

**MINUTES
LICENSING COMMITTEE MEETING
TEXAS BOARD OF PROFESSIONAL ENGINEERS
Thompson Conference Center
2405 Robert Dedman Dr., RM 2.120
Austin, Texas 78712
November 15, 2017—1:00 PM**

Call to Order. Mr. Lamberto “Bobby” Ballí, P.E., Chair, called the Licensing Committee meeting of the Texas Board of Professional Engineers to order at 1:00 pm at the Thompson Conference Center at 2405 Robert Dedman Dr., Rm 2.120, Austin, TX. A quorum was present. (NOTE: all votes are unanimous unless noted.)

1. Roll call and welcome visitors.

The following Committee members were present:

Lamberto “Bobby” Ballí, P.E.	Chair
Dr. Sina Nejad, P.E.	Member
R. Kyle Womack, P.E.	Member
Edward L. Summers, Ph.D.	Member

Ms. Veena Mohan, Assistant Attorney General, was present to provide legal counsel to the Board. Mr. Jose Guerra, P.E., Advisory Member, was present.

The following staff members were present:

Lance Kinney, Ph.D., P.E.	Executive Director
David Howell, P.E.	Deputy Executive Director
Rick Strong, P.E.	Director of Licensing
Morgen Cuming, J.D.	Staff Attorney
Dorothy Gonzales	Executive Assistant
Cristabel Bodden	Executive Assistant
Jessica Hernandez	Licensing Specialist

Visitors: Kent O’Brien, P.E., Texas Department of Transportation.

Personal Appearance: Beach, Michael Robert; Cortes, Andrew Jason; Nguyen, Thanh Tam; Sanchez, Gerardo; Smith, Charles C.; Stoneking, David Richard; Tran, Anthony Hung; Zorca, Ovidiu.

2. Public comment. None.

Discuss and Possibly Act on the Following (Agenda Items 3-9):

3. Discuss and possibly approve the August 16, 2017, Licensing Committee Minutes.

It was MOVED/SECONDED (Summers/Womack) to approve the August 16, 2017, Licensing Committee minutes as submitted. A vote was taken and the MOTION PASSED.

4. Discuss and possibly act on applications for licensure: Personal Interviews Cases.

• **Beach, Michael Robert.** This applicant requested re-licensure. He came before the Committee due to recent incidents which he did not report. The applicant has completed all court requirements.

The Committee and applicant discussed his experience and lessons learned.

It was MOVED/SECONDED (Womack/Summers) to recommend to the Board at its Regular Quarterly Board meeting on November 15, 2017, to allow re-licensure in Texas upon successful completion of the Level I 30-hour Ethics course. A vote was taken and the MOTION PASSED.

- **Brown, Michael Louis.** Mr. Brown did not appear before the Committee.

- **Cortes, Andrew Jason.** This applicant applied for licensure. He came before the Committee due to recent incidents which he did not report. The applicant has completed all court requirements. The Committee and applicant discussed his experience and lessons learned.

It was MOVED/SECONDED (Nejad/Summers) to recommend to the Board at its Regular Quarterly Board meeting on November 15, 2017, to allow licensure in Texas upon successful completion of the Level I 30-hour Ethics course. A vote was taken and the MOTION PASSED.

- **Duncan, Gary Wallace.** Mr. Duncan withdrew his application.

- **Nguyen, Thanh Tam.** This applicant applied for licensure. He came before the Committee due to recent incidents which he did not report. The applicant has completed all court requirements. The Committee and applicant discussed his experience and lessons learned.

It was MOVED/SECONDED (Summers/Nejad) to recommend to the Board at its Regular Quarterly Board meeting on November 15, 2017, to allow licensure in Texas upon successful completion of the Level I 30-hour Ethics course. A vote was taken and the MOTION PASSED.

- **Sanchez, Gerardo.** This applicant applied to take the PE exam and request a waiver of the FE exam. He came before the Committee due to recent incidents which he did not report. The applicant has completed all court requirements. The Committee and applicant discussed his experience and lessons learned.

It was MOVED/SECONDED (Ballí/Womack) to recommend to the Board at its Regular Quarterly Board meeting on November 15, 2017, to allow waiver of the FE exam and sit for the PE exam after successful completion of the Level I 30-hour Ethics course and provide Expunction Order to Board staff for 2006 incident. A vote was taken and the MOTION PASSED.

Vote was 2-1 (Nejad) with 1 abstention (Summers).

- **Smith, Charles C.** This applicant applied for licensure. He came before the Committee due to recent incidents he reported. The Committee and applicant discussed his experience and lessons learned.

It was MOVED/SECONDED (Najeed/Summers) to recommend to the Board at its Regular Quarterly Board meeting on November 15, 2017, to allow licensure. A vote was taken and the MOTION PASSED.

- **Stoneking, David Richard.** This applicant applied for licensure. He came before the Committee due to recent incidents which he did not report. The applicant has completed all court requirements. The Committee and applicant discussed his experience and lessons learned.

It was MOVED/SECONDED (Womack/Nejad) to recommend to the Board at its Regular Quarterly Board meeting on November 15, 2017, to sit for PE Exam upon successful completion of the Level I 30-hour Ethics course. A vote was taken and the MOTION PASSED.

• **Tran, Anthony Hung.** This applicant applied for an emergency temporary license and standard licensure. He came before the Committee due to recent incidents which he did not report. The applicant has completed all court requirements. The Committee and applicant discussed his experience and lessons learned.

It was MOVED/SECONDED (Summers/Nejad) to recommend to the Board at its Regular Quarterly Board meeting on November 15, 2017, to approve for standard licensure upon successful completion of the Level I 30-hour Ethics course. A vote was taken and the MOTION PASSED.

• **Zorca, Ovidiu.** This applicant applied for licensure. He came before the Committee due to recent incidents which he did not report. The applicant has completed all court requirements. The Committee and applicant discussed his experience and lessons learned.

It was MOVED/SECONDED (Ballí/Summers) to recommend to the Board at its Regular Quarterly Board meeting on November 15, 2017, to waive the FE Exam, sit for the PE Exam upon successful completion of the Level I 30-hour Ethics course. A vote was taken and the MOTION PASSED.

5. Discuss and possibly approve the following rule proposal.

Mr. Howell reported that the following rule proposals were up for discussion and possible approval. Mr. Howell relayed to the Committee Members any issues, clarifications, and updates needed for each rule below. The Committee did not have any comments.

- 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

It was MOVED/SECONDED (Summers/Nejad) to recommend to the Board to post in the Texas Register for a 30-day comment period. A vote was taken and the MOTION PASSED.

6. International Licensure Update.

Dr. Kinney provide a status update on a joint venture between TBPE and the Unión Profesional De Colegios De Ingenieros. Dr. Kinney relayed that the Memorandum of Understanding was moving forward as planned.

7. Licensing Director's Report.

• Results and statistics: Application and Examination Report.

Mr. Strong reviewed the report mentioned above with the Committee members which was also included as an exhibit.

8. Issues for consideration and schedule next meeting.

Dr. Kinney relayed a TBPE initiative to be held in Beaumont, TX in March 2018.

9. Adjourn.

Mr. Lamberto Ballí P.E., Chair adjourned the meeting at 3:24p.m.

Date minutes were approved by Committee as submitted: November 15, 2017

Date Board accepted minutes: November 16, 2017