

**AGENDA**  
**REGULAR QUARTERLY BOARD MEETING**  
**TEXAS BOARD OF PROFESSIONAL ENGINEERS**  
**1917 S. IH 35**  
**Austin, Texas 78741**  
**February 15, 2018—10:30 AM**

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

1. Roll Call and welcome visitors

2. Public comment

3. **Consent Agenda\***

**(The following items may be acted upon under **Consent Agenda** and are highlighted in blue on the Regular Quarterly Board Meeting Agenda)**

*(Motion Required)*

- November 15, 2017, Licensing Committee Minutes (**See agenda item #5**)
- November 16, 2017, Policy Advisory Opinion Committee Minutes (**See agenda item #6**)
- November 16, 2017, General Issues Committee Minutes (**See agenda item #7**)
- November 16, 2017, Enforcement Committee Minutes (**See agenda item #8**)
- November 16, 2017, Regular Quarterly Board Meeting Minutes (**See agenda item #4**)
- Administrative Reports, Outstanding Administrative Penalties, Dismissed Cases, Violation Terminated Cases, Voluntary Compliance Cases (**See agenda item #17**)
- Licensing Applications (**See agenda item #20**)

**Discuss and Possibly Approve Board Minutes:**

4. (**Consent Agenda**) November 16, 2017, Regular Quarterly Board Minutes

**Discuss and Possibly Accept Committee Minutes:**

5. (**Consent Agenda**) November 15, 2017, Licensing Committee Minutes

6. (**Consent Agenda**) November 16, 2017, Policy Advisory Opinion Committee Minutes

7. (**Consent Agenda**) November 16, 2017, General Issues Committee Minutes

8. (**Consent Agenda**) November 16, 2017, Enforcement Committee Minutes

**Discuss and Possibly Act on the following agenda items (9-23):**

9. Board Members' Activity Reports

*(Report – submitted in accordance with §131.11 (g))*

- |             |           |
|-------------|-----------|
| • Ballí     | • Reyna   |
| • Cheng     | • Summers |
| • Kannappan | • Womack  |
| • Nejad     | • Wong    |
| • Norwood   |           |

10. Advisory Members' Activity Reports

*(Report)*

- |            |            |
|------------|------------|
| • Gonzalez | • Nadkarni |
| • Guerra   |            |

11. Finance and Budget.....presented by Jeff Mutscher

- FY18 1<sup>st</sup> Quarter Budget *(Report)*
- Texas Comptroller of Public Accounts Audit *(Report)*

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

**Agendas:**

12. Licensing Committee Meeting Summary  
(February 14, 2018).....presented by Lamberto Ballí, P.E., Chair
- Personal Appearances from Licensing Applicants:  
(*Motion required on all personal interviews*)
    - Brown, Michael Louis
    - Hansen, Dane Howell
    - Russell, Michael Thomas
    - Paul, Dr. Sanjay
  - Discuss and possibly adopt the following proposed rules.....presented by David Howell, P.E.  
(*Motion Required*)
    - Chapter 133
      - §133.13 Branches of Engineering
      - §133.21 Application for Standard License
      - §133.23 Applications from Former Standard License Holders
      - §133.25 Applications from Engineering Educators
      - §133.27 Application for Temporary License for Engineers Currently Licensed Outside the United States
      - §133.43 Experience Evaluation
      - §133.83 Executive Director Review, Evaluation and Processing of Applications
      - §133.93 Personal Interviews of Applicants
      - §133.97 Issuance of License
      - §133.99 Processing of Applications with a Criminal Conviction
  - International Licensure Update.....presented by Lance Kinney, Ph.D., P.E.
    - Memorandum of Understanding (MOU) with Spain and Next Steps
13. Policy Advisory Opinion Committee Meeting Summary  
(February 15, 2018).....presented by Kyle Womack, P.E., Chair
- Discuss and possibly approve the response for advisory opinion response for:
    - EAOR 43 Policy Advisory Request regarding a Texas Real Estate Commission (TREC) licensed inspector providing an opinion on a residential foundation and its relation to the practice of engineering.....presented by David Howell, P.E.  
(*Motion Required*)
14. General Issues Committee Meeting Summary  
(February 15, 2018).....presented by Dr. Sina Nejad, P.E., Chair
- ... Discuss and possibly adopt the following rule proposals.....presented by David Howell, P.E.  
(*Motion Required*)
    - Chapter 131
      - §131.15 Committees
      - §131.43 Public Participation
      - §131.87 Negotiated Rule Making Procedures
      - §131.113 Mediation and Alternative Dispute Resolution
    - Chapter 137
      - §137.7 License Expiration and Renewal
      - §137.15 Replacement or New Design Certificates
      - §137.17 Continuing Education Program

