

*Rolling Oaks  
Community Development District*

*Agenda*

*May 26, 2022*

# AGENDA

# *Rolling Oaks*

## *Community Development District*

---

219 East Livingston Street, Orlando, Florida 32801

Phone: 407-841-5524 – Fax: 407-839-1526

May 19, 2022

**Board of Supervisors  
Rolling Oaks Community  
Development District**

Dear Board Members:

The meeting of the Board of Supervisors of **Rolling Oaks Community Development District** will be held **Thursday, May 26, 2022 at 1:00 PM at Margaritaville Resort Orlando, 8000 Fins Up Circle, Kissimmee, Florida 34747**. Following is the advance agenda for the meeting:

1. Roll Call
2. Public Comment Period
3. Approval of Minutes of the March 24, 2022 Meeting
4. Consideration of Resolution 2022-05 Approving the Proposed Fiscal Year 2023 Budget and Setting a Public Hearing
5. Staff Reports
  - A. Attorney
  - B. Engineer
  - C. District Manager's Report
    - i. Approval of Check Register
    - ii. Balance Sheet and Income Statement
    - iii. Presentation of Number of Registered Voters: 50
    - iv. Designation of November 17, 2022 as the Landowners' Meeting Date
6. Supervisor's Requests
7. Next Meeting Date – June 23, 2022
8. Adjournment

The second order of business of the Board of Supervisors meeting is the Public Comment Period where the public has an opportunity to be heard on propositions coming before the Board as reflected on the agenda, and any other items.

The third order of business is approval of the minutes of the November 17, 2021 Board of Supervisors meeting. The minutes are enclosed for your review.

The fourth order of business is the consideration Resolution 2022-05 Approving the Proposed Fiscal Year 2023 Budget and Setting a Public Hearing. A copy of the resolution is enclosed for your review.

The fifth order of business is Staff Reports. Section C is the District Manager's Report. Section 1 includes the check register being submitted for approval. Section 2 is the balance sheet and income statement for your review. Section 3 is the presentation of the number of registered

voters. Section 4 is the designation of November 17, 2022 as the landowners' meeting date. The instructions, sample agenda and landowners' proxy are enclosed for your review.

The balance of the agenda will be discussed at the meeting. In the meantime, if you have any questions, please contact me.

Sincerely,

*George Flint*

George S. Flint  
District Manager

CC: Vivek Babbar, District Counsel  
Dave Schmitt, District Engineer

Enclosures

# MINUTES

**MINUTES OF MEETING  
ROLLING OAKS  
COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of the Rolling Oaks Community Development District was held Thursday, **March 24, 2022** at 1:00 p.m. at the Coral Reef Room, Margaritaville Resort Orlando, 8000 Fins Up Circle, Kissimmee, Florida.

Present and constituting a quorum were:

John Chiste	Chairman by telephone
Jared Bouskila	Vice Chairman
Cora DiFiore	Assistant Secretary <i>by telephone</i>
Peter Brown	Assistant Secretary
Steven Dougherty	Assistant Secretary

Also present were:

George Flint	Manager
Vivek Babbar	Attorney <i>by telephone</i>
Dave Schmitt	Engineer

**FIRST ORDER OF BUSINESS**

**Roll Call**

Mr. Flint called the meeting to order and called the roll.

**SECOND ORDER OF BUSINESS**

**Public Comment Period**

There being none, the next item followed.

**THIRD ORDER OF BUSINESS**

**Approval of the Minutes of the November 17,  
2021 Meeting**

On MOTION by Mr. Bouskila seconded by Mr. Brown with all in favor the minutes of the November 17, 2021 meeting were approved as presented.
--

**FOURTH ORDER OF BUSINESS**

**Ratification of First Amendment to the Landscape Maintenance Agreement with REW**

Mr. Flint stated next is ratification of the first amendment to the landscape maintenance agreement with REW. This was executed earlier in the fiscal year and since we didn't have a board meeting, I asked the chair to execute the addendum and we are asking the board to ratify his actions in doing that.

On MOTION by Mr. Brown seconded by Mr. Bouskila with all in favor the first amendment to the agreement to the REW landscape maintenance contract was ratified.

