



AGENDA REPORT
April 10, 2018

SUBJECT:

St John's Heritage Parkway Project, 192 (North)

FISCAL IMPACT:

None.

DEPT/OFFICE:

County Attorney Office

REQUESTED ACTION:

It is requested that the Board of County Commissioners (BOCC) adopt a resolution authorizing John Denninghoff, P.E., to make engineering related commitments on the County's behalf in condemnation proceedings regarding both the St John's Heritage Project and the Washingtonia Road Project.

SUMMARY EXPLANATION and BACKGROUND:

In the continuing effort to plan and construct this project, it is requested that the Board formally authorize John Denninghoff, P.E., as the designated county employee, to make commitments on behalf of the County during court proceedings regarding the use of land necessary for development and construction of the St. John's Heritage Parkway Project and the Washingtonia Road Project. It is intended that Mr. Denninghoff will be called as an expert witness regarding project at upcoming court proceedings in the condemnation action. The purpose of the resolution is to show the court that Mr. Denninghoff is authorized by the County to make representations about construction for both projects and use of lands acquired and bind the County by his testimony. This Board has adopted similar resolutions authorizing an expert to bind the Board regarding construction plans in other condemnations cases.

CLERK TO THE BOARD INSTRUCTIONS:

Return certified copy of resolution to County Attorney's office.

ATTACHMENTS:

Description

- **Proposed Resolution**



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April 11, 2018

MEMORANDUM

TO: Eden Bentley, Interim County Attorney

RE: Item II.D.1., St John's Heritage Parkway Project, 192 (North)

The Board of County Commissioners, in regular session on April 10, 2018, adopted Resolution No. 18-046, authorizing John Denninghoff, P.E., to make engineering related commitments on the County's behalf in condemnation proceedings regarding both the St. John's Heritage Project and the Washingtonia Road Project. Enclosed is a certified copy of the Resolution.

Your continued cooperation is greatly appreciated.

Sincerely yours,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

Tammy Rowe

Tammy Rowe, Deputy Clerk

/cmw

Encl. (1)

cc: Public Works

RESOLUTION NO: 2018- 046

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA AUTHORIZING JOHN DENNINGHOFF, P.E., TO ACT ON THE BOARD OF COUNTY COMMISSIONERS BEHALF IN CONDEMNATION PROCEEDINGS REGARDING THE OPERATION OF THE ST JOHN'S HERITAGE PARKWAY PROJECT AND WASHINGTONIA ROAD PROJECT.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Brevard County, Florida, a political subdivision of the State of Florida (County) that the County is committed to the following:

1. The County anticipates eminent domain proceedings for the purpose of acquiring land for the St. John's Heritage Parkway and Washingtonia Road Project.
2. John Denninghoff, P.E, is hereby authorized as the designated county employee to make binding commitments on behalf of the County involving the St. John's Heritage Parkway Project and Washingtonia Road Project regarding the use of the land to be acquired and the design and construction of the improvements.

DONE, ORDERED AND ADOPTED in Regular Session this 10 day of April, 2018

ATTEST:

CLERK OF THE CIRCUIT COURT



Scott Ellis, Clerk

BOARD OF COUNTY COMMISSIONERS
BREVARD COUNTY, FLORIDA



Rita Pritchett, Chair

(As Adopted by the Board on 4/10/18)