

TEXAS BOARD OF ARCHITECTURAL EXAMINERS

Board Meeting Agenda

The William P. Hobby Jr. Bldg., Tower III, Room 102

333 Guadalupe Street

Austin, Texas

Thursday, October 20, 2011

9:00 a.m.

1. **Preliminary Matters**
 - A. Call to order
 - B. Roll call
 - C. Excused and unexcused absences
 - D. Determination of a quorum
 - E. Recognition of guests
 - F. Chair's opening remarks
 - G. Public Comments

Alfred Vidaurri
Chase Bearden
Alfred Vidaurri

2. **Approval of the August 18, 2011, Board Meeting Minutes**
(Action)

Alfred Vidaurri

3. **Legal counsel briefing on recent developments regarding litigation**
(Information)

Ted Ross

 - A. TSPE v. TBAE and Cathy L. Hendricks in her official capacity as Executive Director
 - B. Richardson, Rogers and Winton v. TBAE

The Board may meet in closed session to confer with legal counsel regarding pending litigation and offers of settlement pursuant to TEX. GOV'T CODE ANN. §551.071(1)

4. **Executive Director Report** *(Information)*

Cathy Hendricks

 - A. Budget
 - B. Enforcement
 - C. Registration
 - D. Communications

Report on conferences and meetings *(Information)*

 - A. 2011 CLARB Annual Meeting – Sep 14-18, 2011
 - B. 2011 LRGV-AIA Building Communities Conference – Sep 24, 2011
 - C. 2011 Government Law & Liability Conference – Oct 6-7, 2011
 - D. DFC Leadership Conference – Oct 9-11, 2011

5. **General Counsel Report** *(Action)*

Scott Gibson

 - C. **Adoption of Proposed Rules**
Repeal Rule §3.12, relating to the Joint Advisory Committee on the Practices of Architecture, Engineering and Landscape Architecture
 - D. **Report on HB 2284** *(Information)*

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6. **Report on the Rules Committee** (*Action*) Scott Gibson
- A. Rules §1.69/§3.69/§5.79 increasing the number of mandatory continuing education program hours registrants must obtain annually; clarifying substance of acceptable continuing education
 - B. Rules §1.124/§3.124/§5.134 revising process for the registration and renewal of registration of business entities with the Board
 - C. Rule §7.10 adopting a fee for initial business registration, renewal of business registration and late registration fees
 - D. Rules §1.232/§3.232/§5.242 to conform penalty matrix to amendments to business registration processes
 - E. Rule §5.201 repealing obsolete provisions relating to repealed “grandfather” classes
7. **Enforcement Cases** (*Action*) Michael Shirk
Review and possibly adopt ED’s recommendation in the following enforcement cases:
- A. **TBAE v. Dwight Norton and Fountainhead Co., L.L.C.** (TBAE Case No. 144-11N; SOAH Docket No. 459-11-4646)
 - B. **Andersson, Arthur W.** (TBAE Case No. 122-11A) (Registrant Case)
 - C. **Hart, James T.** (TBAE Case No. 211-09N) (Non-registrant Case)
 - D. **Massock, Shawn William** (TBAE Case No. 130-11L) (Continuing Education Case)
 - E. **Rohr, Anthony G.** (TBAE Case No. 129-11A) (Continuing Education Case)
 - F. **Schmidt, Richard** (TBAE Case No. 116-11N) (Non-Registrant Case)
- The Board may meet in closed session pursuant to TEX. GOV’T CODE ANN. §551.071 to confer with legal counsel***
8. **Approval of the 2012 Board Meeting Dates** (*Action*) Alfred Vidaurri
- January 19-20, 2012
 - May 17-18, 2012
 - August 23-24, 2012
 - October 18-19, 2012
9. **Chair’s Closing Remarks** Alfred Vidaurri
10. **Adjournment** Alfred Vidaurri
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NOTE:

- ◆ *Items may not necessarily be considered in the order they appear on the agenda.*
- ◆ *Executive session for advice of counsel may be called regarding any agenda item under the Open Meetings Act, Government Code §551.*
- ◆ *Action may be taken on any agenda item.*

NOTICE OF ASSISTANCE AT PUBLIC MEETINGS

Persons with disabilities who plan to attend this meeting and who need auxiliary aids or services (such as interpreters for persons who are deaf or hearing impaired, readers, large print or Braille), are required to contact Glenda Best at (512) 305-8548 at least five (5) work days prior to the meeting so that appropriate arrangements can be made.