

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

The Board of Supervisors of the Pacific Ace Community Development District held a Public Hearing and Regular Meeting on August 24, 2022, at 2:00 p.m., at the Hampton Inn & Suites by Hilton, 2200 E Hwy 50, Clermont, Florida 34711.

**Present were:**

Stephen McConn	Chair
Casey Dare	Vice Chair
Stephen Feccia	Assistant Secretary
Fred Wyborski	Assistant Secretary
Dan Eshleman	Assistant Secretary

**Also present, were:**

Kristen Suit	District Manager
Mark Watts (via telephone)	District Counsel
Tim Plate (via telephone)	District Engineer
Oscar Trujillo	Empire Management
Jorge Miranda	Empire Management
James Makransky (via telephone)	KB Home

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Ms. Suit called the meeting to order at 2:03 p.m. All Supervisors were present, in person.

**SECOND ORDER OF BUSINESS**

**Public Comments**

There were no public comments.

**THIRD ORDER OF BUSINESS**

**Administration of Oath of Office to Appointed Supervisor Dan Eshleman [SEAT 2] *(the following to be provided in a separate package)***

Ms. Suit, a Notary of the State of Florida and duly authorized, administered the Oath of Office to Mr. Eshleman. She provided and briefly explained the following items:

- A. Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees**
- B. Membership, Obligations and Responsibilities**
- C. Chapter 190, Florida Statutes**
- D. Financial Disclosure Forms**
  - I. Form 1: Statement of Financial Interests**
  - II. Form 1X: Amendment to Form 1, Statement of Financial Interests**
  - III. Form 1F: Final Statement of Financial Interests**
- E. Form 8B: Memorandum of Voting Conflict**

**FOURTH ORDER OF BUSINESS**

**Public Hearing on Adoption of Fiscal Year  
2022/2023 Budget**

**A. Affidavit of Publication**

The proof of publication was included for informational purposes.

**B. Consideration of Resolution 2022-08, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2022, and Ending September 30, 2023; Authorizing Budget Amendments; and Providing an Effective Date**

Ms. Suit presented Resolution 2022-08. She reviewed the proposed Fiscal Year 2023 budget, which is a Landowner-funded, build-out budget.

Discussion ensued regarding the need to include the amenities in the Engineer’s Report and Request for Qualifications (RFQ) processes.

The Board directed Mr. Plate to add the amenities to the Engineer’s Report. Mr. Watts believed it might be done as a Supplement to the Engineer’s Report and stated he will assist in that regard.

Ms. Suit stated, while the amenities are included in the Fiscal Year 2023 budget on a somewhat prorated basis, they will not come online until May 2023.

**On MOTION by Mr. McConn and seconded by Mr. Feccia, with all in favor, the Public Hearing was opened.**

No members of the public spoke.

**On MOTION by Mr. McConn and seconded by Mr. Eshleman, with all in favor, the Public Hearing was closed.**

**On MOTION by Mr. McConn and seconded by Mr. Wyborski, with all in favor, Resolution 2022-08, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2022, and Ending September 30, 2023, subject to adding the Amenities to the Engineer’s Report and subject to pro-rating the Amenities portion of the budget for 5 months’ expenses; Authorizing Budget Amendments; and Providing an Effective Date, was adopted.**

**FIFTH ORDER OF BUSINESS**

**Consideration of Fiscal Year 2022/2023  
Budget Funding Agreement**

Ms. Suit presented the Fiscal Year 2022/2023 Budget Funding Agreement. It was noted that the entity name and the entity address need to be updated.

**On MOTION by Mr. McConn and seconded by Mr. Feccia, with all in favor, the Fiscal Year 2022/2023 Budget Funding Agreement, as amended to correct the entity name and address, was approved.**

**SIXTH ORDER OF BUSINESS**

**Presentation of Audited Financial Report  
for Fiscal Year Ended September 30, 2021,  
Prepared by Berger, Toombs, Elam, Gaines  
& Frank**

Ms. Suit presented the Audited Financial Report for Fiscal Year Ended September 30, 2021. There were no findings, irregularities or instances of noncompliance; it was an unmodified opinion, otherwise known as a clean audit.

**SEVENTH ORDER OF BUSINESS**

**Consideration of Resolution 2022-09, Hereby Accepting the Audited Annual Financial Report for the Fiscal Year Ended September 30, 2021**

Ms. Suit presented Resolution 2022-09.

