

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

The Board of Supervisors of the Pacific Ace Community Development District held Public Hearings and a Regular Meeting on June 28, 2023, at 2:00 p.m., at the Hampton Inn & Suites by Hilton, 2200 E Hwy 50, Clermont, Florida 34711.

Present were:

Steve McConn	Chair
Casey Dare	Vice Chair
Fred Wyborski	Assistant Secretary
Chad Harvey	Assistant Secretary (appointed at meeting)

Also present, were:

Kristen Suit	District Manager
Nika Hosseini (via telephone)	District Counsel
Tim Plate (via telephone)	District Engineer
Jorge Miranda (via telephone)	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 2:00 p.m. Supervisors McConn, Dare Eshleman and Wyborski were present. Supervisors Crawford and Eshleman were absent.

SECOND ORDER OF BUSINESS

Public Comments

There were no public comments.

THIRD ORDER OF BUSINESS

**Acceptance of Resignation of Supervisor,
Dan Eshleman [SEAT 2]**

Ms. Suit presented the resignation of Mr. Eshleman from Seat 2.

<p>On MOTION by Mr. McConn and seconded by Mr. Dare, with all in favor, the resignation of Mr. Eshleman, was accepted.</p>

FOURTH ORDER OF BUSINESS

Consider Appointment of Chad Harvey to Fill Unexpired Term of Seat 2; Term Expires November 2024

Mr. McConn nominated Chad Harvey to fill Seat 2. No other nominations were made.

On MOTION by Mr. McConn and seconded by Mr. Wyborski, with all in favor, the appointment of Chad Harvey to fill Seat 2, was approved.

- **Administration of Oath of Office to Appointed Supervisor (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. Harvey. The following items were previously provided and explained:

- A. Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees**
- B. Membership, Obligations and Responsibilities**
- C. 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**
- D. Form 8B – Memorandum of Voting Conflict**

Ms. Suit asked Mr. Harvey to contact her or District Counsel with any questions and reminded him to submit Form 1 within 30 days.

FIFTH ORDER OF BUSINESS

Acceptance of Resignation of Supervisor, Fred Wyborski [SEAT 5]

Ms. Suit presented the resignation of Mr. Wyborski from Seat 5.

On MOTION by Mr. McConn and seconded by Mr. Dare, with all in favor, the resignation of Mr. Wyborski, was accepted.

SIXTH ORDER OF BUSINESS

Consider Appointment to Fill Unexpired Term of Seat 5; Term Expires November 2024

Mr. McConn nominated Paul Thomas to fill Seat 5. No other nominations were made.

On MOTION by Mr. McConn and seconded by Mr. Dare, with all in favor, the appointment of Paul Thomas to fill Seat 5, was approved.

• **Administration of Oath of Office to Appointed Supervisor**

This item was deferred.

SEVENTH ORDER OF BUSINESS

Consideration of Resolution 2023-06, Designating Certain Officers of the District, and Providing for an Effective Date

Ms. Suit presented Resolution 2023-06. Mr. Dare nominated the following slate:

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

No other nominations were made. Prior appointments by the Board for Secretary, Treasurer and Assistant Treasurer remain unaffected by this Resolution.

On MOTION by Mr. McConn and seconded by Mr. Harvey, with all in favor, Resolution 2023-06, Designating Certain Officers of the District, as nominated, and Providing for an Effective Date, was adopted.

EIGHTH ORDER OF BUSINESS

Public Hearing on Adoption of Fiscal Year 2023/2024 Budget

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

A. Affidavit of Publication

B. Consideration of Resolution 2023-07, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2023, and Ending September 30, 2024; Authorizing Budget Amendments; and Providing an Effective Date

Ms. Suit presented Resolution 2023-07. She reviewed the proposed Fiscal Year 2024 budget, highlighting any line item increases, decreases and adjustments, compared to the Fiscal Year 2023 budget, and explained the reasons for any changes. This is a partially Landowner-funded budget with expenses funded as they are incurred.

No affected property owners or members of the public spoke.

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

On MOTION by Mr. McConn and seconded by Mr. Harvey, with all in favor, Resolution 2023-07, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2023, and Ending September 30, 2024; Authorizing Budget Amendments; and Providing an Effective Date, was adopted.

