

AGENDA
TEXAS BOARD OF PROFESSIONAL ENGINEERS
REGULAR QUARTERLY BOARD MEETING
1917 SOUTH INTERSTATE 35
AUSTIN, TX 78741
NOVEMBER 20, 2014 – 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)

- August 27, 2014, Licensing Committee Minutes **(See agenda item #5)**
- August 28, 2014, Policy Advisory Opinion Committee Minutes **(See agenda item #6)**
- August 28, 2014, Legislative Committee Minutes **(See agenda item #7)**
- August 28, 2014, Nominating Committee Minutes **(See agenda item #8)**
- August 28, 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 #17)**
- Licensing Applications. **(See agenda item #21)**

Discuss and Possibly Approve Board Minutes:

4. ***(Consent Agenda)** Discuss and possibly approve minutes of the August 28, 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)** August 27, 2014, Licensing Committee Minutes
6. ***(Consent Agenda)** August 28, 2014, Policy Advisory Opinion Committee Minutes
7. ***(Consent Agenda)** August 28, 2014, Legislative Committee Minutes
8. ***(Consent Agenda)** August 28, 2014, Nominating Committee Minutes

Discuss and Possibly Act on the following agenda items (9-22):

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

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

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

- Activity Reports
 - Gonzalez
 - Guerra

11. Finance and Budget..... Jeff Mutscher

- FY14 4th Quarter Budget Report
(Report)
- Annual Financial Report(AFR)
(Report)
- FY15 Internal Audit Plan
(Motion Required)

12. Performance Measures..... David Howell, P.E.

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

13. Legislative Committee..... Jim Greer, P.E., Chair
(Report)

- Legislative Committee action plan for 84th Legislative Session
- Faculty Licensure Task Force

14. Licensing Committee Bobby Ballí, P.E., Chair

- Personal Appearances from Licensing Applicants
(Motion required on all personal interviews)
- Discussion of early professional engineer exam
- Discussion on Reporting of Engineering Experience on PE Application

15. Policy Advisory Opinion Committee Carry Baker, Chair

- Discussion and possible draft of EAOR #37 – Public Rights of Way and Private Utility Companies (Request from City of Austin)
(Update/Possible Motion)
- Discussion and possible consideration of Response Letter to EAOR#38-Direct Supervision of Engineering Performed in Overseas Office
(Possible Motion)

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

16. Executive Director’s Report.....Lance Kinney, P.E.
(Report)

- Activity Report
- 2015 Board meeting dates
- Visibility and Outreach Strategic Plan (Update)
- Strategic Plan/JTE (Update)
- State Employee Charitable Campaign (SECC)
- Outreach
 - Initial Webinars
 - September 23, 2014-FE Exam
 - October 14-15, 2014-PE Application
- Kudos
- Upcoming Webinars
 - Ethics Webinar-December 4, 2014
- Staff Attorney Report Dewey Helmcamp III, JD
 - SOAH Cases
 - Suits Against the Board
 - Status of Court Cases (Injunctions)

Discuss and Possibly Act on Enforcement/Disciplinary Matters:

17. *(Consent Agenda) Administrative Reports, Outstanding Administrative Penalties Dismissed Cases, Cease and Desist Order, Agreements, Injunctions/Default Judgments, Revocation By Operation of LawC.W. Clark, P.E.

18. Agreed Board Order..... C.W. Clark, P.E.
(Motion Required)

- R. Kirk Gregory, P.E. - D-34603 (Womack)

19. 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-33704
2. D-35400

Non-Practice Violations

3. Brian W. Johnson – D-35138 (Order of the Board)

Practice Violations

4. James S. Barton, P.E. – D-35122

5. William P. Dahlin, P.E. – D-35398
6. Octavio N. Guerra, P.E. – D-35334
7. Thomas W. Keiss – D-33982 & D-35312 (Order of the Board)
8. James J. Porebski, P.E. – D-35260
9. Desmond C. Sprawls, P.E. – D-35492
10. Joseph E. Tober, P.E. – D-35313

Sanctions Against Non-License Holders

11. Jason Blevins, E-35354

Firm Registrations/Sole Proprietorship Sanctions

12. Reddy Engineers & Contractors, Inc. – B-34982

20. SOAH Final Order..... Dewey Helmcamp, III, J.D.
(*Motion Required*)

- Jen-Gwo Chen, P.E. – Case D-34046

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

Discuss and Possibly Act on Other Matters

22. 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.