

**Minutes for
The Florida Board of Professional Engineers
June 8, 2016 beginning at 1:00 p.m. or soon thereafter and
June 9, 2016 beginning at 8:30 a.m., or soon thereafter
Crowne Plaza Orlando Universal
Orlando, Florida**

Part I – Wednesday, June 8, 2016

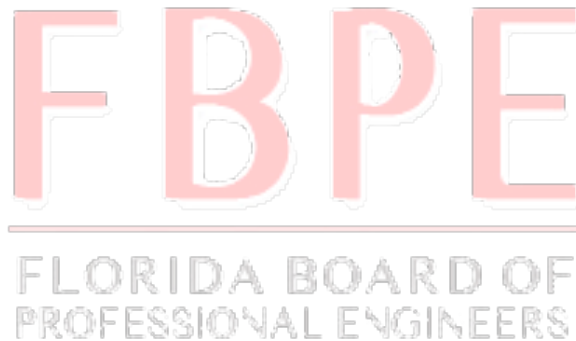
- A. Call to Order, Invocation, and Pledge of Allegiance to the Flag

Mr. Bracken called the meeting to order. Ms. Raybon called roll.

- B. Roll Call, Determination of Quorum, and Address Absences.

Board Members Present:

William Bracken, P.E., S.I., Chair
Anthony Fiorillo, P.E., S.I., Vice Chair
Roland Dove, P.E.
Kevin Fleming, P.E.
Warren Hahn, P.E.
John Pepper, P.E., S.I.
Michelle Roddenberry, Ph.D., P.E.
Kenneth Todd, P.E.
Babu Varghese, P.E., S.I.
Elizabeth Ferguson, Public Member



Board Members Absent:

Vivian Boza, Public Member

Attorney General's Office:

Lawrence Harris, Assistant Attorney General, Counsel to the Board

Staff Members Present:

Zana Raybon, Executive Director
John J. Rimes, III, Chief Prosecuting Attorney
Rebecca Sammons, Assistant Executive Director

Upon motion by Mr. Dove, seconded Mr. Hahn, to excuse the absence of Ms. Boza , the motion passed.

- C. Introduction of guests and announcements as to presentations at a time certain

Bill Palm, Engineering Educators
Charlie Geer, FES, FICE
Donald Goddeau, PE, FEMC Board Member
Art Nortlinger, IEEE

D. FBPE Mission and Scope

#1. FBPE's Mission: To protect the health and safety of the public by properly regulating the practice of engineering within the State of Florida.

#2. FBPE's Scope: To meet its statutory obligation and exercise its legislative authority by reviewing and approving engineering applications; managing, updating and enforcing the rules that govern the practice of engineering and to guard against the unlicensed practice of engineering within the State of Florida.

E. Approval of the Agenda

Upon motion by Mr. Fiorillo, seconded by Mr. Todd, to approve the agenda, the motion passed.

F. Approval of Consent Agenda

(Items denoted with an asterisk are included in the Consent Agenda*)

Upon motion by Mr. Fleming, seconded by Mr. Todd, to approve the consent agenda, the motion passed.

#1. Minutes from the April 13-14, 2016 FBPE Board Meeting*

Approved under consent agenda.

#2. Minutes from May 20, 2016 FBPE Ratification Conference Call*

Approved under consent agenda.

G. Committee Reports

#1. Probable Cause Panel (**Next Meeting: July 19, 2016 at 8:30am**)

(Anthony Fiorillo, P.E., S.I., Chair; Kevin Fleming, P.E.; Bob Matthews, P.E.)
(Alternate Current Board Member: Kenneth Todd, P.E.; Alternate Past Board Member: Richard Wohlfarth, P.E.)

(a) PCP Memo from May 10, 2016 Meeting*

Approved under consent agenda.

#2. Applications Review – Experience Committee **(Next Meeting: July 19, 2016 at 1pm)**
(Warren Hahn, P.E., Chair; William Bracken, P.E.; Roland Dove, P.E.; Anthony Fiorillo, P.E.; Kevin Fleming, P.E.; John Pepper, P.E.; Kenneth Todd, P.E.; Babu Varghese, P.E.)

(a) Committee Chair's Report.

No report.

#3. Applications Review – Education Committee **(Next Meeting: July 19, 2016 at 1pm)**
(Michelle Roddenberry, Ph.D., P.E., Chair; Anthony Fiorillo, P.E.; Kenneth Todd, P.E.) (Alternate Members: Vivian Boza, Public Member; Elizabeth Ferguson, Public Member)

(a) Committee Chair's Report.

