

AGENCY SNAPSHOTS*from page 7*

Florida Department of Transportation

by Kimberly Clark Menchion

The Florida Department of Transportation ("FDOT") was created by the Legislature in 1969 when its responsibilities were transferred from the State Road Department. The Department is headed by its Secretary, a gubernatorial appointee. FDOT's primary statutory responsibility is to coordinate the planning and development of a safe, viable, and balanced state transportation system serving all regions of the state, and to assure the compatibility of all components, including multimodal facilities. A multimodal transportation system combines two or more modes of movement of people or goods.

Florida's transportation system includes roadway, air, rail, sea, spaceports, bus transit, and bicycle and pedestrian facilities. The total mileage for the State Highway System is approximately 18,377 miles. Florida has an approximately 2700 mile rail system which is predominantly privately owned with the exception of SunRail (62 miles) and Tri Rail (81 miles). Florida also has fifteen seaports.

Head of the Agency:

Ananth Prasad, Secretary
605 Suwannee Street
Tallahassee, FL 32309-0458

Ananth Prasad was appointed Secretary of FDOT in 2011. Secretary Prasad previously served as the Assistant Secretary for Engineering and Operations for the agency. Prasad rejoined FDOT in July 2010 after a brief two-year stint as a vice president of a construction-services firm. Prasad has 22 years of experience in the transportation industry, including 20 years with FDOT where he previously held the positions of

the Chief Engineer and Director of Construction. He was responsible for implementing various innovative contracting techniques, including public-private partnerships.

Agency Clerk:

Patricia Parsons
(850) 414-5265
Email: Trish.Parsons@dot.state.fl.us

Hours for Filings:

8:00 a.m. - 5:00 p.m.
Filings may be sent to the following address:

Florida Department of Transportation
Clerk of Agency Proceedings
605 Suwannee Street, MS 58
Tallahassee, Florida 32399
Fax: (850) 414-5264

General Counsel

Jerry Curington
(850) 414-5270
Email: Jerry.Curington@dot.state.fl.us

FDOT's general counsel is Jerry Curington. He joined FDOT in 2011 and previously served as the general counsel for the Department of Children and Families, chief trial counsel and head of the civil division for the Office of the Attorney General, deputy general counsel in the Executive Office of the Governor, and in private practice with several Florida firms.

Number of lawyers on staff: 72 statewide, including 26 in Tallahassee.

Kinds of cases: The agency's administrative cases include rule challenges, administrative litigation

involving: access management; environmental permitting; permitting and licensure of outdoor advertising; contractor and consultant qualifications; and federal requirements for transportation projects. The agency also represents itself in bid protests, personnel and contract matters, eminent domain, and construction litigation. In addition to litigation, the administrative law section provides legal analysis for proposed legislation, assistance with policy development, and advisory support.

Agency Perspective: Kathleen Toolan was appointed chief of administrative law in 2013. Previously, she served as assistant general counsel in the administrative law section of FDOT for five years. Her prior experience includes both private practice and eleven years with Florida's Department of Environmental Protection. There are six additional attorneys who are a part of the administrative law section, all of whom are located in Tallahassee. Outdoor advertising represents a significant portion of FDOT's administrative litigation and its importance is unparalleled, as ten percent of the agency's federal funding, estimated at \$163 million dollars, is tied to the effective control of the program. Access management is a unique component of FDOT's administrative matters involving the regulation of driveway connections to the State Highway System. Disputes regarding environmental impacts associated with transportation projects also represent a critical component of the agency's administrative matters and involve both federal and state administrative challenges.

