Agenda for
The Florida Board of Professional Engineers
February 17, 2021 beginning at 1:00 p.m. or soon thereafter and
February 18, 2021 beginning at 8:30 a.m., or soon thereafter
Via video conference

Part I – Wednesday, February 17, 2021
(February 2021 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 – Jonathan Batista - item under Board Correspondence (Exhibit O#5)

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
   
   #1. Minutes from December 10, 2020 FBPE Board Meeting
      (Exhibit F#1)

   #2. Minutes from January 13, 2021 FBPE Board Meeting
      (Exhibit F#2)

   #3. Minutes from January 15, 2021 FBPE Multidimensional Electronic Model Task Force Meeting
      (Exhibit F#3)
#4. Minutes from January 20, 2021 FBPE Probable Cause Panel Meeting
(Exhibit F#4)

#5. Minutes from January 22, 2021 FBPE Multidimensional Electronic Model Task Force Meeting
(Exhibit F#5)

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

#7. 20-21 2nd Quarter FEMC Report
(Exhibit F#7)

G. Committee Reports

#1. Probable Cause Panel (Next Meeting: March 10, 2021 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: March 10, 2021 at 1pm via video conference)
(PJ Shah, P.E., Chair; Dylan Albergo, P.E.; Scott Drury, P.E.; Kevin Fleming, P.E.; Babu Varghese, P.E., S.I.)

(a) Committee Chair’s Report.

#3. Applications Review – Education Committee (Next Meeting: March 10, 2021 at 1pm via video conference)
(Babu Varghese, P.E., S.I., Chair; Scott Drury, P.E.; PJ Shah, P.E.)

(a) Committee Chair’s Report.

#4. Rules Committee (Next Meeting: March 10, 2021 at 1pm via video conference)
(Kevin Fleming, P.E., Chair; Dylan Albergo, P.E.; Babu Varghese, P.E., S.I.)

(a) Committee Chair’s Report.

#5. Mechanical Rules Committee (Next Meeting: TBD)
(Scott Drury, P.E., Chair; Kevin Fleming, P.E.; Babu Varghese, P.E., S.I.)
(Public Advisors: Warren Hahn, P.E., Joe Limpert, P.E.)
(a) Committee Chair’s Report.

#6. Multidimensional Electronic Model Task Force (Next Meeting: TBD)
(FBPE Board Members: Dylan Albergo, P.E.; Scott Drury, P.E.; PJ Shah, P.E.)
(Public Advisors: Vern Danforth; Will Sharp; Mo Harmon; Anath Prasad;
William Bracken, P.E., S.I.; Steve Stanfill; Mark Lemieux; Dylan Richard; Casey Sveiven;
Nick Benedico)

(a) Committee Chair’s Report.

#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)

H. NCEES
(Kevin Fleming, P.E., FBPE Liaison)

#1. 2021 NCEES Southern Zone Meeting – April 15, 2021 at 10am to 1pm- being held virtually
   • Welcome Event will be held on April 14 – time to be determined

I. Advisory Attorney’s Report

#1. Rules Report
   (Exhibit I#1)

#2. Public Hearing on Rule 61G15-Chapter 34
   (Exhibit I#2)

   (Exhibit I#3)

   (Exhibit I#4)

#5. Public Hearing on Rule 61G15-23.001 – new language from the FBPE Multidimensional
   Electronic Model Task Force
   (Exhibit I#5)

#6. Review of Draft of Declaratory Statement for JS Held
   (Exhibit I#6)
J. Executive Director’s Report

#1. Renewal Update

#2. Legislative Update
   (Exhibit J#2)

#3. Memo from Legal about CE Provider @Home Prep
   (Exhibit J#3)

#4. Application for FEMC Board Member
   (Exhibit J#4)

#5. Discussion on Advance Building Code Course and when the PE has to take it by
   (Exhibit J#5)

#6. 2021 FBPE/FEMC Meeting Calendar
   (Exhibit J#6)

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
M. Chair’s Report

#1. Appoint Committees

N. Action Items from Previous Board Meetings

O. Correspondence to the Board

#1. Email from Dr. Stuart Walesh, P.E – Re: Question about NTSB Recommendation
(Exhibit O#1)