**FIFTH ORDER OF BUSINESS**

**Consideration of Resolution 2022-03 Authorizing and Approving the Conveyance of the Phase 7 Lift Station Lands and Improvements to Toho**

Mr. Flint stated next is Resolution 2022-03 authorizing and approving the conveyance of the Phase 7 lift station lands and improvements to Toho Water Authority.

Mr. Babbar stated the resolution goes through the same facts we talked about before and were also included in the deed, affidavit, the bill of sale and all the documents required for conveyance of public infrastructure. I recommend a motion to approve in substantial form, that way if there are any changes requested by Toho, we will incorporate those in the final form.

Mr. Flint asked did you also want the board to authorize Phase 8 lift station to be included in the same resolution

Mr. Babbar stated I was going to do it by separate resolution. I would request that they approve basically the same form of resolution. I didn't draft one yet because I didn't want to do it ahead of comments, but essentially, they are looking for the same approval as well, but those documents are a little different from Phase 7.

On MOTION by Mr. Brown seconded by Mr. Bouskila with all in favor Resolution 2022-03 Authorizing and Approving the Conveyance of the Phase 7 Lift Station Lands and Improvements in Toho was approved in substantial form.

Mr. Flint stated next would be approval of Resolution 2022-04 dealing with the Phase 8 lift station. We will note for the record there are no members of the public present to provide any comment on this item since it was added to the agenda.

On MOTION by Mr. Bouskila seconded by Mr. Dougherty with all in favor district counsel was authorized to draft Resolution 2022-04 conveying the Phase 8 lift station and the chair or vice chair were authorized to execute the resolution when prepared and in final form.

**SIXTH ORDER OF BUSINESS**

**Consideration of Drainage Fee Agreement with RCID**

Mr. Flint stated we added consideration of a drainage fee agreement with RCID, however, subsequent to adding this our counsel was requested by RCID’s counsel that action be deferred on the item until some details get worked out. There are three parties to the agreement, Rolling Oaks Splendid, the CDD and RCID. All parties need to come to agreement on the terms of the agreement and I believe there are still some things to be worked out. If there is no objection from the board, we will defer this item and add it to the next agenda.

**SEVENTH ORDER OF BUSINESS**

**Staff Reports**

**A. Attorney – Presentation of Memo for Stormwater Needs Analysis Report**

Mr. Babbar stated I circulated a memo before and the stormwater needs analysis report is now a requirement and our engineer has a proposal to accomplish that.

We did monitor the session and there are a few things that could have impacted the CDD but the legislators focused on a few hot button issues so a lot of the bills got tabled. One was House Bill 7049 and that allows meeting notices on the county’s website or a prior website designated by the county for notices. Once signed by the governor it will be effective January 1, 2023. It is going to be interesting to see how the county’s sites get implemented, it is not mandatory in any sense. We will review other bills to see if they added anything that may impact CDDs.

**B. Engineer – Consideration of Proposal for Stormwater Needs Analysis Report**

Mr. Schmitt stated you have the proposal that was requested for the new requirement and I can answer any questions.



Mr. Flint stated it is for a fixed fee of \$9,000 plus other direct costs, which I believe is reasonable compared to other proposals I have seen.

On MOTION by Mr. Dougherty seconded by Mr. Chiste with all in favor the proposal from Dave Schmitt Engineering, LLC in the fixed fee amount of \$9,000 plus other direct costs for the preparation of the stormwater needs analysis report was approved.

**C. Manager**

**i. Approval of Check Register**

On MOTION by Mr. Bouskila seconded by Mr. Dougherty with all in favor the check register was approved.

**ii. Balance Sheet and Income Statement**

A copy of the balance sheet and income statement were included in the agenda package.

**ii. Ratification of Requisition No. 5**

Mr. Flint stated requisition no. 5 is payable to Rolling Oaks Splendid for \$2,281,083.53 for the series 2018 improvements. The requisition has been signed by the district engineer and by the chairman and transmitted to the trustee and has been funded. There is additional detail behind the requisition supporting the amount.

