

**AMENDED Agenda for  
The Florida Board of Professional Engineers  
October 9, 2024, beginning at 1:00 p.m. or soon thereafter and  
October 10, 2024, beginning at 8:30 a.m., or soon thereafter  
Via video conference**

**Part I – Wednesday, October 9, 2024  
(October 2024 FBPE Business Book)**

- A. Call to Order
- B. Roll Call, Determination of Quorum, and Address Absences.
- C. Introduction of guests and announcements as to presentations at a time certain
- 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 August 7-8, 2024 FBPE Board Meeting  
(Exhibit F#1)
  - #2. Minutes from September 11, 2024 FBPE Probable Cause Panel Meeting  
(Exhibit F#2)
  - #3. Minutes from September 11, 2024 FBPE Board Meeting  
(Exhibit F#3)
  - #4. 23-24 FEMC Annual Report  
(Exhibit F#4)
  - #5. 23-24 4<sup>th</sup> Qtr FEMC Report  
(Exhibit F#5)

#6. Minutes from July 10, 2024 FBPE Rules Committee Meeting  
(Exhibit F#6)

G. Committee Reports

#1. Probable Cause Panel **(Next Meeting: November 6, 2024, 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: November 6, 2024, at 1 pm via video conference)**

(Babu Varghese, P.E., S.I., Chair; Dylan Albergo, P.E.; Sam Mousa, 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: TBD 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.; Babu Varghese, P.E., S.I.)

(a) Committee Chair's Report.

#5. Joint FBPE-FBC Committee **(Next Meeting: TBD)**

(John Pistorino, P.E., S.I., Chair; Denise Ramsey, P.E.; Babu Varghese, P.E., S.I.)

(a) Committee Chair's Report.

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

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

(a) Committee Chair's Report.

H. NCEES

(Dylan Albergo, P.E., FBPE Liaison)

#1. NCEES Annual Meeting Report

I. Advisory Attorney's Report

#1. Rules Report

(Exhibit I#1)

#2. Discussion on SB 1600 / the new 455.213(15)(d)

(Exhibit I#2)

#3. Public Hearing on **Rule 61G15-20.0010 - Application for Licensure as Professional Engineer**

(to take a look at subsection (3) regarding the 15/20 rule – does the experience need to be verified? How about the 3 of 5 years active practice? And, do we want to keep the 3 of 5 years, or delete that requirement for active practice; referred back to Rules from Aug. 2024 FBPE Board Meeting)

(Exhibit I#3)

#4. Public Hearing on **Rule 61G15-22.009 – Exemptions from Continuing Education Requirements**

– (Referred from Aug. 2024 FBPE Board Meeting)

(Exhibit I#4)

#5. Public Hearing on **Rule 61G15-23.004 – Procedures for Digitally Signing and Sealing Electronically Transmitted Plans, Specifications, Reports or Other Documents**

(from Aug. 2024 FBPE Board Meeting FBPE Bd Mbr Varghese wanted to discuss this item)

(Exhibit I#5)

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

(referred from April 2024 FBPE Bd Mtg and need to update application and was supposed to be on Aug. 2024 bd mtg agenda)

a. Can a business registry be a CE provider

b. Should be amend rules to require a CE provider to provide separate certificates for each course or spell it out on more clearly if providing only certificate

(Exhibit I#6)

#7. **Discussion on whether or not we can add a rule that addresses Failure to Respond and issues a fine?**

(FEMC Investigator Wendy Anderson from NCEES Law Enforcement seminar – copy of rule from Maryland about talks about this - Regulation 09.23.03.11 addresses Failure to Respond; Harris to draft language for next Rules mtg.)