#2. Email from Mr. John Simko, P.E. – Re: Building Departments
(Exhibit O#2)

#3. Email from Mr. John Simko, P.E. – Re: engineers doing work outside of their expertise
(Exhibit O#3)

#4. Email from Mr. Alfonso Fernandez-Fraga, P.E. – RE: Identification of applicable building
codes in engineering documents
(Exhibit O#4)

#5. Request to Speak by Mr. Jonathan Batista – re: NCEES PE Exam -TIME CERTAIN OF
1:30pm
(Exhibit O#5)

#6. Email/Letter from Mr. Bruce Tumin
(Exhibit O#6)

#7. Email from Mr. Hoffman, P.E. – re: extending the Emergency Signing and Sealing Rule
(Exhibit O#7)

#8. Email about GreenBook Committee – re: CEU Credit during renewal
(Exhibit O#8)

P. Public Forum

Q. Community Involvement
Part II
Informal Hearing Agenda
(Thursday, February 18, 2021)
(February 2021 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 the Application Review Process by Kevin Fleming, P.E.

R. Ratification of Actions from Application Review, February 17, 2021

S. Informal Hearing on Application for Licensure by Endorsement
   #1. Philip Swanton
       (Exhibit S#1)

T. Board Appearance on Application for Licensure by Endorsement
   #1. Fady Habeel
       (Exhibit T#1)

U. Continuation of Informal Hearing Application for Special Inspector Certification
   #1. Nestor Cueto
       (Exhibit U#1)

V. Hearing on Petition on Wavier and Variance of Rule 61G15-22.0002 – Licensure Change of Status, Reactivation, Reinstatement of Void Licenses
   #1. Carlos Zerpa
       (Exhibit V#1)
   #2. Salah Ezzaoudi
       (Exhibit V#2)
Description of Disciplinary Process by Kevin Fleming, P.E.

W. Settlement Stipulation

#1. Mueller, Todd P.E. (CE Case)
   P.E. Number: 72107
   FEMC Case Number: 2020002305
   Probable Cause Panel Date: September 09, 2020
   Probable Cause Panel: Matthews, Fleming & Drury

#2. Nagamia, Jamal P.E.
   P.E. Number: 19241
   FEMC Case Number: 2019041047
   Probable Cause Panel Date: September 09, 2020
   Probable Cause Panel: Matthews, Fleming & Drury
   Represented by: Matthew Davis, Esq.

#3. Schneider, Daryl, P.E. (CE Case)
   P.E. Number: 76164
   FEMC Case Number: 2020007409
   Probable Cause Panel Date: July 09, 2020
   Probable Cause Panel: Matthews, Fleming & Drury

#4. Unroe, Darcy, P.E.
   P.E. Number: 60929
   FEMC Case Number: 2019052377
   Probable Cause Panel Date: May 13, 2020
   Probable Cause Panel: Matthews, Fleming & Drury
   Represented by: Jeff Peters, Esq.

X. Informal Hearing

#5. McCarthy, John, P.E. (CE Case)
   P.E. Number: 84038
   FEMC Case Number: 2020006278
   Probable Cause Panel Date: September 09, 2020
   Probable Cause Panel: Matthews, Fleming & Drury
#6. Mukherji, Sisr K., P.E.(CE Case)
- P.E. Number: 73373
- FEMC Case Number: 2020006528
- Probable Cause Panel Date: May 13, 2020
- Probable Cause Panel: Matthews, Fleming & Drury

Y. Mandatory Board Meeting

#7. Barnett, Winthrop, P.E.
- P.E. Number: 25576
- FEMC Case Number: 2019012309
- Probable Cause Panel Date: May 07, 2019
- Probable Cause Panel: Matthews, Drury & Albergo
- Represented by: Self
- Final Order Date: February 27, 2020

Z. Old Business

AA. New Business

BB. Adjourn

Next Board Meeting: April 7-8, 2021 via video conference

Board Member Training: March 23, 2021 at 1pm via video conference