

# AGENDA

CONSTRUCTION INDUSTRIES COMMISSION  
REGULAR MEETING  
Wednesday, May 20, 2015, 9:30 a.m.  
5200 Oakland Ave. NE  
Albuquerque, NM 87113  
Main Conference Room

- I. **CONVENE, DETERMINATION OF QUORUM AND INTRODUCTIONS: COMMISSIONERS AND AUDIENCE**
- II. **APPROVE AGENDA**
- III. **PUBLIC COMMENT** – Please limit comments to 2 minutes per individual speaker and refrain from revealing the names of parties or case details pertaining to disciplinary matters pending before the Commission.
- IV. **DIRECTORS REPORT**
- V. **OLD BUSINESS**
  - a. **Approval of March 18, 2015 Regular Meeting Minutes**
- VI. **NEW BUSINESS**
  - a. **Approval of Electrical Continuing Education Courses and Providers**
  - b. **Approval of Mechanical Continuing Education Courses and Providers**
  - c. **Approval of Licenses Issued in March and April 2015**
  - d. **Discussion regarding third-party Hearing Officer's for CID**
- VII. **EXECUTIVE SESSION** – The Commission may close the meeting to the public and enter into executive session to discuss the cases listed under agenda items VII(a) – (e), pursuant to NMSA 1978, Sections 10-15-1(H)(1), (3) and (7). Such discussions shall pertain to the issuance, suspension, renewal or revocation of licenses, deliberations on pending administrative adjudicatory proceedings, and pending or threatened litigation.
  - a. **Deliberation on Licensee Disciplinary Action Cases in which Dismissal or Closure is recommended:**

*Complaint Committee Recommendation: Dismissal*

- |                  |                   |
|------------------|-------------------|
| 1. 245; 13-06-21 | 6. 449; 14-11-03  |
| 2. 78; 14-03-05  | 7. 495; 14-12-29  |
| 3. 142; 14-04-15 | 8. 25; 15-01-20   |
| 4. 263; 14-07-15 | 9. 71; 15-03-02   |
| 5. 305; 14-08-02 | 10. 108; 15-04-02 |

*Complaint Committee Recommendation: Closure*

- |            |            |
|------------|------------|
| 1. 11-2156 | 5. 12-2601 |
| 2. 12-2419 | 6. 12-2609 |
| 3. 12-2424 | 7. 12-2681 |
| 4. 12-2548 | 8. 12-3126 |

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|-------------------|-------------------|
| 9. 98; 13-03-19   | 13. 343; 14-09-02 |
| 10. 131; 13-04-12 | 14. 469; 14-12-03 |
| 11. 110; 14-03-24 | 15. 483; 14-12-17 |
| 12. 145; 14-04-25 | 16. 32; 15-01-28  |

**b. Deliberation on Licensee Disciplinary Action Cases in which Issuance of Notices of Contemplated Action (“NCA”) is Recommended:**

*Complaint Committee Recommendation: Authorize Pre-NCA Settlement Agreement; If Pre-NCA Settlement Negotiations Unsuccessful, Issuance of NCA*

- |                  |                  |
|------------------|------------------|
| 1. 197; 14-06-24 | 3. 300; 14-07-29 |
| 2. 260; 14-07-15 | 4. 496; 14-12-30 |

*Complaint Committee Recommendation: Issuance of NCA*

- |                  |                  |
|------------------|------------------|
| 1. 74; 14-03-03  | 4. 179; 14-06-12 |
| 2. 77; 14-03-05  | 5. 185; 14-06-18 |
| 3. 165; 14-04-30 |                  |

**c. Attorney General’s Report and Deliberation on Licensee Disciplinary Action Cases:**

- |                 |                   |
|-----------------|-------------------|
| 1. 11-2241      | 6. 105; 13-03-20  |
| 2. 12-2515      | 7. 135; 13-04-15  |
| 3. 12-2555      | 8. 193; 13-05-22  |
| 4. 66; 12-11-06 | 9. 201; 14-06-24  |
| 5. 25; 13-01-22 | 10. 422; 14-10-20 |

\*Special Considerations

- |            |                  |
|------------|------------------|
| 1. 12-2500 | 4. 115; 13-03-28 |
| 2. 12-2502 | 5. 350; 14-09-02 |
| 3. 12-2551 |                  |

**d. Defaults:**

1. 10; 13-01-10
2. 27; 13-01-22UL
3. 108; 13-03-22

**e. Commission Counsel’s Report on Pending or Threatened Litigation:**

1. Zitro Construction Services, v. New Mexico Construction Industries Commission, Case No. D-101-CV-2012-02397
2. The Ex-El Co. Inc. of the Southwest and Robert LePage v. CIC, Case No. D-101-CV-2013-01170

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3. North Mesa Builders and Gary Ahlers v. Construction Industries Commission, Case No. D-101 V-2015-00009

**VIII. ACTION ON ITEMS DISCUSSED DURING EXECUTIVE SESSION**

**IX. NEXT MEETING DATE**

REGULAR MEETING – JULY 15, 2015, RLD CONSTRUCTION INDUSTRIES CONFERENCE ROOM,  
ALBUQUERQUE, NM

**X. ADJOURN**