No report.

#4. Rules Committee **(Next Meeting: June 8, 2016 at 10am and July 20, 2016 at 8:30am)**
(William Bracken, P.E., S.I., Chair; Roland Dove, P.E.; Kevin Fleming, P.E.; Warren Hahn, P.E.; Elizabeth Ferguson, Public Member)

(a) Committee Chair's Report.

Mr. Bracken stated that the committee met prior to the board meeting and several items will come back before the committee for further action and some items are on the board agenda for further consideration and action.

(b) Rule Workshop on Draft Amendments to Rule 61G15-22.0001 – Renewal of Active Licenses – Renewal Application
(i) Update to the PE Renewal Application

Mr. Harris reported on the draft language and the proposed updated form.

Discussion followed on the proposed language.

Mr. Harris will bring back proposed language to the August 2016 FBPE Board Meeting.

(c) Rule Workshop on Draft Amendments to Rule 61G15-20.0002 – Renewal of Inactive License -
(i) Update to the Active to Inactive Application
(ii) Update the Inactive to Active Application

Mr. Harris reported on the proposed language and the updated applications.

The proposed language is:

61G15-22.0002 Licensure Change of Status Renewal of Inactive Licenses.

(1) Active to Inactive Licensure Status. Licensees may change their licensure status from active to inactive by remitting to FEMC a completed Application To Change Status From Active To Inactive, Form FBPE/021 (Rev. 06/16) and the fee specified by Rule 61G15-24.001, F.A.C. The application form FBPE/021 is incorporated by reference herein and may be obtained from www.fbpe.org/licensure/zzzzzzzz or at <https://www.flrules.org/Gateway/reference.asp?No=Ref>.

(2) Inactive to Active Licensure Status. Licensees may change their licensure status from inactive to active by remitting to FEMC a completed Application To Change Status From Inactive To Active, Form FBPE/022 (Rev. 06/16), the fee specified by Rule 61G15-24.001, F.A.C., and proof of completion of eighteen (18) hours of continuing education in compliance with Rule 61G15-22.001(1), F.A.C. The application form FBPE/022 is incorporated by reference herein and may be obtained from www.fbpe.org/licensure/zzzzzzzz or at <https://www.flrules.org/Gateway/reference.asp?No=Ref>.

To maintain an inactive license on inactive status, the licensee must remit the biennial renewal fee for inactive status to FEMC and a statement certifying that the licensee has neither practiced engineering nor violated any of the provisions of Section 471.033, F.S., since the date on which the license was first placed on inactive status.

Specific Authority 471.017(2) FS. Law Implemented 455.271, 471.017(2) FS. History—New 8-1-02,

Discussion followed on the proposed updated applications.

Upon motion by Mr. Hahn, seconded by Mr. Todd, to open Rule 61G15-22.002 for development and propose language as shown in the materials including the incorporated forms as amended, the motion passed.

Mr. Harris asked if the proposed rule language will have an adverse impact on small business or will proposed rule amendments would be likely to directly or indirectly increase regulatory costs to any entity (including government) in excess of \$200,000 in the aggregate in Florida within one (1) year after the implementation of the rule.

Upon motion by Mr. Fiorillo, seconded by Mr. Todd, that the proposed rule amendments will have no adverse impact on small business and will not increase regulatory costs, the motion passed.

(iii) Discussion on the requirements for reactivation of a license after a period of inactivity and adding "demonstration of professional competency" as part of reactivation

Mr. Harris discussed the issue of requiring an engineer to demonstrate competency after being inactive. Discussion followed on this issue.

(d) Rule Workshop on Rule 61G15-23 – Seals

Mr. Bracken discussed the proposed rule amendment to Rule 61G15-23.005 and how the proposed rule amendment will work. Discussion followed.

The proposed rule amendments are:

61G15-23.005 Procedures for Electronically Signing and Sealing Electronically Transmitted Plans, Specifications, Reports or Other Documents.

