

**Minutes for
The Florida Board of Professional Engineers
February 12, 2025 beginning at 1:00 p.m. or soon thereafter and
February 13, 2025 beginning at 8:30 a.m., or soon thereafter
Jacksonville, FL**

Part I – Wednesday, February 12, 2025

A. Call to Order and Pledge of Allegiance

Ms. Ramsey called the meeting to order. Ms. Raybon called roll.

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

Board Members Present:

Denise Ramsey, P.E., Chair

James Gonzalez, Public Member, Vice Chair

Dylan Albergo, P.E.

Jeb Mulock, P.E.

Yassi Myers, P.E.

John Pistorino, P.E., S.I.

Pankaj (PJ) Shah, P.E.

Brock Shrader, P.E.



Board Member Absent:

Christopher Dawson, Public Member

Attorney General's Office:

Lawrence Harris, Senior 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 Ms. Myers, seconded by Mr. Mulock, to excuse the absence of Mr. Dawson, the motion passed unanimously.

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

Jamie Graham, P.E., FES

Jeffrey Buckholz, P.E.

Andrew Lovenstein, P.E., FSEA

Bill Lampkin, FBPE Public Information Officer

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 Ms. Myers, seconded by Mr. Mulock, to approve the agenda, the motion passed.

F. Approval of Consent Agenda

Upon motion by Mr. Albergo, seconded by Mr. Mulock, to approve the consent agenda, the motion passed.

#1. Minutes from December 12, 2024 FBPE Board Meeting

Approved under consent agenda.

#2. Minutes from January 28, 2025 FBPE Board Meeting

Approved under consent agenda.

#3. 24-25 2nd Qtr FEMC Report

Approved under consent agenda.

G. Committee Reports

#1. Probable Cause Panel (**Next Meeting: March 12, 2025, at 8:30 am via video conference**)
(Panel A: Robert Matthews, P.E., Chair; John Pistorino, P.E., S.I.; Yassi Myers, P.E.)

(a) Committee Chair's Report.

#2. Applications Review (**Next Meeting: May 7, 2025, at 1 pm via video conference**)

(Dylan Albergo, P.E.; Jeb Mulock, P.E.; Yassi Myers, P.E.; John Pistorino, P.E., S.I.; Denise Ramsey, P.E.; PJ Shah, P.E.; Christopher Dawson, Public Member; James Gonzalez, Public Member)

- (a) Committee Chair's Report.
- (b) Application Review – Education and Experience will be done at one time and ratified the following day (Thursday morning)

#3. Rules Committee (Next Meeting: March 12, 2025 at 1pm via video conference**)**

(Denise Ramsey, P.E., Chair; James Gonzalez, Public Member; Yassi Myers, P.E.; John Pistorino, P.E., S.I.)

- (a) Committee Chair's Report.

#4. Special Inspector Rules Committee (Next Meeting: TBD**)**

(Dylan Albergo, P.E., Chair; John Pistorino, P.E., S.I.)

- (a) Committee Chair's Report.

This committee will be disbanded effective immediately.

**#5. Evaluation of Damaged Structures Committee (formerly Roofing Tile Issue Committee)
(**Next Meeting: TBD**)**

(John Pistorino, P.E., S.I., Chair; Christopher Dawson, Public Member)

- (a) Committee Chair's Report.

H. NCEES

(Denise Ramsey, P.E., FBPE Liaison)

#1. 2025 NCEES Southern Zone Meeting – Little Rock, AR – April 24-26

Provided for informational purposes.

I. Advisory Attorney's Report

#1. Rules Report

Mr. Harris presented the Rules report for the board's review and consideration.

#2. Public Hearing on Rule 61G15-19.004 - Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances

Mr. Harris discussed the proposed rule amendment. Discussion followed.

Upon motion by Mr. Albergo, seconded by Mr. Mulock, to approve the proposed rule amendment as presented in the meeting materials, the motion passed unanimously.

Upon motion by Mr. Gonzalez, seconded by Ms. Myers, that the proposed rule amendments will have no adverse impact on small business and will not increase regulatory costs or have a net increase of regulatory costs in excess of \$200,000 in one (1) year or one (1) million dollars within five (5) years after the implementation of the final part of the rule, a violation of any part of the rule can be resolved through issuance of a notice of noncompliance does not apply to this rule, and does not use any sunset language for this rule, the motion passed.

#3. Public Hearing on Rule 61G15-20.007 and 20.008

Mr. Harris discussed the proposed rule amendment. Discussion followed.

