

**AGENDA**  
**TEXAS BOARD OF PROFESSIONAL ENGINEERS**  
**REGULAR QUARTERLY BOARD MEETING**  
**1917 SOUTH INTERSTATE 35**  
**AUSTIN, TX 78741**  
**MAY 21, 2014 – 10:30 AM**

**Call to Order.** (Daniel O. Wong, Ph.D., P.E., Presiding Officer)

1. Roll Call and Welcome Visitors..... Daniel O. Wong, Ph.D., P.E.
2. Public Comment..... Daniel O. Wong, Ph.D., P.E.
3. Consent Agenda ..... Daniel O. Wong, Ph.D., P.E.

**(The following items may be acted upon under Consent Agenda and are marked with an asterisk\* on the Regular Quarterly Board Meeting Agenda)**

*(Motion Required)*

- February 12, 2014, Licensing Committee Minutes **(See agenda item #5)**
- February 13, 2014, Policy Advisory Opinion Committee Minutes **(See agenda item #6)**
- February 13, 2014, Regular Quarterly Board Meeting Minutes **(See agenda item #4)**
- Administrative Reports and Outstanding Administrative Penalties and Dismissed Cases, Cease and Desist Order, Agreements, Injunctions/Default Judgments **(See agenda item # 15)**
- Licensing Applications. **(See agenda item #20)**

**Discuss and Possibly Approve Board Minutes:**

4. **\*(Consent Agenda)** Discuss and possibly approve minutes of the February 13, 2014, Regular Quarterly Board Meeting Minutes ..... Daniel O. Wong, Ph.D., P.E.

**Discuss and Possibly Accept Committee Minutes:** ..... Daniel O. Wong, Ph.D., P.E.

5. **\*(Consent Agenda)** February 12, 2014, Licensing Committee Minutes

6. **\*(Consent Agenda)** February 13, 2014, Policy Advisory Opinion Committee Minutes

**Discuss and Possibly Act on the following agenda items (7-21):**

7. Board Members' Activity Reports ..... Daniel O. Wong, Ph.D., P.E.  
*(Report)*

- Baker
- Ballí
- Greer
- Kannappan
- Nejad
- Reyna
- Summers
- Womack
- Wong

8. Emeritus Members ..... Daniel O. Wong, Ph.D., P.E.  
*(Report)*

- Gonzalez
- Guerra
- Nadkarni

9. Budget..... Jeff Mutscher

- FY14 2<sup>nd</sup> Quarter Budget Report

*(Report)*

- FY 15 Draft Budget

*(Draft)*

10. Performance Measure Update ..... David Howell, P.E.  
(Report)

**Discuss and Possibly Act on Issues Regarding Committee Reports or Items on the Committee Agendas:**

11. Licensing Committee ..... Bobby Ballí, P.E., Chair
- Personal Appearances from Licensing Applicants  
(Motion required on all personal interviews)
  - International Agreement..... Lance Kinney, P.E.  
(Update)
    - South Korea
    - Engineers Australia
12. Policy Advisory Opinion Committee ..... Carry Baker, Chair
- Discussion of stakeholder meeting and possible draft of EAOR #34 – Industry Exemption  
(Update/Possible Motion)
  - Discussion of stakeholder meeting and possible draft of EAOR #36 – Construction Management  
(Update/Possible Motion)

**Discuss and Possibly Act on Reports or Items reported by the Executive Director:**

13. Executive Director’s Report.....Lance Kinney, P.E.  
(Report)
- Activity Report
  - Introduction of new TBPE employees
    - Robert Opiela, P.E., Director of Licensing
    - Jeff Rodriguez, Application Developer
  - Report on response regarding §137.63 (c), (5), Engineers Responsibility to the Profession.
  - NCEES
    - 2014 SZ Meeting-Charleston, SC
    - NCEES Annual Meeting-August19-23, 2014-Seattle, Washington
  - Journey Toward Excellence
    - Texas Quality Foundation-Progress Level Recognition
  - Criminal History Record Check (CHRC) Update
  - Outreach
    - Upcoming Webinar June 5, 2014
    - Kudos
  - Staff Attorney Report..... Dewey Helmcamp III, JD
    - SOAH Cases
    - Suits Against the Board
    - Status of Court Cases (Injunctions)

14. Discuss and possibly act on the Memorandum of Agreement (MOA) between the Texas Board of Professional Engineers and the Texas Board of Professional Geoscientist.  
(Motion Required)

**Discuss and Possibly Act on Enforcement/Disciplinary Matters:**

15. \*(Consent Agenda) Administrative Reports, Outstanding Administrative Penalties Dismissed Cases, Cease and Desist Order, Agreements, Injunctions/Default Judgments .....C.W. Clark, P.E.
16. Agreed Board Order..... C.W. Clark, P.E.  
(Motion Required)
1. Raul P. Flores, P.E. – D-33569

17. Consent Orders ..... C.W. Clark, P.E.  
 (*Motion Required*)  
Informal Reprimands (In accordance with Board Rule 139.31(b) individual names are not listed)  
 1. D-34582  
 2. D-34622  
 3. D-34636  
Non-Practice Violations  
 4. Mark E. Berg, P.E. – D-34817  
 5. Everett A. Horton – D-34632 (Order of the Board)  
 6. Norman A. Ofstad, P.E. – D-34692 (Order of the Board)  
Practice Violations  
 7. Marcus C. Gibson, P.E. – D-34539  
 8. John J. Hoffman, P.E. – D-34763  
Sanctions Against Non-License Holders  
 9. William L. Campbell – B-34566  
 10. Karl Koppany – E-33738  
 11. Pinnacle Environmental aka Strat Core Services, Inc. – E-34762  
 12. Gary L. Ragsdale – E-33839  
 13. Clay Schlinke – B-34352  
Firm Registrations/Sole Proprietorship Sanctions  
 14. 2W3 Consulting Engineers – B-34705

18. SOAH Final Order ..... Dewey Helmcamp, III, J.D.  
 (*Motion Required*)  
 • Thomas P. McDill, P.E. – D-34318

**Discuss and Possibly Act on Licensing Applications requiring board ruling:**

19. Discuss and possibly act on request of denial of Licensing Committee  
 Decision..... David Howell, P.E.  
 • M. Zahid Hossain Robert Opiela, P.E.
20. **\*(Consent Agenda)** Licensing Applications..... David Howell, P.E.  
 Vote or Reconfirm Votes Pursuant to Board Rule §133.87: Robert Opiela, P.E.  
 Approved for Exams  
 Approved for Licensure  
 Firms Approved  
 Not Approved for Licensure  
 Waivers - Both  
 Waivers –FE  
 Waivers – PE

**Discuss and Possibly Act on Other Matters**

21. Issues to consider for future meeting..... Daniel O. Wong, Ph.D., P.E.

**Adjourn.**

The Board may meet in closed session on any agenda item listed above as authorized by the Texas Open Meetings Act, Tex. Gov't. Code Ann. Chapter 551.

 Individuals needing special accommodation should contact the Texas Board of Professional Engineers at (512) 440-7723, in a timely manner.