(2) A professional engineer utilizing an electronic signature to electronically sign and seal engineering plans, specifications, reports or other documents using the FDOT PEDDs software shall:

(a) Create a “signature” file that contains the licensee’s given name, the licensee’s license number, a brief overall description of the engineering documents to be signed and sealed, a list of the electronic files to be signed and sealed, and the SHA-1 authentication code or Secure Hash Standard for each electronic file to be signed and sealed. The SHA-1 authentication code is described in Federal Information Processing Standard Publication 180-4 “Secure Hash Standard,” August 2015, which is hereby adopted and incorporated by reference by the Board and can be obtained from the Internet Website: <http://www.flrules.org/Gateway/reference.asp?No=Ref-05976>.

(b) Create a “signature” report that contains the licensee’s given name, the licensee’s license number, a brief overall description of the engineering documents to be signed and sealed and the SHA-1 authentication code of the signature file;

(c) Print and manually sign, date and seal the signature report in compliance with Rule 61G15-23.003, F.A.C.;

(d) Transmit the signed, dated and sealed signature report to the ~~authority having jurisdiction~~ receiving party along with the signed, dated and sealed signature file ~~– either by hardcopy or electronic scan; if scanned and sent electronically. The hardcopy signed and sealed report shall be retained by the licensee in accordance with Rule 61G15-30.009, F.A.C.; and~~

(e) The signature file is considered to be signed and sealed if the signature file’s authentication code matches the authentication code on the manually signed, dated and sealed signature report. Each electronic file listed within the signed and sealed signature file is considered to be signed and sealed if the listed SHA-1 authentication code in the signature file matches the electronic file’s SHA-1 authentication code.

(3) A professional engineer utilizing an electronic signature to sign and seal engineering plans, specifications, reports or other documents shall:

(a) Create a static electronic version, such as PDF, of the engineering document(s) that is to be signed and sealed;

(b) Compute an SHA-1 authentication code for each electronic engineering document in accordance with the Secure Hash Standard described in Federal Information Processing Standard Publication 180-4 "Secure Hash Standard," August 2015, which is hereby adopted and incorporated by reference by the Board and can be obtained from the Internet Website:

[http://www.flrules.org/Gateway/reference.asp?No=Ref-05976;](http://www.flrules.org/Gateway/reference.asp?No=Ref-05976)

(c) Create a printable "signature report" that contains the licensee's given name, the licensee's license number, and a list of the electronic files to be signed and sealed that includes: a brief description of each engineering document and the SHA-1 authentication code of each engineering document;

(d) Print and manually sign, date and seal the "signature report" in compliance with Rule 61G15-23.003, F.A.C.; and

(e) Transmit the signed, dated and sealed "signature report" to the receiving party along with each electronically signed, dated and sealed engineering document either by hardcopy or electronic scan; if scanned and sent electronically. The hardcopy signed and sealed report shall be retained by the licensee in accordance with Rule 61G15-30.009, F.A.C.;

(f) Each engineering document is considered to be electronically signed and sealed if the document's SHA-1 authentication code matches the SHA-1 authentication code on the physically signed, dated and sealed "signature report".

~~(3)~~(4) ...

Upon motion by Mr. Todd, seconded by Mr. Hahn, to open Rule 61G15-23.005 for development and propose language as shown in the materials, the motion passed.

Mr. Harris asked if the proposed rule language will have an adverse impact on small business or will proposed rule amendments would be likely to directly or indirectly increase regulatory costs to any entity (including government) in excess of \$200,000 in the aggregate in Florida within one (1) year after the implementation of the rule.

Upon motion by Mr. Fiorillo, seconded by Mr. Hahn, that the proposed rule amendments will have no adverse impact on small business and will not increase regulatory costs, the motion passed.

- (e) Rule Workshop on Rule 61G15-24.001 – Fees
 - (i) Draft Amendment to Rule
 - (ii) Consideration of Statement of Estimated Regulatory Costs

Mr. Bracken discussed the proposed SERC and the proposed rule amendment to Rule 61G15-24.001.

Upon motion by Mr. Hahn, seconded by Mr. Pepper, to accept the recommendation of the Rules Committee at accept the SERC and proposed language, the motion passed.

- (f) Public Hearing on Rules 61G15-19.001 & 61G15-19.004
 - (i) Letter from Ms. Holladay, JAPC – Re: Rule 61G15-19.001 and 61G15-19.004
 - (ii) Rule Text as Proposed

Mr. Harris reported the concerns of Ms. Holladay.

Discussion followed.

Motion by Mr. Todd, seconded by Mr. Hahn, to publish a notice of change, amend the proposed rules as noted from the meeting and respond to Ms. Holladay, the motion passed.

