

**AGENDA**  
**REGULAR QUARTERLY BOARD MEETING**  
**TEXAS BOARD OF PROFESSIONAL ENGINEERS**  
**SOUTH INTERSTATE 35**  
**AUSTIN, TX 78741**  
**August 18, 2016 – 10:30 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)*

- May 25, 2016, Licensing Committee Minutes **(See agenda item #5 )**
- May 26, 2016, Policy Advisory Opinion Committee Minutes **(See agenda item #6)**
- May 26, 2016, General Issues Committee Minutes **(See agenda item #7)**
- May 26, 2016, Enforcement Committee Minutes **(See agenda item #8)**
- May 26, 2016, Strategic Plan Workshop Minutes **(See agenda item #9)**
- May 26, 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 # 18)**
- Licensing Applications. **(See agenda item #25)**

**Discuss and Possibly Approve Board Minutes:**

4. **\*(Consent Agenda)** Discuss and possibly approve minutes of the May 26, 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)** May 25, 2016, Licensing Committee Minutes
6. **\*(Consent Agenda)** May 26, 2016, Policy Advisory Opinion Committee Minutes
7. **\*(Consent Agenda)** May 26, 2016, General Issues Committee Minutes
8. **\*(Consent Agenda)** May 26, 2016, Enforcement Committee Minutes
9. **\*(Consent Agenda)** May 26, 2016, Strategic Plan Workshop Minutes

**Discuss and Possibly Act on the following agenda items (10-27):**

10. 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> |
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11. Emeritus 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> |
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12. Finance and Budget..... Jeff Mutscher
  - FY16 3<sup>rd</sup> Quarter Budget *(Report)*
  - FY2017 Budget *(Motion Required)*

**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  
*(Motion required on all personal interviews)*
  - Discuss and possibly adopt the following rule proposals as 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.
    - Discuss and possibly approve the following rule proposals to be posted in the Texas Register for comment..... 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 and Possible Motion)*
      - Memorandum of Understanding (MOU) with Spain
14. 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)
  - Discuss and possibly approve the Sanction table..... C.W. Clark, P.E.  
*(Motion Required)*
  - Informal Conference Scheduling ..... Morgen Cuming, J.D.  
*(Possible Motion)*
  - Discuss and possibly approve the following rule proposals, to be posted in the Texas Register for comment..... C.W. Clark, 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
      - §139.43 License Holder with Criminal Convictions
      - §139.47 Probation
      - §139.51 License Suspension Based on Delinquent Child Support

15. General Issues Committee Meeting ..... Bobby Ballí, P.E., Chair
- Discuss and possibly approve the following rule proposal to be posted in the Texas Register for comment..... 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
      - §131.67 Self-directed Semi-Independent Agency
      - § 131.81 Definitions
      - § 131.85 Board Rules and Procedures

16. Nominating Committee Meeting..... Daniel O. Wong, Ph.D., P.E.  
(*Motion Required*)
- Officers for Fiscal Year 2017.

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

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

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

18. \*(**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*

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

Practice Violations

1. Acuity Consulting & Engineering, Inc. – B-35779 & B-35867 (Reyna)
2. Charles W. Schibi – D-36059 (Reyna)

20. Consent Orders ..... C.W. Clark, P.E.  
(*Motion Required*)

SOAH

1. City of Venus, Texas – G-32743

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

2. D-36398
3. D-36447

Practice Violations

4. Neri Alvarez, P.E. – D-36446
5. Edward H. Lyscas, P.E. – D-36372
6. Dana D. Tennill, P.E. – D-36502

Sanctions Against Non-License Holders

7. Dewayne Braun – E-36436

8. Saeed Kheradmandnia – B-36181

Firm Registration/Sole Proprietorship

9. Augustus Professional Engineers and Associates, LLC dba The Augustus Group – B-36479
10. JS Held – B-36107
11. Sage Environmental Consulting, LP – B-36570
12. Steven M. Conrad dba Conrad Engineering – B-36553
13. W P & Associates Architects Engineers Planners, Inc. – B-36507

21. Discuss and possibly act on reconsideration of Consent Orders for:  
(*Motion Required*)

- Clyde E. Israel, P.E.-D-36307

22. SOAH Final Orders ..... Morgen Cuming, J.D.  
 (Motion Required)
- Curtis Elbert Thiele, P.E. #46938 – Case D-35335 [SOAH Docket No. 460-15-4952]
23. Discuss and possibly act on *Tire Engineers Cases* ..... Lance Kinney, Ph.D., P.E.  
 (Possible Motion)

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

24. Discuss and possibly act on request for appeal of denial of application  
 by Licensing Committee ..... Robert Opiela, P.E.
- Mr. Elvis Boateng Dakwa
25. **\*(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 Exams
  - Not Approved for Licensure

**Discuss and Possibly Act on Other Matters**

26. Issues from the Board member to consider for next scheduled Board  
 Meeting ..... Daniel O. Wong, Ph.D., P.E.
27. Thank Compliance & Enforcement Director, C.W. Clark, P.E. for his exemplary service  
 to the Board, and congratulate him on his retirement ..... 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.