

**MINUTES OF MEETING
PACIFIC ACE
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Pacific Ace Community Development District held a Regular Meeting on January 24 2024, at 2:00 p.m., at the Hampton Inn & Suites by Hilton, 2200 E Hwy 50, Clermont, Florida 34711.

Present:

Steve McConn	Chair
Chad Harvey	Vice Chair
William “Bill” Crawford	Assistant Secretary

Also present:

Kristen Suit	District Manager
Mark Watts (via telephone)	District Counsel
Jennifer Kilinski (via telephone)	Kilinski Van Wyk PLLC
Mary Gace Henley (via telephone)	Kilinski Van Wyk PLLC
Jorge Miranda (via telephone)	Empire Management

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Ms. Suit called the meeting to order at 2:05 p.m.

Supervisors McConn, Harvey and Crawford were present. Supervisor Casey Dare and Supervisor-Appointee Paul Thomas were absent.

SECOND ORDER OF BUSINESS

Public Comments

There were no public comments.

THIRD ORDER OF BUSINESS

**Administration of Oath of Office to
Supervisor Paul Thomas [Seat 5]**

This item was deferred.

FOURTH ORDER OF BUSINESS

Consideration of Resolution 2024-01, Appointing and Removing Officers of the District, and Providing for an Effective Date

Ms. Suit presented Resolution 2024-01. She noted that Mr. Paul Thomas will not be appointed as an officer until he is sworn in.

The slate of officers is as follows:

Chair	Stephen McConn
Vice Chair	Chad Harvey
Assistant Secretary	Bill Crawford
Assistant Secretary	Casey Dare

This Resolution removes Fred Wyborski as a Board Officer.

Prior appointments by the Board for Secretary, Treasurer, Assistant Treasurer and Assistant Secretary Kristen Suit remain unaffected by this Resolution.

The slate of officers will be presented at a future meeting, once the Oath of Office is administered to Mr. Paul Thomas.

On MOTION by Mr. McConn and seconded by Mr. Crawford, with all in favor, Resolution 2024-01, Appointing and Removing Officers of the District, and Providing for an Effective Date, was adopted.

FIFTH ORDER OF BUSINESS

Consider Termination of Cobb Cole

Mr. McConn stated that the reason for terminating Cobb Cole as District Counsel is to consolidate legal services and, since Ms. Kilinski serves as District Counsel in other CDDs on which he is a Board Member.

Mr. Watts will ensure all CDD files are sent to Ms. Kilinski.

On MOTION by Mr. McConn and seconded by Mr. Harvey, with all in favor, terminating Cobb Cole, was approved.

SIXTH ORDER OF BUSINESS

Consider Engagement of Kilinski | Van Wyk

Ms. Suit presented the Kilinski | Van Wyk PLLC Engagement Fee Agreement.

On MOTION by Mr. McConn and seconded by Mr. Harvey, with all in favor, the Kilinski | Van Wyk PLLC Engagement Fee Agreement, for District Counsel Services, was approved.

SEVENTH ORDER OF BUSINESS

Consideration of Poop Bandit, LLC Quote and General Service Agreement

Ms. Suit presented the Poop Bandit, LLC Quote and General Service Agreement for three additional pet waste stations.

On MOTION by Mr. McConn and seconded by Mr. Harvey, with all in favor, the Poop Bandit, LLC Quote and General Service Agreement for additional pet waste stations for Areas 2, 3 and 8 on the map, in a not-to-exceed amount of \$1,440, was approved.

EIGHTH ORDER OF BUSINESS

Consideration of Resolution 2024-02, Designating a Date, Time and Location for a Landowners' Meeting; Providing for Publication; Providing for an Effective Date

On MOTION by Mr. McConn and seconded by Mr. Crawford, with all in favor, Resolution 2024-02, Designating November 27, 2024, at 2:00 p.m., at the Hampton Inn & Suites by Hilton, 2200 E Hwy 50, Clermont, Florida 34711, as the Date, Time and Location for a Landowners' Meeting; Providing for Publication; Providing for an Effective Date, was adopted.

NINTH ORDER OF BUSINESS

Consideration of Signage Plus Proposal for Snakes and Alligator Signs

Ms. Suit presented the Signage Plus Proposal for wildlife signs and noted that the CDD is not required to post signage unless the area is deemed dangerous. Mr. McConn stated that he wants the additional signs installed once additional phases are completed.

On MOTION by Mr. McConn and seconded by Mr. Crawford, with all in favor, the Signage Plus Proposal for 10 “Snakes and Alligator” signs, in a not-to-exceed amount of \$2,300, was approved.

TENTH ORDER OF BUSINESS

Consideration of Addendum to Landscape Maintenance Agreement

Ms. Suit presented the Meadowbrook Acres of South-Central Florida Contract Addendum for landscape maintenance.

On MOTION by Mr. McConn and seconded by Mr. Harvey, with all in favor, the Meadowbrook Acres of South-Central Florida Contract Addendum dated January 1, 2024, for landscape maintenance services, in a not-to-exceed amount of \$51,200.08, subject to confirmation of the landscape area ownership, and authorizing District Counsel to draft a new Master Agreement, was approved.