Mr. Harris asked if the proposed rule language will have an adverse impact on small business or will proposed rule amendments would be likely to directly or indirectly increase regulatory costs to any entity (including government) in excess of \$200,000 in the aggregate in Florida within one (1) year after the implementation of the rule.

Upon motion by Mr. Fiorillo, seconded by Mr. Hahn, that the proposed rule amendments will have no adverse impact on small business and will not increase regulatory costs, the motion passed.

- (g) Public Hearing on Rule 61G15-32.004
 - (i) Letter from Ms. Holladay, JAPC – Re: Rule 32.004
 - (ii) Rule Text as Proposed
 - (iii) Proposed Rule Text
(Exhibit G#4g)

Mr. Harris reported the concerns of Ms. Holladay.

Upon motion by Mr. Todd, seconded by Mr. Hahn, to accept the recommendation of the Rules Committee that language be approved as presented and that no SERC is necessary, the motion passed.

- (h) Discussion on development of Rules for Certificate of Authorization

Mr. Bracken stated that this item was discussed at the Rules Committee and was tabled until the next committee meeting.

Mr. Bracken stated that based on discussion during the Rules Committee and a presentation by an engineer about the electrical rules, the Rules Committee decided that the electrical rules need to be reviewed. Mr. Bracken appointed an Electrical Rules Committee, which will be chaired by Mr. Fleming. Mr. Fleming was directed to appoint his committee members at a later date and invite stakeholders to attend as public advisors.

#5. Joint Engineer/Architect Task Force Committee

(William Bracken, P.E., S.I., Chair; Warren Hahn, P.E.; John Pepper, P.E., S.I.)

(a) Committee Chair's Report.

No Report.

#6. Test Equivalency Review Special Committee

(Michelle Roddenberry, Ph.D., P.E., Chair; John Pepper, P.E., S.I.; Babu Varghese, P.E., S.I.)

(a) Committee Chair's Report.

No Report.

H. NCEES

(William Bracken, P.E., FBPE Liaison)

I. Advisory Attorney's Report

#1. Rules Report

Mr. Harris presented the Rules Report for the Board's review and consideration.

J. Executive Director's Report

#1. Application for Retired Status*

Approved under consent agenda.

#2. Amended and Restated Contract between DBPR and FEMC

Ms. Raybon stated that the amended/restated contract between DBPR and FEMC was signed this morning before the FEMC Board Meeting.

#3. HB 5003 – Restriction on Travel

Provided for informational purposes

#4. Report on April Exam Sites

Ms. Raybon discussed the issue that occurred at the Kissimmee exam site and how NCEES and FBPE/FEMC would be handling the issue. Discussion followed.

#5. Proposed 2017 FBPE/FEMC Meeting Calendar

Ms. Raybon stated that the proposed 2017 FEMC/FBPE meeting calendar was provided for input by board members on possible conflicts with proposed meeting dates. Ms. Raybon stated that we are looking at staying at the same hotel for 2017.

#6. 2016 FBPE/FEMC Meeting Calendar

Provided for Informational purposes.

K. Chief Prosecutor's Report

#1. 300 day report

Provided for Informational purposes.

#2. Profile of legal cases by year

(f) Cases open for 1 year plus

Provided for Informational purposes.

(g) Total open cases by year

Provided for Informational purposes.

#3. Discussion on Neutral Sinkhole Evaluators

Mr. Rimes discussed the issue of Neutral Sinkhole Evaluators. Discussion followed.

Upon motion by Mr. Dove, seconded by Mr. Fiorillo, to allow Mr. Bracken to work with Mr. Rimes to draft a response to the Attorney General about this issue, the motion passed.

L. Engineering Association and Society Reports

#1. FSEA

#2. FES

Mr. Geer reported that he is working on anti-trust issues that are related to chapter 471 to possibly go to the legislature.

M. Chair's Report

Mr. Bracken appointed Mr. Fleming as the Chair of PCP as of September 1st and appointed himself to the PCP Committee as of September 1st.

