Justin; 2022-01075
  - vi. Garcia, Joshua J.; 2022-00936
  - vii. Garza, Irasema; 2022-00914
  - viii. Gauna Cano, Eliud Abraham; 2022-00313
  - ix. Gomez, Carlos; 2022-00937
  - x. Hall, Justin; 2022-01119
  - xi. Henderson, Trevor L.; 2022-00930
  - xii. Keeter, Sean; 2022-01346
  - xiii. McCann, Steven C.; 2022-01340
  - xiv. McGowan, Chester; 2022-00940
  - xv. Navarro, Heriberto; 2022-01084
  - xvi. Ortega Membreno, Jose Lucas; 2022-00924
  - xvii. Salinas, Michael; 2022-00939
  - xviii. Smith, Jason; 2022-01220
  - xix. Sweet, Stephen J.; 2022-01331
  - xx. Vasquez, Pedro; 2022-01134
- g. Consideration and possible action on the contested case Proposal for Decision (PFD) heard before the State Office of Administrative Hearings Case/Docket No. 456-22-2295.TSBPE, Texas State Board of Plumbing Examiners v. Beau E. Davis.

**18. Public Comment – Comments will be limited to three minutes per person.**

**19. Discussion regarding the date for the next board meeting.**

**20. Recommendations for future board meeting agenda items.**

**21. Adjourn.**

The Texas State Board of Plumbing Examiners may go into a closed meeting after first convening in an open meeting and stating the authority under which the closed meeting will be held in accordance with §551.101 of the Open Meetings Act.

If you need auxiliary aids or services, please contact Dawn Saravia, Executive Assistant, at (512) 936-5226, at least 72 hours prior to the meeting so that appropriate arrangements are made.