

AGENDA
REGULAR QUARTERLY BOARD MEETING
TEXAS BOARD OF PROFESSIONAL ENGINEERS
SOUTH INTERSTATE 35
AUSTIN, TX 78741
May 26, 2016 – 10:00 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 10, 2016 Licensing Committee Minutes **(See agenda item #5)**
- February 11, 2016, Policy Advisory Opinion Committee Minutes **(See agenda item #6)**
- February 11, 2016, Regular Quarterly Board Meeting Minutes **(See agenda item #4)**
- Administrative Reports, Outstanding Administrative Penalties Dismissed Cases, Cease and Desist Order, Agreements, Injunctions/Default Judgments **(See agenda item #16)**
- Licensing Applications. **(See agenda item #21)**

Discuss and Possibly Approve Board Minutes:

4. ***(Consent Agenda)** Discuss and possibly approve minutes of the February 11, 2016, Regular Quarterly Board Meeting Daniel O. Wong, Ph.D., P.E.

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

5. ***(Consent Agenda)** February 11, 2016, Licensing Committee Minutes
6. ***(Consent Agenda)** February 11, 2016, Policy Advisory Opinion Committee Minutes

Discuss and Possibly Act on the following agenda items (7-23):

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

- | | |
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| <ul style="list-style-type: none"> • Ballí • Kannappan • Nejad • Reyna | <ul style="list-style-type: none"> • Summers • Womack • Wong |
|--|---|

8. Emeritus Members' Activity Reports..... Daniel O. Wong, Ph.D., P.E.
(Report)

- | | |
|--|--|
| <ul style="list-style-type: none"> • Gonzalez • Guerra | <ul style="list-style-type: none"> • Nadkarni |
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9. Finance and Budget..... Jeff Mutscher
(Report)

- FY16 2nd Quarter Budget
- FY2017 Proposed Draft Budget

10. Performance Measures Report..... David Howell, P.E.
(Report)

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

11. Licensing Committee Sina Nejad, D.Eng., P.E., P.Eng. Chair

- Personal Appearances from Licensing Applicants
(Motion required on all personal interviews)
- Discuss and possibly approve the following rule proposals to be posted in the Texas Register
(Motion Required)
 - Engineers-in-Training
 - § 133.41, Experience Evaluation
 - § 133.43, Supplemental Experience Record
 - International temporary license to include S. Korea applicants in accordance with Mutual Recognition Agreement.

- § 133.27, Application for Temporary License for Engineers Currently Licensed Outside the United States.

- International Licensure Lance Kinney, Ph.D., P.E.
(*Report and Possible Motion*)
 - Mutual Recognition Agreement (MRA) with S. Korea
 - Mutual Recognition Agreement (MRA) with Spain
 - Mutual Recognition Agreement (MRA) with México Bobby Ballí, P.E.
 - Mutual Recognition Agreement (MRA) with Canada

12. Enforcement Committee Meeting Sam Kannappan, P.E., Chair
- Staff Attorney Reports..... Morgen Cuming, J.D.
(*Report*)
 - SOAH Litigation
 - Suits Against the Board
 - Status of Court Cases (Injunctions)

13. General Issues Committee Meeting Bobby Ballí, P.E., Chair
- Discuss and possibly adopt the following rule proposals..... David Howell, P.E.
(*Motion Required*)
 - Texas Board of Professional Engineer, 4 year Rule Review
 - Chapter 131: Organization and Administration
 - Subchapters A, B, C, D, E, F, G
 - Chapter 133: Licensing
 - Subchapters A, B, C, D, E, F, G, H
 - Chapter 135: Firm Registration
 - Chapter 137: Compliance and Professionalism
 - Subchapters A, B, C, D
 - Chapter 139: Enforcement
 - Subchapters A, B, C, D, E
 - Structure and charges of TBPE Advisory Committees..... Lance Kinney, Ph.D., P.E.

14. Policy Advisory Opinion Committee Kyle Womack, P.E., Chair
- Discuss and possibly accept the Policy Advisory Opinion Request regarding the Extent of Jurisdiction For Projects Outside of Texas and consider the Response Letter to EAOR#40 C.W. Clark, P.E.
(*Possible Motion*)

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

15. Executive Director’s Report.....Lance Kinney, Ph.D., P.E.
- Activity Report (*Report*)
 - Strategic Plan/JTE (*Update*)
 - NCEES Southern Zone & Annual Meeting (*Report*)
 - Outreach (*Report*)
 - Kudos

Discuss and Possibly Act on Enforcement/Disciplinary Matters:

16. ***(Consent Agenda)** Administrative Reports, Outstanding Administrative Penalties Dismissed Cases, Cease and Desist Order, Agreements, Injunctions/Default Judgments C.W. Clark, P.E.
Report to full Board pursuant to Board rule §139.21
17. Agreed Board Order C.W. Clark, P.E.
(*Motion Required*)

Informal Reprimands (In accordance with Board Rule 139.31(b) individual names are not listed)

1. D-36216 - Reyna

Practice Violations

2. Stephen Paul Blake, P.E. – D-35916 - Nejad

18. 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-36314

2. D-36315
3. D-36329

Non-Practice Violations

4. Saeid Bassari, P.E. – D-36320
5. Barry Lee Houseal – D-36371
6. Alan Wayne Lankford, P.E. – D-36301
7. Dorian Earl Ross – D-36406 (Revocation Order)

Practice Violations

8. Clyde E. Israel – D-36307
9. Bhupendrakumar V. Patel, P.E. – D-36299

Sanctions Against Non-License Holders

10. Thomas W. Keiss – B-35745, B-36305 & B-36308

Firm Registration/Sole Proprietorship

11. Diversified Engineering Services, Inc. – B-36170

19. Discuss and possibly act on reconsideration of Consent Orders for:

(Motion Required)

- Randy Rutherford, P.E. - D-35638
- Albert C. Alaniz III, P.E. - D-36015

20. SOAH Final Orders..... Morgen Cuming, J.D.

(Motion Required)

- James Albert Babb, P.E. #56440 – Cases #D-35247 & #D-35495 [SOAH Docket No. 460-15-4426]
- Bryan D. Hull – Case #B-34417 [SOAH Docket No. 460-16-0549]
- Curtis Elbert Thiele, P.E. #46938 – Case #D-35335 [SOAH Docket No. 460-15-4952]
- Tire Engineers – Case #B-35363 [SOAH Docket No. 460-16-0550]

Discuss and Possibly Act on Licensing Applications requiring board ruling:

21. ***(Consent Agenda)** Licensing Applications..... Robert Opiela, P.E.

Vote or Reconfirm Votes Pursuant to Board Rule §133.87:

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


Discuss and Possibly Act on Other Matters

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

23. Farewell to outgoing Board members and welcoming new Board members..... 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.