N. Action Items from Previous Board Meetings

#1. Email from Mr. Paul Bohres, PE – Re: Jurisdiction Requirement to be completed by Mr. Bracken and Mr. Rimes

#2. Email from Mr. Paul Pavlov – Re: Digitally signed and sealed documents to be completed by Mr. Bracken and Mr. Rimes

#3. Email from Mr. Steven Bassett – Re: Continuing Education Credit to be completed by Ms. Raybon

#4. Letter from Jodi Doyle – Re: Clarification on Rule 61G15-123.004 to be completed by Mr. Bracken and Mr. Rimes

#5. Email from Mr. William Strange – Re: Rule Concerning SHA1 (Rule 61G15-23.005) to be completed by Mr. Bracken and Mr. Rimes

O. Correspondence to the Board

#1. Letter from Mr. James Belliveau, P.E. – Re: Special Inspector Interpretation Request

Mr. Bracken discussed this letter.

Discussion followed.

Upon motion by Mr. Bracken, seconded by Mr. Pepper, to authorize Mr. Fiorillo to speak with FSEA & the Building Commission about this issue and come back to the board with their response, the motion passed.

#2. Letter from Mr. Heinz Rosen, P.E. – Ethics Course offered by CE Provider

Mr. Bracken stated that the letter deals with a complaint about an ethics course being offered by an FBPE-approved CE Provider.

Discussion followed on this issue.

Mr. Bracken asked Mr. Todd to review to the CE Provider Rules to determine if the Board needs to take a look at the rules for modification and bring back his suggestion to the August 2016 FBPE Board meeting.

- #3. Email from Adrian Gomez – RE: Does he need to take the PE Software Exam to offer his services to large corporations

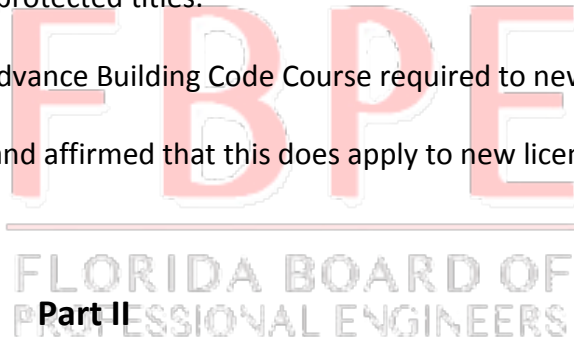
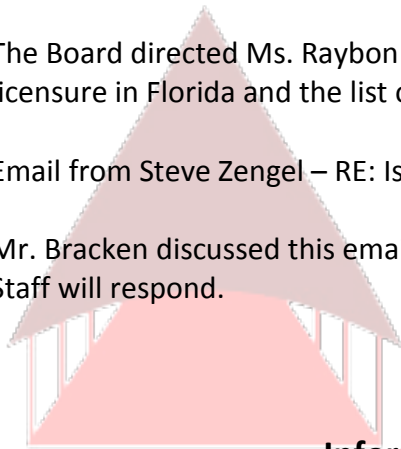
Ms. Raybon discussed the email and the question of whether he needs to take the PE software exam to offer his services in writing software for large corporations.

Discussion followed.

The Board directed Ms. Raybon to respond to this email with the requirements for licensure in Florida and the list of protected titles.

- #4. Email from Steve Zengel – RE: Is Advance Building Code Course required to new PE's

Mr. Bracken discussed this email and affirmed that this does apply to new licensees. Staff will respond.



Part II
Informal Hearing Agenda
(Thursday, June 9, 2016)

Review of FBPE Mission and Scope:

FBPE's Mission: To protect the health and safety of the public by properly regulating the practice of engineering within the State of Florida.

FBPE's Scope: To meet its statutory obligation and exercise its legislative authority by reviewing and approving engineering applications; managing, updating and enforcing the rules that govern the practice of engineering and to guard against the unlicensed practice of engineering within the State of Florida.

Description of Educational Committee Process by Michelle Roddenberry, Ph.D., P.E.

- P. Ratification of Actions from Application Review, June 8, 2016

Upon motion by Mr. Hahn, seconded by Mr. Fiorillo, to ratify the actions of the application review committees, the motion passed.

Q. Informal Hearing on Denial of Application for Endorsement Application

#1. Julio Torres

Mr. Torres was present and sworn in prior to addressing the Board.

Mr. Harris asked Mr. Torres if he wanted a Formal Hearing or an Informal hearing because he elected both on his Election of Rights. Mr. Harris explained what each was and Mr. Torres stated that he wanted an Informal Hearing.

Mr. Harris outlined the basis of the denial of Mr. Torres' application. Mr. Torres holds a BS Civil Engineering and a MS in Engineering Management from University of Puerto Rico. The denial of the application is experience and disciplinary action taken against his license in PR.