Upon motion by Mr. Albergo, seconded by Mr. Mulock, to approve the proposed rule amendment as presented in the meeting materials, the motion passed unanimously.

Upon motion by Mr. Albergo, seconded by Mr. Mulock, that the proposed rule amendments will have no adverse impact on small business and will not increase regulatory costs or have a net increase of regulatory costs in excess of \$200,000 in one (1) year or one (1) million dollars within five (5) years after the implementation of the final part of the rule, a violation of any part of the rule can be resolved through issuance of a notice of noncompliance does not apply to this rule, and does not use any sunset language for this rule, the motion passed.

#4. Public Hearing on Rule 61G15- 22.011 – Board Approval of Continuing Education Providers

Mr. Harris discussed the proposed rule amendment. Discussion followed.

Motion was made but later vacated and sent back to Rules for further discussion and action.

#5. Public Hearing on Rule 61G15-22.012 - Obligations of Continuing Education Providers

Mr. Harris discussed the proposed rule amendment. Discussion followed.

Upon motion by Mr. Shrader, seconded by Mr. Mulock, to approve the proposed rule amendment as presented in the meeting materials, the motion passed unanimously.

Upon motion by Mr. Gonzalez, seconded by Mr. Mulock, that the proposed rule amendments will have no adverse impact on small business and will not increase regulatory costs or have a net increase of regulatory costs in excess of \$200,000 in one (1) year or one (1) million dollars within five (5) years after the implementation of the final part of the rule, a violation of any part of the rule can be resolved through issuance of a notice of noncompliance does not apply to this rule, and does not use any sunset language for this rule, the motion passed.

#6. Public Hearing on Rule 61G15-23.005 – Procedures for Electronically Signing and Sealing Electronically Transmitted Plans, Specifications, Reports or Other Documents

Mr. Harris discussed the proposed rule amendment. Discussion followed.

Upon motion by Mr. Mulock, seconded by Mr. Albergo, to approve the proposed rule amendment as presented in the meeting materials, the motion passed unanimously.

Upon motion by Mr. Mulock, seconded by Mr. Albergo, that the proposed rule amendments will have no adverse impact on small business and will not increase regulatory costs or have a net increase of regulatory costs in excess of \$200,000 in one (1) year or one (1) million dollars within five (5) years after the implementation of the final part of the rule, a violation of any part of the rule can be resolved through issuance of a notice of noncompliance does not apply to this rule, and does not use any sunset language for this rule, the motion passed.

#7. Public Hearing on Rule 61G15-32.004 – Design of Water Based Fire Protection Systems

Mr. Harris discussed the proposed rule amendment. Discussion followed.

Upon motion by Mr. Pistorino, seconded by Mr. Shah, to approve the proposed rule amendment as presented in the meeting materials, the motion passed unanimously.

Upon motion by Mr. Albergo, seconded by Ms. Myers, that the proposed rule amendments will have no adverse impact on small business and will not increase regulatory costs or have a net increase of regulatory costs in excess of \$200,000 in one (1) year or one (1) million dollars within five (5) years after the implementation of the final part of the rule, a violation of any part of the rule can be resolved through issuance of a notice of noncompliance does not apply to this rule, and does not use any sunset language for this rule, the motion passed.

#8. Discussion on FS 481.219 – can the statute be amended since it mentions engineering (from legal department)

Mr. Rimes talked about this issue. Discussion followed. No action was taken by the board but we will ask the societies to look at this item.

#9. Public Hearing on Rule 61G15-20.0010

Mr. Harris discussed the proposed rule amendment. Discussion followed.

Upon motion by Mr. Albergo, seconded by Ms. Myers, to approve the proposed rule amendment as presented in the meeting materials, the motion passed unanimously.

Upon motion by Mr. Albergo, seconded by Mr. Shah, that the proposed rule amendments will have no adverse impact on small business and will not increase regulatory costs or have a net increase of regulatory costs in excess of \$200,000 in one (1) year or one (1) million dollars within five (5) years after the implementation of the final part of the rule, a violation of any part of the rule can be resolved through issuance of a notice of noncompliance does not apply to this rule, and does not use any sunset language for this rule, the motion passed.

J. Executive Director's Report

#1. Renewal Update

Ms. Raybon provided a renewal update in terms of numbers and some of the issues that we have been dealing with during renewal. Discussion followed.