**On MOTION by Mr. McConn and seconded by Mr. Feccia, with all in favor, Consideration of Resolution 2022-09, Hereby Accepting the Audited Annual Financial Report for the Fiscal Year Ended September 30, 2021, was adopted.**

**EIGHTH ORDER OF BUSINESS**

**Consideration of Resolution 2022-10, Resetting the Time for a Landowners' Meeting; Providing for Publication; Addressing Conflicts; Providing for an Effective Date**

Ms. Suit presented Resolution 2022-10.

**On MOTION by Mr. McConn and seconded by Mr. Eshleman, with all in favor, Resolution 2022-10, Resetting the Time for a Landowners' Meeting for November 1, 2022 at 3:00 p.m., at the Hampton Inn & Suites by Hilton, 2200 E Hwy 50, Clermont, Florida 34711; Providing for Publication; Addressing Conflicts; Providing for an Effective Date, was adopted.**

**NINTH ORDER OF BUSINESS**

**Consideration of Resolution 2022-07, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2022/2023 and Providing for an Effective Date**

Ms. Suit presented Resolution 2022-07.

**On MOTION by Mr. McConn and seconded by Mr. Feccia, with all in favor, Resolution 2022-07, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2022/2023 and Providing for an Effective Date, was adopted.**

**TENTH ORDER OF BUSINESS**

**Ratification of Heidt Design, LLC, 20-Year Stormwater Management Needs Analysis Report/Map**

Ms. Suit presented the Heidt Design, LLC, 20-Year Stormwater Management Needs Analysis Report and Map; both were submitted to the County in advance of the due date.

Mr. Plate discussed the GIS file of the master drainage system. It includes the coordinates of all structures to help locate them in the future. He will send the GIS file to CDD Management. The file is based on construction drawings; as-builts were not available. The GIS file is based on the current plans as of the date the Report was submitted to the County.

**On MOTION by Mr. McConn and seconded by Mr. Dare, with all in favor, the 20-Year Stormwater Management Needs Analysis Report/Map, was ratified.**

**ELEVENTH ORDER OF BUSINESS**

**Ratification of Concrete Wall Maintenance Agreement with Sunshine Water Services Company**

Ms. Suit presented the Concrete Wall Maintenance Agreement.

**On MOTION by Mr. McConn and seconded by Mr. Feccia, with all in favor, the Concrete Wall Maintenance Agreement with Sunshine Water Services Company, was ratified.**

**TWELFTH ORDER OF BUSINESS**

**Acceptance of Unaudited Financial Statements as of July 31, 2022**

Ms. Suit presented the Unaudited Financial Statements as of July 31, 2022.

**On MOTION by Mr. McConn and seconded by Mr. Wyborski, with all in favor, the Unaudited Financial Statements as of July 31, 2022, were accepted.**

**THIRTEENTH ORDER OF BUSINESS**

**Approval of April 27, 2022 Regular Meeting Minutes**

Ms. Suit presented the April 27, 2022 Regular Meeting Minutes.

**On MOTION by Mr. McConn and seconded by Mr. Feccia, with all in favor, the April 27, 2022 Regular Meeting Minutes, as presented, were approved.**

**FOURTEENTH ORDER OF BUSINESS**

**Staff Reports**

**A. District Counsel: *Cobb Cole***

Mr. Watts asked if any information was received from Mr. Brian Martin regarding soft costs for preparation of the Engineer’s Report. Mr. Feccia stated the information was received. Mr. Plate stated he reviewed the information and advised Ms. Kilinski that some minor items appeared ineligible for CDD funding; he adjusted the amounts and executed and returned the documents to Ms. Kilinski as she requested.

**B. District Engineer: *Heidt Design***

There was no report.

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

**I. 0 Registered Voters in District as of April 15, 2022**

**II. NEXT MEETING DATE: September 28, 2022 at 2:00 P.M.**

**○ QUORUM CHECK**

The September 28, 2022 meeting was cancelled.

**FIFTEENTH ORDER OF BUSINESS**

**Board Members’ Comments/Requests**

There were no Board Members’ comments or requests.

**SIXTEENTH ORDER OF BUSINESS**

**Public Comments**

No members of the public spoke.

SEVENTEENTH ORDER OF BUSINESS

Adjournment

There being nothing further to discuss, the meeting adjourned.

**On MOTION by Mr. McConn and seconded by Mr. Dare, with all in favor, the meeting adjourned at 2:28 p.m.**

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

*Kristen Scott*  
Secretary/Assistant Secretary

*Christy Dene*  
Chair/Vice Chair