Upon motion by Mr. Hahn, seconded by Mr. Todd, that Mr. Torres was properly served with the notice of intent to deny and he requested a hearing not involving disputed issues of material facts, the motion passed.

Upon motion by Mr. Hahn, seconded by Mr. Todd, that the Board adopt the factual allegations in the notice of intent to deny as the Board's findings of fact, the motion passed.

Upon motion by Mr. Hahn, seconded by Mr. Fleming, that the application file and the binder be accepted as the facts of this case, the motion and the second was withdrawn.

Mr. Torres addressed the Board.

Upon motion by Mr. Todd, seconded by Mr. Pepper, to approve the application of Mr. Torres, the motion passed.

Mr. Torres withdrew his request for an Informal Hearing.

#2. Kartar Israni

Mr. Israni was present and sworn in prior to addressing the Board.

Mr. Harris outlined the basis for denial of Mr. Israni's application. Mr. Israni holds a BS in Engineering from Institution of Engineers and a MS in Civil Engineering from NYU Polytechnic Institute of New York. The denial of the application is based on education.

Mr. Israni lacks none (9) hours of general education and a course in either biology or chemistry.

Mr. Israni returned his Election of Rights with a request for an Informal Hearing

Upon motion by Mr. Dove, seconded by Mr. Hahn, that Mr. Israni was properly served with the notice of intent to deny and he requested a 120.572 hearing not involving disputed issues of material facts, the motion passed.

Upon motion by Mr. Hahn, seconded by Mr. Dove, that the Board adopt the factual allegations in the notice of intent to deny as the Board's findings of fact for the denial, the motion passed.

Upon motion by Mr. Hahn, seconded by Mr. Dove, to accept into evidence the complete application file contained the meeting materials as the facts of this case, the motion passed.

Mr. Israni addressed the Board.

Upon by Mr. Hahn, seconded by Mr. Todd, to approve the application of Mr. Israni, the motion passed.

Mr. Israni withdrew his request for an Informal Hearing.

Mr. Harris stated that he needed to clarify the approval of the application of Mr. Israni was based on the 15/20 waiver and that the Board can waive the deficiency of H&SS hours.

R. Board Appearance on Principles and Practice Application

#1. Jose Noriega

Mr. Noriega was present and sworn in prior to addressing the Board.

Mr. Harris outlined the basis for the denial of Mr. Noriega's application. Mr. Harris stated Mr. Noriega was asked to appear before the Board to explain his experience and the lack of the required PE references.

Upon motion by Mr. Todd, seconded by Mr. Hahn, that Mr. Noriega was properly served with the notice of intent to deny and he requested a 120.572 hearing not involving disputed issues of material facts, the motion passed.

Upon motion by Mr. Todd, seconded by Mr. Hahn, that the board adopt the factual allegations in the notice of intent to deny as the boards findings of fact for the Board, the motion passed.

Upon motion by Mr. Todd, seconded by Mr. Hahn, to accept into evidence the complete the application file contained the meeting materials as the facts of this case, the motion passed

Mr. Noriega addressed the Board.

Upon motion by Mr. Hahn, seconded by Mr. Todd, to approve the application of Mr. Noriega, the motion passed.

Upon further review, Mr. Harris addressed the Board about the application of Mr. Noriega and stated that he addressed the issue that originally was the PE references but upon further review, the FE application was approved in error. Mr. Harris stated that Mr. Noriega has a Technology Degree and based on this fact the Board needs to reverse their decision.

Upon motion by Mr. Hahn, seconded by Ms. Ferguson, to reconsider the application and the prior approval of the application of Mr. Noriega, the motion passed.

Ms. Raybon addressed the education issue of Mr. Noriega's application and the fact that he should not have been approved to sit for the FE originally based on the fact that he has a Technology Degree.

Discussion followed.

Upon motion by Mr. Bracken, seconded by Mr. Hahn, to revoke the approval of the application of Mr. Noriega and issue an intent to deny based on the fact the applicant has a Technology Degree, the motion passed.

S. Board Appearance on Endorsement Application

#1. Ronald Bourgault

Ms. Sammons stated that Mr. Bourgault would not be in attendance but he did send a letter addressing the Board's concern.

Upon motion by Mr. Hahn, seconded by Mr. Fiorillo, that the request for Mr. Bourgault to appear is required and if he does not appear in August then the Board will act on his application, the motion passed.

T. Board Appearance on Special Inspector Application

#1. Anas Bataineh

Mr. Bataineh was present and sworn in prior to addressing the Board.