(Exhibit I#7)

#8. Review of Proposed Rules - Chapter 38 – Responsibility Rules of Professional Engineers concerning the Evaluation of Damaged Structures (from cancellation of Sept. 2024 Evaluation of Damaged Structures Committee Mtg)  
(Exhibit I#8)

#9. Public Hearing on **Rule 61G15-18.012 – Other Board Business for Which Compensation is Allowed**  
(Exhibit I#9)

#10. Public Hearing on **Rule 61G15- 22.011 – Board Approval of Continuing Education Providers**  
(Exhibit I#10)

#11. Public Hearing on **Rule 61G15-30.001 – Purpose**  
(Exhibit I#11)

#12. Public Hearing on **Rule 61G15- 31.006 – Design of Structural Systems Utilizing Web Steel Joists and Joist Girders**  
(Exhibit I#12)

J. Executive Director’s Report

#1. Update on Renewal

#2. 2024 FBPE/FEMC Meeting Calendar  
(Exhibit J#2)

#3. 2025 FBPE/FEMC Meeting Calendar  
(Exhibit J#3)

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

#1. Appoint Nominations Committee

N. Action Items from Previous Board Meetings

O. Correspondence to the Board

#1. Email from Ms. Heather Mullen – Re: Engineering Registration Requirements for 501c3 Organization  
(Exhibit O#1)

#2. Email from Mr. Dennis Gilkey – Re: PE licensure  
(Exhibit O#2)

#3. Email from Mr. Rafael Ballesteros – Re: Duty to Report  
(Exhibit O#3)

#4. Letter from Mr. Baggett – Re: credit for Pro Bono work  
(Exhibit O#4)

P. Public Forum

Q. Community Involvement

R. Old Business

S. Review of Applications – Education and Experience will be done at one time and ratified at the Thursday morning board meeting on October 10, 2024 – in separate meeting book

- Added to two applications for full board discussion

**Part II**  
**Informal Hearing Agenda**  
**(Thursday, October 10, 2024)**  
**(October 2024 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.

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T. Ratification of Actions from Application Review held on Wednesday, October 9, 2024

**Description of Educational Committee Process by Dylan Albergo, P.E.**

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

#1. Michael Merz  
(Exhibit U#1)

V. Board Appearance for Application for Licensure as Professional Engineer

#1. Najee Hunter  
(Exhibit V#1)

W. Petition for Waiver and Variance on Application for Licensure as Professional Engineer

#1. Stephen Bakin  
(Exhibit W#1)

W1. - Review of Application / Determination of Material Facts in Dispute / Convene Informal Hearing – Special Inspector Application

#1. Ronald Benson  
(Exhibit W1#1)

**Part III**  
**Disciplinary Hearings**  
**(Thursday, October 10, 2024)**  
**(October 2024 FBPE Disciplinary Book)**

**Description of Disciplinary Process by Dylan Albergo, P.E.**

X. Settlement Stipulation

#1. Zuendt, Alexander

P.E. Number: 81552  
FEMC Case Number: 2023023856  
Probable Cause Panel Date: July 10, 2024  
Probable Cause Panel: Matthews, Pistorino & Myers  
Represented by: Katrina S. Brown, Esq.

Y. Informal Hearing

#2. Gustainus, Ronald

P.E. Number: 30824  
FEMC Case Number: 2023040039  
Probable Cause Panel Date: May 08, 2024  
Probable Cause Panel: Matthews & Ramsey  
Represented by: John Buckley, Esq.

Z. Default

#3. AMD Group, Inc./Steve Delbrune

P.E. Number: Unlicensed  
FEMC Case Number: 2023042323 & 203042353  
Probable Cause Panel Date: March 13, 2024  
Probable Cause Panel: Matthews, Pistorino, & Ramsey

#4. Warnick, Pastora

P.E. Number: 83198 (delinquent)  
FEMC Case Number: 2022019109  
Probable Cause Panel Date: May 10, 2023  
Probable Cause Panel: Matthews, Fleming, & Pistorino

AA. New Business

BB. Adjourn

**Next Board Meeting: December 12, 2024 at 8:30am**  
**Holiday Inn Tallahassee East Capitol - Universities**  
**2003 Apalachee Parkway**  
**Tallahassee, FL 32301**