ELEVENTH ORDER OF BUSINESS

Consideration of Recovery Energy Technologies (USA) Solar Lighting as a Service Agreement

Ms. Kilinski stated that she incorporated standard provisions into the Recovery Energy Technologies (USA) Solar Lighting Service Agreement that are similar to other CDD Agreements; she is comfortable with this version of the Agreement and recommends approval.

Ms. Suit indicated that the contract requires a \$9,075 deposit. She discussed the commercial insurance necessary to insure all the poles. Each pole is valued at \$5,100, meaning the total value of all the poles is approximately \$841,500; the cost for annual insurance to insure all the poles is about \$20,000.

Discussion ensued regarding what the insurance will cover, with regard to the poles.

On MOTION by Mr. McConn and seconded by Mr. Crawford, with all in favor, the Recovery Energy Technologies (USA) Solar Lighting as a Services Master Agreement for 165 poles valued at \$5,100 per pole, plus the \$9,075 deposit and the cost for commercial insurance to insure each pole, were approved.

Ms. Suit advised Mr. Miranda to include the additional insurance costs in future Field Operations budgets.

It was noted that the proposed Fiscal Year 2025 budget will be presented in April.

TWELFTH ORDER OF BUSINESS

Consideration of Fiscal Year 2023/2024 Budget Funding Agreement

Ms. Kilinski presented the Fiscal Year 2023/2024 Budget Funding Agreement, which is necessary because of the additional unbudgeted solar lighting costs and possible other expenditures that might cause the CDD expenses to exceed its Operations & Maintenance (O&M) budget.

On MOTION by Mr. McConn and seconded by Mr. Crawford, with all in favor, the Fiscal Year 2023/2024 Budget Funding Agreement with KB Home Orlando LLC, was approved.

THIRTEENTH ORDER OF BUSINESS

Update: Required Ethics Training

Ms. Kilinski presented the Memorandum about the required ethics training and training options. The deadline to complete training is December 31, 2024; completion will be reported when filing Form 1 in 2025. Board Members must register with the Commission on Ethics to electronically file Form 1 rather than with the local Supervisor of Elections office.

FOURTEENTH ORDER OF BUSINESS

Ratification Items

Ms. Suit presented the following:

A. Aquatic Weed Control, Inc. First Amendment to Waterway Maintenance Agreement

For housekeeping purposes, Ms. Kilinski will prepare a Master Continuing Services Agreement.

B. Restated Roadway Connection Agreement

C. Quit Claim Deed

Mr. McConn stated that Items 14B and 14C are in response to the County’s request to transfer some property between the CDD and the Avalon Groves CDD to connect Pacific Ace to Sawgrass Bay Boulevard. The signal was completed and accepted by the County.

On MOTION by Mr. McConn and seconded by Mr. Crawford, with all in favor, the Aquatic Weed Control, Inc. First Amendment to Waterway Maintenance Agreement, Restated Roadway Connection Agreement and Quit Claim Deed, were ratified.

FIFTEENTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of December 31, 2023

On MOTION by Mr. McConn and seconded by Mr. Harvey, with all in favor, the Unaudited Financial Statements as of December 31, 2023, were accepted.

SIXTEENTH ORDER OF BUSINESS

Approval of June 28, 2023 Public Hearings and Regular Meeting Minutes

On MOTION by Mr. McConn and seconded by Mr. Crawford, with all in favor, the June 28, 2023 Public Hearings and Regular Meeting Minutes, as presented, were approved.

SEVENTEENTH ORDER OF BUSINESS

Staff Reports

A. District Counsel:

The Kilinski | Van Wyk PLLC firm will be added to the agenda item.

B. District Engineer: Heidt Design, LLC

There was no report.

C. District Manager: Wrathell, Hunt and Associates, LLC

- **NEXT MEETING DATE: February 28, 2024 at 2:00 PM.**
 - **QUORUM CHECK**

The February 28, 2024 meeting will be cancelled. The next meeting will be held on March 27, 2024, unless cancelled.

EIGHTEENTH ORDER OF BUSINESS

Board Members' Comments/Requests

Mr. McConn asked about the next steps for the CDD to accept the Amenity improvements. Ms. Kilinski stated that all the KB Home Orlando LLC completed infrastructure improvements were handled during the bond issue. She is reviewing the plat and real property reporting and plans to handle it in one massive "cleanup" for the Board to approve at the next meeting. Mr. McConn stated that, once the Amenity Center is completed, he plans to do a second bond issuance and decide whether to issue an additional bond to recoup any of the costs spent to develop that parcel. He will provide updates to Ms. Suit and Ms. Kilinski.

NINETEENTH ORDER OF BUSINESS

Public Comments

No members of the public spoke.

TWENTIETH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. McConn and seconded by Mr. Crawford, with all in favor, the meeting adjourned at 2:32 p.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]


Secretary/Assistant Secretary


Chair/Vice Chair