15. Enforcement Committee Meeting Summary

(February 15, 2018).....presented by Catherine Norwood, P.E., Chair

- Discuss and possibly adopt the following rule proposals.....presented by David Howell, P.E.  
(*Motion Required*)
- Chapter 137
  - §137.57 Engineers Shall Be Objective and Truthful
  - §137.63 Engineers’ Responsibility to the Profession
- Chapter 139
  - §139.19 Final Resolution of Complaint
  - §139.35 Sanctions and Penalties

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

16. Executive Director’s Report.....presented by Lance Kinney, Ph.D., P.E.

- Daily Activity (*Report*)
- Texas State Auditor’s Office Audit (*Report*)
- Building Repair Update
- Strategic Plan/Journey Towards Excellence (JTE)
- Survey of Employee Engagement (SEE) (*Report*)
- National Council of Examiners for Engineering and Surveying (NCEES)
  - Upcoming Southern Zone (SZ) Meeting
    - Nomination of Lamberto Ballí, P.E. for Southern Zone Assistant Vice-President  
(*Motion Required*)
- Outreach (*Report*)
- Draft Plan for Regional Advisory Meetings
  - Beaumont-March 28, 2018
- Professional Licensure Activities
  - Engineering Change Lab – USA (*Report*)
  - Federation of Associations of Regulatory Boards (FARB) (*Report*)
- Kudos

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

17. (**Consent Agenda**) Administrative Reports, Outstanding Administrative Penalties, Case Pending Status Report, Dismissed Cases, Violation Terminated Cases, Voluntary Compliance Cases.....presented by David Howell, P.E.  
*Report to full Board pursuant to Board rule §139.21*

18. Consent Orders.....presented by David Howell, P.E.  
(*Motion Required*)

Non-Practice Violations

1. Brian Llenes Agbulos, P.E. – D-37452
2. Derek Patrick Cronin, P.E. – D-37412

Sanctions Against Non-License Holders

3. Jeffery L. Mattson – B-37377

Firm Registration

4. John A. Rives Consulting Engineers – B-37480
5. Star Structures, Inc. – B-37479

19. Discuss and possibly act on Revocation Order.....presented by Morgen Cuming, J.D.  
(*Motion Required*)

- Jason R. Needham, D-37390

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

20. (**Consent Agenda**) Licensing Applications.....presented by Rick Strong, P.E.

*Vote Pursuant to Board Rule §133.87:*

- Approved for Exams
- Approved for Licensure
- Firms Approved
- Waivers – FE
- Waivers – PE
- Not Approved for Licensure

**Discuss and Possibly Act on Other Matters**


21. Texas Board of Professional Engineers' 2018 Board meetings and Informal Conference Schedules

22. Issues from the Board members to consider for next scheduled Board Meeting

23. Adjourn.

\*The consent agenda consists of those agenda items which are routine or non-controversial, and which neither a member of the Board nor the public has asked to be pulled for discussion. The Board will vote on the agenda item in one vote, and will not discuss items separately unless requested by the Chair, a Board Member or a citizen, in which event the item will be removed from the consent agenda and considered as a regular agenda item.

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 auxiliary aids or services should contact the Texas Board of professional Engineers at (512) 440-7723, in a timely manner.