

**AGENDA**  
**REGULAR QUARTERLY BOARD MEETING**  
**TEXAS BOARD OF PROFESSIONAL ENGINEERS**  
**SOUTH INTERSTATE 35**  
**AUSTIN, TX 78741**  
**November 17, 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
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 17, 2016, Licensing Committee Minutes **(See agenda item #5)**
- August 18, 2016, Enforcement Committee Minutes **(See agenda item #6)**
- August 18, 2016, General Issues Committee Minutes **(See agenda item #7)**
- August 18, 2016, Nominating Committee Minutes **(See agenda item #8)**
- August 18, 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 #17)**
- Licensing Applications. **(See agenda item #20)**

**Discuss and Possibly Approve Board Minutes:**

4. **\*(Consent Agenda)** Discuss and possibly approve minutes of the August 18, 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)** August 17, 2016, Licensing Committee Minutes
6. **\*(Consent Agenda)** August 18, 2016, Enforcement Committee Minutes
7. **\*(Consent Agenda)** August 18, 2016, General Issues Committee Minutes
8. **\*(Consent Agenda)** August 18, 2016, Nominating Committee Minutes

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

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

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

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

- |  |  |
|--|--|
| <ul style="list-style-type: none"> <li>• Gonzalez</li> <li>• Guerra</li> </ul> | <ul style="list-style-type: none"> <li>• Nadkarni</li> </ul> |
|--|--|

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

- FY16 4<sup>th</sup> Quarter Budget *(Report)*
- Amendment to 2017 Budget  
*(Motion Required)*
- FY17 Internal Audit Plan *(Motion Required)*
- Annual Financial Report *(Report)*
- SDSI Report *(Report)*
- Revised Advisory Member Contract .....Lance Kinney, Ph.D., P.E. *(Possible Motion)*

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

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

13. Licensing Committee ..... Dr. Sina Nejad, P.E., P.Eng., Chair

- Personal Appearances from Licensing Applicants: (list names)  
(*Motion required on all personal interviews*)
  - Araque Rojas, Santiago
  - Cavallo, Anthony
  - Crowdis, Calvin
  - Fraccaro, Joseph
  - Garcia, Mondel Rodolfo
  - Gitman, Alexander
  - Hackett, Christopher
  - Lott, James
  - McCullough, Richard
  - Peterson, James
  - Valentien, Jacob
  - Wandke, Lewis
  - Bravo, Jose
- Discuss and possibly adopt the following rules ..... Robert Opiela, P.E.  
(*Motion Required*)
  - § 133.35 Proof of Education Qualifications—Accredited/Approved Programs
  - § 133.67 Examination on the Principles and Practice of Engineer
  - International Licensure..... Lance Kinney, Ph.D., P.E.  
(*Report*)
    - Status of Memorandum of Understanding (MOU) with Spain
    - Status of Memorandum of Understanding (MOU) with Mexico

14. Enforcement Committee Meeting ..... Bobby Ballí, P.E., Chair

- Discuss a review of the Sanction Table and Worksheet ..... Dave Daigle  
(*Possible Motion*)
- Informal Conference Scheduling ..... Morgen Cuming, J.D.  
(*Possible Motion*)
- Discuss and possibly adopt the following rules ..... David Howell, P.E.  
(*Motion Required*)
  - Chapter 137 Compliance and Professionalism
    - §137.5 Notification of Name Change, Address Change, Employer Change, and Criminal Convictions
    - §137.17 Continuing Education Program
    - §137.31 Seal Specifications
    - §137.33 Sealing Procedures
    - §137.37 Sealing Misconduct
    - §137.63 Engineers’ Responsibility to the Profession
  - Chapter 139 Enforcement
    - §139.13 Filing a Complaint
    - §139.15 Processing a Complaint
    - §139.17 Investigating a Complaint
    - §139.19 Final Resolution of Complaint
    - §139.31 Enforcement Actions for Violations of the Act
    - §139.35 Sanctions and Penalties
    - §139.47 Probation

15. General Issues Committee Meeting ..... Sam Kannappan, P.E., Chair
- Discuss and possibly adopt the following rules ..... David Howell, P.E.  
(*Motion Required*)
    - Chapter 131
      - §131.1 Purpose and Duties
      - §131.3 Headquarters of the Board
      - §131.7 Organization of the Board
      - § 131.81 Definitions
      - § 131.85 Board Rules and Procedures

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

16. Executive Director's Report.....Lance Kinney, Ph.D., P.E.
- Activity Report (*Report*)
  - Strategic Plan/Journey Towards Excellence (JTE)(*Update*)
  - Legislative Update
  - National Council of Examiners for Engineering and Surveying (NCEES) Annual Meeting (*Report*)
    - NCEES Motion Summary
    - Nominations for Southern Zone (SZ) officers
      - Nomination of Lamberto "Bobby" Balli, P.E. for Southern Zone Assistant Vice-President  
(*Possible Motion*)
  - Outreach (*Report*)
    - Kudos

**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 ..... Dave Daigle  
*Report to full Board pursuant to Board rule §139.21*
18. Agreed Board Order ..... Dave Daigle  
(*Motion Required*)  
Informal Reprimands (In accordance with Board Rule 139.31(b) individual names are not listed)
1. D-36302 (Balli - recused)
  2. D-36407 (Nejad - recused)
- Practice Violations
3. Dicamni Consulting – B-36014 (Nejad - recused)
  4. George A. Gonzalez, P.E. – D-36309 (Balli-recused)
  5. Kevin L. Pegues, P.E. – D-35654 (Nejad-recused)
  6. Krishna Prasad, P.E. – D-36210 (Balli-recused)
  7. Rebecca Ann Watt, P.E. – D-36369 (Norwood-recused)
19. Consent Orders ..... Dave Daigle  
(*Motion Required*)  
Informal Reprimands (In accordance with Board Rule 139.31(b) individual names are not listed)
1. D-36448
  2. D-36687
  3. D-36747
  4. D-36633
  5. D-36639
- Non-Practice Violations
6. James Edward Boisvenue, Jr. – D-36704 (Revocation Order)
  7. Frank Michael Murray, P.E. – D-36752
  8. William K. Swearingen – D-36481 (Revocation Order)
- Sanctions Against Non-License Holders
9. Larry Williams – B-36101
  10. RGM Engineering, L.L.C. – B-36692
- Firm Registration/Sole Proprietorship
11. Alegro Engineering, LP – B-36662
  12. Walker Structural Engineering – B-36645

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

20. **\*(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
- Waivers – FE
- Waivers—PE
- Waivers—Both
- Not Approved for Licensure

**Discuss and Possibly Act on Other Matters**

21. Texas Board of Professional Engineers meeting dates

for Calendar Year 2017..... Daniel O. Wong, Ph.D., P.E., Chair

22. Thank Licensing Director, Robert Opiela, P.E. for his service to the Board, and congratulations on his retirement ..... Daniel O. Wong, Ph.D., P.E. Chair

23. Issues from the Board member to consider for next scheduled Board

Meeting..... Daniel O. Wong, Ph.D., P.E., Chair

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