#2. FEMC Reappointment Application – Mark Tumeo

Ms. Raybon stated that Dr. Tumeo is the current vice chair of FEMC. Discussion followed on the application. Staff was asked to clarify some items on the application and some items completed on the application.

Upon motion by Mr. Mulock, seconded by Mr. Shah, to approve the application for appointment for a four-year term to the FEMC Board for Dr. Tumeo pending a completed application, the motion passed unanimously.

#3. 2025 FBPE/FEMC Meeting Calendar

Provided for informational purposes

#4. 2026 FBPE/FEMC Meeting Calendar

Provided for informational purposes

#5. Question about if courses will count as CE credit for license renewal

Ms. Raybon discussed this email. Discussion followed. The board decided that these courses would not count for CE credit for renewal and Ms. Raybon will inform the licensee.

K. Chief Prosecutor's Report

#1. 300-day report

Provided for informational purposes

#2. Profile of legal cases by year

Provided for informational purposes

- (a) Cases open for 1 year plus
- (b) Total open cases by year

#3. Non-Compliance Report

Provided for informational purposes

#4. Open case report

Provided for informational purposes

Mr. Rimes talked about the March 2025 PCP meeting, and it was decided that the meeting would be cancelled.

L. Engineering Association and Society Reports

#1. FSEA

#2. FES

#3. IEEE

#4. ASCE

M. Chair's Report

#1. Appoint Committees

Ms. Ramsey made the following appointments:

- Evaluation of Damaged Structures Committee: add to the committee – Albergo, Mulock and Shah

- Rules: add Shrader and remove Myers

N. Action Items from Previous Board Meetings

O. Correspondence to the Board

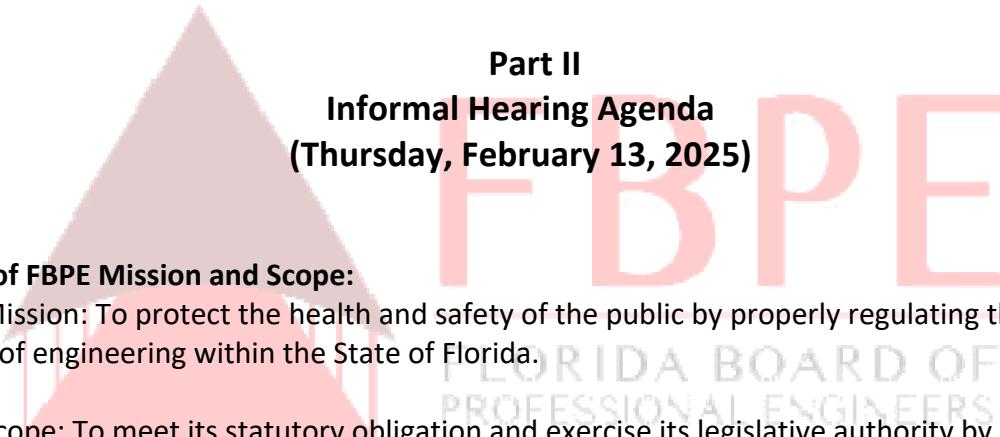
#1. Email from Mr. Jeffrey Buckholz, P.E. – Re: Use of “Engineer” by unlicensed individuals

Mr. Harris discussed this item. Discussion followed. Mr. Harris will respond.

P. Public Forum

Q. Community Involvement

R. Review of Applications – Education and Experience will be done at one time and ratified at the Thursday morning board meeting on February 12, 2025 – in separate meeting 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.

S. Ratification of Actions from Application Review, February 12, 2025

Mr. Albergo stated that the reason for denial for #2 should be experience wasn't qualifying.

Upon motion by Mr. Albergo, seconded by Mr. Gonzalez, to approve the ratification list as amended, the motion passed.

T. Informal Hearing on Denial of Application for Licensure as Professional Engineer

#1. Miguel Agreda

Mr. Agreda was present and sworn in prior to addressing the board. Mr. Harris explained the basis of the denial. The basis for denial is experience. Mr. Agreda does not have 48months of verified engineering experience and this is his initial license.

Mr. Agreda addressed the board. Discussion followed.

Upon motion by Mr. Mulock, seconded by Ms. Myers, to continue the hearing until April 2025 to allow Mr. Agreda to update his NCEES records to verify his experience and delegate the review to the executive director if the application meets our requirements, the motion passed.

