

**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 2<sup>nd</sup> 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)

#3. Public Hearing on Rule 61G15-Chapter 19 – Disciplinary Guidelines  
(Exhibit I#3)

#4. Public Hearing on Rule 61G15-18.011  
(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



#3. IEEE

#4. ASCE

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 Habel  
(Exhibit T#1)

U. Continuation of Informal Hearing Application for Special Inspector Certification

#1. Nestor Cueto  
(Exhibit U#1)

V. Hearing on Petition on Waiver 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)

**Part III**  
**Disciplinary Hearings**  
**(Thursday, February 18, 2021)**  
**(February 2021 FBPE Disciplinary Book)**

**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, Sisir 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**



**FBPE**  
FLORIDA BOARD OF  
PROFESSIONAL ENGINEERS