

**Agenda for
The Florida Board of Professional Engineers
August 7, 2019 beginning at 1:00 p.m. or soon thereafter and
August 8, 2019 beginning at 8:30 a.m., or soon thereafter
The Shores Resort & Spa
Daytona Beach Shores, Florida**

**Part I – Wednesday, August 7, 2019
(continued to Thursday, August 8, if necessary)
(August 2019 FBPE Business Book)**

- A. Call to Order, Invocation, and Pledge of Allegiance to the Flag
- B. Roll Call, Determination of Quorum, and Address Absences.

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

TIME CERTAIN OF 1:30PM - This is item is under Board Correspondence:

#2. Letter from Jeffrey Buckholz, P.E. to Gov. DeSantis – Re: FBPE Response to his request for clarification on peer review

- 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

- F. Approval of Consent Agenda
(Items denoted with an asterisk are included in the Consent Agenda*)

#1. Minutes from June 5-6, 2019 FBPE Board Meeting*
(Exhibit F#1)

#2. Minutes from July 1, 2019 FBPE Board Meeting Conference Call*
(Exhibit F#2)

#3. Minutes from July 17, 2019 FBPE Probable Cause Panel Meeting*
(Exhibit F#3)

#4. Minutes from July 18, 2019 FBPE Board Meeting Conference Call*
(Exhibit F#4)

#5. Minutes from July 26, 2019 FBPE Ratification Conference Call*
(Exhibit F#5)

#6. Application for Retired Status*
(Exhibit F#6)

G. Committee Reports

#1. Probable Cause Panel **(Next Meeting: September 11, 2018 at 8:30am)**
(Robert Matthews, P.E., Chair; Kevin Fleming, P.E.; Scott Drury, P.E.) (Alternate
Current Board Member: P.J. Shah, P.E.; Alternate Past Board Member: Richard
Wohlfarth, P.E.)

(a) Committee Chair's Report.

#2. Applications Review – Experience Committee **(Next Meeting: September 11, 2019 at
1pm via conference call)**
(PJ Shah, P.,E., Chair; Dylan Albergo, P.E.; Scott Drury, P.E.; Kevin Fleming, P.E.;
Kenneth Todd, P.E.; Babu Varghese, P.E., S.I.,)

(a) Committee Chair's Report.

#3. Applications Review – Education Committee **(Next Meeting: September 11, 2019 at
3pm via conference call)**
(Babu Varghese, P.E., S.I., Chair; Scott Drury, P.E.; PJ Shah, P.,E.; Kenneth Todd,
P.E.) (Alternate Members: Vivian Boza, Public Member)

(a) Committee Chair's Report.

#4. Rules Committee **(Next Meeting: August 7, 2019 at 8:30am in conjunction with the
August board meeting and via conference call)**
(Kevin Fleming, P.E., Chair; Dylan Albergo, P.E.; Kenneth Todd, P.E.,)

(a) Committee Chair's Report.

#5. Fire Protection Rules Committee **(Next Meeting: TBD)**
(Scott Drury, P.E., Chair; Kevin Fleming, P.E.; Babu Varghese, P.E., S.I.)

(Public Advisors to the committee: Steve Kowkabany, P.E.; Warren Hahn, P.E.; Bruce Tumin, P.E.; Karl Thompson; Clay Whitfield)

(a) Committee Chair's Report

#6. Mechanical Rules Committee **(Next Meeting: TBD)**

(Scott Drury, P.E., Chair; Kevin Fleming, P.E.)

#7. Joint FBPE-FEMC Committee **(Next Meeting: TBD)**

(FBPE Board Members: Kevin Fleming, P.E.; Dylan Albergo, P.E.)

(FEMC Board Members: Barney Bishop, Committee Chair, Public Member; John Stewart, Public Member)

#8. Certificate of Authorization Committee **(Next Meeting: TBD)**

(Kenneth Todd, P.E., PJ Shah, P.E.)

(Public Advisors to the committee: Andrew Lovenstein, P.E.; Charlie Geer, P.E.)