On MOTION by Mr. Bouskila seconded by Mr. Dougherty with all in favor requisition no. 5 was ratified.

**EIGHTH ORDER OF BUSINESS**

**Supervisor’s Requests**

There being none, the next item followed.

**NINTH ORDER OF BUSINESS**

**Next Meeting Date – April 28, 2022**

Mr. Flint stated the next meeting is April 28, 2022 and we will get the with chair and vice chair prior to that meeting.

Mr. Brown stated we will have agenda items for that meeting.

Mr. Flint stated we may have the proposed budget on that agenda as well.

On MOTION by Mr. Brown seconded by Mr. Bouskila with all in favor the meeting adjourned at 1:12 p.m.

\_\_\_\_\_  
Secretary/Assistant Secretary

\_\_\_\_\_  
Chairman/Vice Chairman

# SECTION IV

**RESOLUTION 2022-05**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE ROLLING OAKS COMMUNITY DEVELOPMENT DISTRICT APPROVING A PROPOSED BUDGET FOR FISCAL YEAR 2022/2023 AND SETTING A PUBLIC HEARING THEREON PURSUANT TO FLORIDA LAW; ADDRESSING TRANSMITTAL, POSTING AND PUBLICATION REQUIREMENTS; ADDRESSING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the District Manager has heretofore prepared and submitted to the Board of Supervisors (“**Board**”) of the Rolling Oaks Community Development District (“**District**”) prior to June 15, 2022, a proposed budget (“**Proposed Budget**”) for the fiscal year beginning October 1, 2022 and ending September 30, 2023 (“**Fiscal Year 2022/2023**”); and

**WHEREAS**, the Board has considered the Proposed Budget and desires to set the required public hearing thereon.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE ROLLING OAKS COMMUNITY DEVELOPMENT DISTRICT:**

1. **PROPOSED BUDGET APPROVED.** The Proposed Budget prepared by the District Manager for Fiscal Year 2022/2023 attached hereto as **Exhibit A** is hereby approved as the basis for conducting a public hearing to adopt said Proposed Budget.

2. **SETTING A PUBLIC HEARING.** A public hearing on said approved Proposed Budget is hereby declared and set for the following date, hour and location:

DATE:	August 25, 2022
HOUR:	1:00 p.m.
LOCATION:	Margaritaville Resort Orlando 8000 Fins Up Circle Kissimmee, Florida 34747

3. **TRANSMITTAL OF PROPOSED BUDGET TO LOCAL GENERAL PURPOSE GOVERNMENT.** The District Manager is hereby directed to submit a copy of the Proposed Budget to Osceola County at least 60 days prior to the hearing set above.

4. **POSTING OF PROPOSED BUDGET.** In accordance with Section 189.016, *Florida Statutes*, the District’s Secretary is further directed to post the approved Proposed Budget on the District’s website at least two days before the budget hearing date as set forth in Section 2, and shall remain on the website for at least 45 days.

5. **PUBLICATION OF NOTICE.** Notice of this public hearing shall be published in the manner prescribed in Florida law.

6. **SEVERABILITY.** The invalidity or unenforceability of any one or more provisions of this Resolution shall not affect the validity or enforceability of the remaining portions of this Resolution, or any part thereof.

7. **EFFECTIVE DATE.** This Resolution shall take effect immediately upon adoption.

**PASSED AND ADOPTED THIS 26<sup>th</sup> DAY OF MAY, 2022.**

ATTEST:

**ROLLING OAKS COMMUNITY  
DEVELOPMENT DISTRICT**

\_\_\_\_\_  
Secretary

By: \_\_\_\_\_  
Its: \_\_\_\_\_

# SECTION V

# SECTION C

# SECTION 1



*This item will be provided under  
separate cover*

# SECTION 2

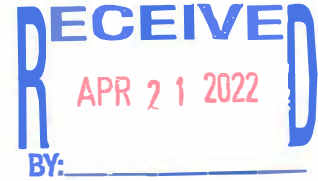
*This item will be provided under  
separate cover*

# SECTION 3



MARY JANE ARRINGTON  
OSCEOLA COUNTY SUPERVISOR OF ELECTIONS

---



April 19, 2022

Ms. Monica Virgen  
Recording Secretary  
Rolling Oaks Community Development District  
219 E. Livingston St.  
Orlando, FL 32801

RE: Rolling Oaks Community Development District – Registered Voters

Dear Ms. Virgen:

Thank you for your letter of April 15, 2022, requesting confirmation of the number of registered voters within the Rolling Oaks Community Development District as of April 15, 2022.