U. Board Appearance on Application for Licensure as Professional Engineer

#1. Monte Goucher

Mr. Harris stated that since he did not show up that, per statute, he will be given a second chance to appear at the April 2025 meeting.

V. Board Appearance on Reinstatement of Professional Engineer License

#1. Hesham Jamaledin

Mr. Jamaledin was present and sworn in prior to addressing the board. Mr. Harris explained the basis for the board appearance. This is an application for reinstatement of a Null and Void license. License went null and void in March 2023 after going delinquent in 2021. His original license date was 6/23/2018. The basis for board appearance is past criminal history. The board requested a board appearance to discuss his past criminal history.

Mr. Jamaledin addressed the board. Discussion followed.

Mr. Jamaledin withdrew his application.

W. Request for Modification/Extension of Time on Order for SI Application

#1. Ronald Benson – requested to withdraw

Mr. Harris stated that Mr. Benson requested to withdraw his application.

Upon motion by Mr. Albergo, seconded by Ms. Myers, to vacate the notice of intent to deny and accept the request to withdraw, the motion passed.

X. Determine No Disputed Issues of Material Fact, Deny Formal Hearing request, and Convene Informal Hearing

#1. Kamal Mamoua

Dr. Mamoua was present and sworn in prior to addressing the board. Mr. Harris explained the basis for denial. The basis for denial is education. Dr. Mamoua has not provided his transcript or an evaluation. Dr. Mamoua submitted an Election of Rights form requesting a formal hearing.

Dr. Mamoua addressed the board. Discussion followed.

Upon motion by Mr. Gonzalez, seconded by Mr. Albergo, that the notice of intent to deny will be vacated and the executive director is delegated the authority to approve the application if the applicant provides the required documents proving the required engineering education to clear the deficiencies, the motion passed.

Part III Disciplinary Hearings (Thursday, February 13, 2025)

Y. Settlement Stipulation

#1. Martinez, Arial, P.E.

P.E. Number: 72329

FEMC Case Number: 2023052039

Probable Cause Panel Date: September 11, 2024

Probable Cause Panel: Matthews, Myers, & Pistorino

Mr. Martinez was present and sworn in prior to addressing the board.

Mr. Rimes outlined the facts of the case. The charges relate to violation of Section 471.033(1)(g), F.S., & Rule 61G15-19.001(4) by engaging in negligence in the practice of engineering.

The Probable Cause Panel recommendation was an administrative complaint, administrative fine of \$ 1,000.00, administrative costs of \$83.85, reprimand, and two years' probation.

The Settlement Stipulation is the same as the PCP recommendation.

Mr. Martinez addressed the board.

Upon motion by Mr. Albergo, seconded by Mr. Mulock, to accept the settlement stipulation, the motion passed.

Z. Change of Status/Discussion

#2. Carter, James

P.E. Number: 53268

FEMC Case Number: 2021015138, 2021019185

Probable Cause Panel Date: March 15, 2023, January 10, 2024

Probable Cause Panel: Matthews, Ramsey, Pepper, & Pistorino

Mr. Carter was present and sworn in prior to addressing the board.

Mr. Rimes outlined the facts of the case. The Final Order in the above-referenced case was filed with the Department of Business and Professional Regulation on May 03, 2023. Costs, fine, P&E Course, Auburn P&E course, study guide and a suspension of Subjects P.E. license until he submits document of compliance w/all continuing education requirements and Petition for Reinstatement and appear before the Board were required pursuant to that Final Order.

The Respondent, Mr. Carter, paid his fine and costs on August 20, 2024, completed his study guide December 17, 2024, and his P&E course on November 29, 2024.

The Respondent, Mr. Carter, submitted what he feels is evidence of him taking ALL continuing required for renewal on January 13, 2025, and submitted his Petition for Reinstatement of his PE license.

This case is being presented to the Board, for information, to show that Mr. Carter has completed most of the requirements set forth in the signed Settlement Stipulation agreement and has submitted his CE certificate/information and Petition for Reinstatement. This case is being presented to the Board for review of the CE information and recommendations on how to proceed.

Upon motion by Mr. Albergo, seconded by Mr. Mulock, to reinstate his license, the motion passed unanimously.

AA. Old Business

Ms. Raybon talked about an evaluation company that would like to do evaluations for FBPE. Discussion followed. The board asked staff asked to clarify their concerns with the company and if they could appear at the April 2025 board meeting.

BB. New Business

CC. Adjourn

Next Board Meeting: April 10-11, 2024 (via zoom)