H. NCEES

(Kenneth Todd, P.E., FBPE Liaison)

#1. 2019 NCEES Annual Meeting Information & Schedule of Events

(Exhibit H#1)

I. Advisory Attorney's Report

#1. Rules Report

(Exhibit I#1)

#2. Annual Regulatory Plan

(Exhibit I#2)

#3. Public Hearing on Rule 61G15-20.001 – Definitions

(Exhibit I#3)

#4. Public Hearing on Rule 61G15-20.0010 – Application for Licensure by Examination

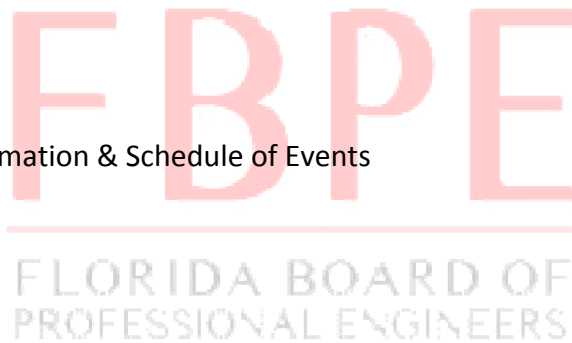
(Exhibit I#4)

#5. Public Hearing on Rule 61G15-20.0015 – Application for Licensure by Endorsement

(Exhibit I#5)

#6. Public Hearing on Rule 61G15-20.002 – Experience

(Exhibit I#6)



- #7. Public Hearing on Rule 61G15-20.006 – Educational Requirements
(Exhibit I#7)
- #8. Public Hearing on Rule 61G15-20.007 – Educational Requirements for Applicants
without EAC/ABET Accredited Engineering Degrees
(Exhibit I#8)
- #9. Public Hearing on Rule 61G15-20.008 – Educational Requirements for Applicants
without ETAC/ABET Accredited Engineering Technology Degrees (letter from applicant
with non-ETAC degree included in rule packet)
(Exhibit I#9)
- #10. Public Hearing on Rule 61G15-22.0001 – License Renewal
(Exhibit I#10)
- #11. Public Hearing on Rule 61G15-22.0002 – Licensure Change of Status (and application)
(Exhibit I#11)
- #12. Public Hearing on Rule 61G15-22.001 – Continuing Education Requirements –
(Exhibit I#12)
- #13. Public Hearing on Rule 61G15-22.006 – Demonstrating Compliance, Audits,
Investigations
(Exhibit I#13)
- #14. Public Hearing on Rule 61G15-20.100 – Certificates of Authorizations
(Exhibit I#14)
- #15. Public Hearing on Rule 61G15-19.001 – Grounds for Disciplinary Proceedings
(Exhibit I#15)
- #16. Public Hearing on Rule 61G15-19.004 – Disciplinary Guidelines; Range of Penalties;
Aggravating and Mitigating Circumstances
(Exhibit I#16)
- #17. Public Hearing on Rule 61G15-19.0051 – Notice of Noncompliance
(Exhibit I#17)
- #18. Public Hearing on Rule 61G15-19.0071 – Citations
(Exhibit I#18)

#19. Public Hearing on Rule 61G15 – Chapter 35 - Responsibility Rules of Professional Engineers providing Threshold Building Inspection
(Exhibit I#19)

#20. Public Hearing on Rule 61G15-23.001 – Signature, Date and Seal shall be Affixed
(Exhibit I#20)

#21. Public Hearing on Rule 61G15-24.001 – Schedule of Fees
(Exhibit I#21)

#22. Public Hearing on Rule 61G15-22.009 – Exemptions
(Exhibit I#22)

#23. Public Hearing on Rule 61G15-30.0007 – Prime Professional’s Responsibility
(Exhibit I#23)

#24. Public Hearing on Rule 61G15-37.001 – Performance Standards and Measurable Outcomes
(Exhibit I#24)

J. Executive Director’s Report

#1. Possible ABET Changes
(Exhibit J#1)

#2. Certification of DBPR Contract
(Exhibit J#2)

#3. Application for Reappointment to FEMC Board – Stephen Kowkabany, P.E.
(Exhibit J#3)

#4. 2019 FBPE/FEMC Meeting Calendar
(Exhibit J#4)

#5. Proposed 2020 FBPE/FEMC Meeting Calendar
(Exhibit J#5)

K. Chief Prosecutor’s Report

#1. 300 day report
(Exhibit K#1)



#2. Profile of legal cases by year
(a) Cases open for 1 year plus
(Exhibit K#2a)

(b) Total open cases by year
(Exhibit K#2b)

#3. Non-Compliance Report
(Exhibit K#3)

#4. Open case report
(Exhibit K#4)

L. Engineering Association and Society Reports

#1. FSEA

#2. FES

#3. IEEE

M. Chair's Report

N. Action Items from Previous Board Meetings

#1. Email from PE about FDOT Project Control as it relates to signing and sealing project control sheets

#3. Follow-up on Complaint about CE Provider Course

O. Correspondence to the Board

#1. Emails about adding a Plumbing Exam under the NCEES Mechanical PE Exam
(Exhibit O#1)

#2. Request for Advisory Opinion concerning FAC 61G15-23.001
(Exhibit O#2)

#3. Comments on Newsletter Article by FBPE Board Member Drury
(Exhibit O#3)

#4. Letter from Jerry Finley, P.E.
(Exhibit O#4)

#5. Letter from Jeffrey Buckholz, P.E. to Gov. DeSantis – Re: FBPE Response to his request for clarification on peer review –**TIME CERTAIN OF 1:30PM**
(Exhibit O#5)

#6. Letter from Allen Douglas, FES Executive Director – Re: Clarification on rules as to minimum requirements on signing and sealing of electronic plans
(Exhibit O#6)

P. Public Forum

Q. Community Involvement

Part II
Informal Hearing Agenda
(Thursday, August 8, 2019)
(August 2019 FBPE Licensure Book)

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 Babu Varghese, P.E.