Mr. Harris stated that Mr. Bataineh was asked to appear before the Board to explain his experience.

Mr. Bataineh addressed the Board.

Upon motion by Mr. Fiorillo, seconded by Mr. Dove, to deny the application of Mr. Bataineh, the motion passed. Mr. Pepper was opposed.

U. Hearing on Petition for Waiver and Variance of Rule 61G15-20.007(5)

#1. Wassim Naguib

Mr. Harris discussed the petition for variance of Rule 61G15-20.007(5).

Discussion followed.

Upon motion by Mr. Dove, seconded by Dr. Roddenberry, to deny the petition based on the applicant's failure to achieve the underlying statute by other means and that he had failed to prove he had suffered a hardship or unfair principles of fairness, the motion passed.

V. Hearing on Petition for Waiver and Variance of Rule 61G15-21.001

#1. Olof Jacobson

Mr. Harris discussed the petition for variance of Rule 61G15-21.001

Upon motion by Dr. Roddenberry, seconded by Mr. Hahn, to grant the petition based on the applicant having achieved the underlying statute and to deny would have caused an undue hardship, the motion passed.

#2. David Bush

Mr. Harris discussed the petition for variance of Rule 61G15-21.001

Upon motion by Dr. Roddenberry, seconded by Mr. Todd, to grant the petition based on the applicant having achieved the underlying statute and to deny he would have caused an undue hardship, the motion passed.

W. Applicant Presented for Board Review

#1. Alberto Sanchez

Mr. Sanchez was present, along with counsel, Mr. Edwin Bayo. Mr. Sanchez was sworn in prior to addressing the Board.

Mr. Harris outlined the reasons for Mr. Sanchez appearance before the Board.

Mr. Bayo addressed the Board.

Mr. Sanchez addressed the Board.

Upon motion by Mr. Hahn, seconded by Mr. Todd, to approve the application of Mr. Sanchez, the motion passed.

**Part III
Disciplinary Hearings
(Thursday, June 9, 2016)**



FLORIDA BOARD OF
PROFESSIONAL ENGINEERS

X. MOTION FOR DEFAULT

#1	Marcus Standrod	N/A
	P.E. Number:	2015030471
	FEMC Case Number:	
	Probable Cause Panel Date:	January 12, 2016
	Probable Cause Panel:	Fiorillo, Matthews & Pepper
	Represented by:	Himself: Marcus Standrod

Mr. Fiorillo and Mr. Pepper are recused.

Mr. Rimes outlined the facts of the case. The charges relate to a violation of Section 471.033(1) (a) & (i), Florida Statutes: Violating any provision of s. 455.227(1), s. 471.025, or s. 471.031, or any other provision of this chapter or rule of the board or department. Practicing on a revoked, suspended, inactive, or delinquent license.

Upon motion by Mr. Hahn, seconded by Mr. Dove, that the respondent was properly served with the Administrative Complaint by publication after attempts at personal service failed, the motion passed.

Upon motion by Mr. Hahn, seconded by Mr. Dove, that the respondent did not respond to the Administrative Complaint within the 21 days required by Florida Law and Rule, the motion passed.

Upon motion by Mr. Hahn, seconded by Mr. Dove, to grant the petitioner's motion for determination because the respondent failed to respond to within 21 days and therefore waived his right to request a hearing and convene a chapter 120.572 hearing not involving disputed material facts, the motion passed.

Upon motion by Mr. Hahn, seconded by Mr. Dove, that the facts in the administrative complaint be adopted as the Board's findings of fact, the motion passed.

Upon motion by Mr. Hahn, seconded by Mr. Dove, to admit complete investigate file into evidence, the motion passed.

Upon motion by Mr. Hahn, seconded by Mr. Dove, to accept the PCP recommendation of Administrative Complaint, administrative fine of \$5,000.00, administrative costs of \$210.60, appearance before the Board to explain how this situation occurred and what improvements and quality control measures will be implemented to prevent this circumstance from occurring in the future was adopted, the motion passed.

Y. Old Business

Z. New Business

Mr. Pepper discussed the threshold qualification requirements and application.

Mr. Bracken appointed a Structural Rules Committee to look at this issue. The following members were appointed to the committee: Mr. Fleming, Committee Chair, Mr. Fiorillo, Mr. Pepper, and Mr. Varghese.

AA. Public Forum

BB. Adjourn