The number of registered voters within the Rolling Oaks CDD is 50 as of April 15, 2022.

If I can be of further assistance, please contact me at 407.742.6000.

Respectfully yours,

Mary Jane Arrington  
Supervisor of Elections



# SECTION 4

## INSTRUCTIONS

At the Board meeting, when the landowner's election is announced, instructions on how landowners may participate in the election, along with a sample proxy, shall be provided.

At a landowners meeting, landowners shall organize by electing a chair who shall conduct the meeting. The chair may be any person present at the meeting. If the chair is a landowner or proxy holder of a landowner, he or she may nominate candidates and make and second motions.

Nominations are made from the floor.

After all nominations are made, a ballot is distributed and votes are cast

Each landowner is entitled to one vote for each acre he owns or portion of an acre.

## SAMPLE AGENDA

1. Determination of Number of Voting Units Represented
2. Call to Order
3. Election of a Chairman for the Purpose of Conducting the Landowners Meeting
4. Nominations for the Position of Supervisor
5. Casting of Ballots
6. Ballot Tabulation
7. Landowners Questions and Comments
8. Adjournment

LANDOWNER PROXY  
LANDOWNERS MEETING – November 17, 2022

ROLLING OAKS COMMUNITY DEVELOPMENT DISTRICT  
OSCEOLA COUNTY, FLORIDA

NOW ALL PERSONS BY THESE PRESENTS, that the undersigned, the fee simple owner of the lands described herein, hereby constitutes and appoints:

\_\_\_\_\_  
Proxy Holder

For and on behalf of the undersigned, to vote as proxy at the meeting of the landowners of the **Rolling Oaks Community Development District** to be held at **Margaritaville Resort Orlando, 8000 Fins Up Circle, Kissimmee, Florida 34747** on **November 17, 2022 at 1:00 PM**, and at any continuances or adjournments thereof, according to the number of acres of un-platted land and/or platted lots owned by the undersigned landowner which the undersigned would be entitled to vote if then personally present, upon any question, proposition, or resolution or any other matter or thing which may be considered at said meeting including, but not limited to, the election of members of the Governing Board. Said Proxy Holder may vote in accordance with their discretion on all matters not known or determined at the time of solicitation of this proxy, which may legally be considered at said meeting.

Any proxy heretofore given by the undersigned for said meeting is hereby revoked. This proxy is to continue in full force and effect from the date hereof until the conclusion of the annual meeting and any adjournment or adjournments thereof, but may be revoked at any time by written notice of such revocation presented at the annual meeting prior to the Proxy Holder exercising the voting rights conferred herein.

\_\_\_\_\_  
Print or type name of Landowner

Date \_\_\_\_\_

\_\_\_\_\_  
Signature of Landowner

**Parcel Description**

**Acreage**

**Authorized Votes\***

\_\_\_\_\_  
(must be street address, tax parcel ID number,  
or legal description attached)

\_\_\_\_\_

\_\_\_\_\_

**Total Number of Authorized Votes:**

\_\_\_\_\_

\*Pursuant to section 190.006 (2)(b), Florida Statutes (2007), a fraction of an acre is treated as one (1) acre entitling the landowner to one vote with respect thereto.

**Please note that a particular real property is entitled to only one vote for each eligible acre of lands or fraction thereof; two (2) or more person who own real property in common that is one acre or less are together entitled to only one vote for that real property. If the fee simple landowner is not an individual, and is instead a corporation, limited liability company, limited partnership or other entity, evidence that the individual signing on behalf of the entity has the authority to do so should be attached hereto. (e.g., bylaws, corporate resolution, etc.). If more than one parcel, each must be listed or described.**