R. Ratification of Actions from Application Review, August 7, 2019

S. Informal Hearing on of Application for Principles and Practice Examination

#1. David Hengelbrok
(Exhibit S#1)

#2. Manasa Koppal
(Exhibit S#2)

#3. Sergio Pena
(Exhibit S#3)

T. Informal Hearing on Denial of Application for Special Inspector

#1. Zachary Nord
(Exhibit T#1)

U. Hearing on Petition on Wavier and Variance of Rule 61G15-20.002 and take action on application

#1. Jeffrey Crain
(Exhibit U#1)

V. Request to Vacate Notice of Intent to Deny and allow to withdraw Application

#1. Everett Horton
(Exhibit V#1)

Part III
Disciplinary Hearings
(Thursday, August 8, 2019)
(August 2019 FBPE Disciplinary Book)

Description of Disciplinary Process by Kenneth Todd, P.E.

W. Settlement Stipulation

#1. LeBlanc, Dewey, P.E.

P.E. Number: 35683
FEMC Case Number: 2018019986
Probable Cause Panel Date: November 07, 2018
Probable Cause Panel: Matthews, Drury & Albergo
Probable Cause Panel Date: January 16, 2019
Probable Cause Panel: Matthews, Drury & Albergo

#2. Cabrera, Norman, P.E.

P.E. Number: 74093
FEMC Case Number: 2017059599
Probable Cause Panel Date: January 16, 2019
Probable Cause Panel: Matthews, Drury & Albergo
Represented by: Diane Perera, P.A.

#3. Le, Khanh Q., P.E.

P.E. Number: 70935
FEMC Case Number: 2017011835
Probable Cause Panel Date: May 07, 2018
Probable Cause Panel: Fleming, Bracken, & Matthews
Probable Cause Panel Date: March 13, 2019
Probable Cause Panel: Matthews, Drury & Albergo
Represented by: Diane Perera, P.A.

#4. Khatri, Dilip, P.E.

P.E. Number: 73315
FEMC Case Number: 2018017604
Probable Cause Panel Date: March 13, 2019
Probable Cause Panel: Matthews, Drury & Albergo

X. Default

#5. ACS Engineering, Inc.

C.A. Number: 27235
FEMC Case Number: 2018024812
Probable Cause Panel Date: March 13, 2019
Probable Cause Panel: Matthews, Drury & Albergo

#6. ACS Engineering, Inc.

C.A. Number: 27235
FEMC Case Number: 2018030210
Probable Cause Panel Date: May 07, 2019
Probable Cause Panel: Matthews, Drury & Albergo

#7. Varrichio, Anthony

C.A. Number: 61582
FEMC Case Number: 2019004179
Probable Cause Panel Date: May 07, 2019
Probable Cause Panel: Matthews, Drury & Albergo

Y. Discussion

#8. Cardona, Alberto

P.E. Number: REVOKED
FEMC Case Number: 2017034742
Probable Cause Panel Date: September 12, 2018
Probable Cause Panel: Matthews, Drury & Albergo
Represented by: Aileen Franklin, Esquire

Z. Continuation of Public Hearings on Rules listed under Advisory Attorney's Report (if needed)

AA. Old Business

BB. New Business

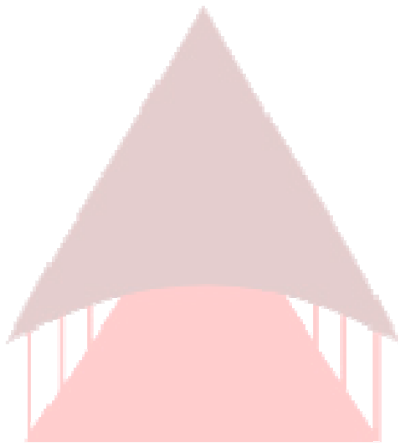
CC. Adjourn

Next Board Meeting: October 2-3, 2019

The Shores Resort & Spa

2637 S. Atlantic Ave.

Daytona Beach Shores, FL



FBPE

FLORIDA BOARD OF
PROFESSIONAL ENGINEERS