NINTH ORDER OF BUSINESS

Public Hearing to Hear Comments and Objections on the Imposition of Maintenance and Operation Assessments to Fund the Budget for Fiscal Year 2023/2024, Pursuant to Florida Law

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

- A. Proof/Affidavit of Publication**
- B. Mailed Notice(s) to Property Owners**
- C. Consideration of Resolution 2023-08, Making a Determination of Benefit and Imposing Special Assessments for Fiscal Year 2023/2024; Providing for the Collection and Enforcement of Special Assessments, Including but Not Limited to Penalties and Interest Thereon; Certifying an Assessment Roll; Providing for Amendments to the Assessment Roll; Providing a Severability Clause; and Providing an Effective Date**

Ms. Suit presented Resolution 2023-08, which allows the CDD to impose and collect the assessments in the adopted budget via the assessment rolls utilizing the services of the Property Appraiser and Tax Collector.

No affected property owners or members of the public spoke.

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

On MOTION by Mr. McConn and seconded by Mr. Harvey, with all in favor, Resolution 2023-08, Making a Determination of Benefit and Imposing Special Assessments for Fiscal Year 2023/2024; Providing for the Collection and Enforcement of Special Assessments, Including but Not Limited to Penalties and Interest Thereon; Certifying an Assessment Roll; Providing for Amendments to the Assessment Roll; Providing a Severability Clause; and Providing an Effective Date, was adopted.

TENTH ORDER OF BUSINESS

Presentation of Audited Basic Financial Report for the Fiscal Year Ended September 30, 2022, Prepared by Berger, Toombs, Elam, Gaines & Frank

Ms. Suit presented the Audited Annual Financial Report for the Fiscal Year Ended September 30, 2022 and accompanying disclosures. There were no findings, recommendations, irregularities or instances of noncompliance; it was an unmodified opinion, otherwise known as a clean audit.

ELEVENTH ORDER OF BUSINESS

Consideration of Resolution 2023-09, Hereby Accepting the Audited Financial Report for the Fiscal Year Ended September 30, 2022

On MOTION by Mr. McConn and seconded by Mr. Harvey, with all in favor, Resolution 2023-09, Hereby Accepting the Audited Financial Report for the Fiscal Year Ended September 30, 2022, was adopted.

TWELFTH ORDER OF BUSINESS

Consideration of Resolution 2023-10, Designating Dates, Times and Locations for Regular Meetings of the Board of

Supervisors of the District for Fiscal Year 2023/2024 and Providing for an Effective Date

Ms. Suit presented Resolution 2023-10.

The following change was made to the Fiscal Year 2024 Meeting Schedule:

DATE: Delete November 22, 2023 and December 27, 2023 meetings

On MOTION by Mr. McConn and seconded by Mr. Harvey, with all in favor, Resolution 2023-10, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2023/2024, as amended, and Providing for an Effective Date, was adopted.

THIRTEENTH ORDER OF BUSINESS

Ratification of Acknowledgement of Temporary Assignment of Landscape Maintenance Agreement

Ms. Suit presented the Acknowledgement of Temporary Assignment of Landscape Maintenance Agreement, previously executed by the Chair.

On MOTION by Mr. McConn and seconded by Mr. Harvey, with all in favor, the Acknowledgement of Temporary Assignment of Landscape Maintenance Agreement, was ratified.

FOURTEENTH ORDER OF BUSINESS

Discussion: Updated Engineer’s Report

Mr. Plate stated, following a discussion with Mr. Wrathell, the decision was made to create an amended Master Report that adds the amenities to the Capital Improvement Plan (CIP) and contemplates the roads would be maintained by the CDD. Costs were updated to include the amenity not for purposes of bonds but for the Master Report. A Supplemental Report will be prepared for bond issuance, at the appropriate time.

Ms. Suit asked Mr. Makransky if he is comfortable with the changes discussed. Mr. Makransky replied affirmatively.

The Amended Master Report will be disseminated to Staff for review. Ms. Suit will disseminate the Report to the Board.

FIFTEENTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of May 31, 2023

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

SIXTEENTH ORDER OF BUSINESS

Approval of April 26, 2023 Regular Meeting Minutes

On MOTION by Mr. McConn and seconded by Mr. Harvey, with all in favor, the April 26, 2023 Regular Meeting Minutes, as presented, were approved.

SEVENTEENTH ORDER OF BUSINESS

Staff Reports

- A. District Counsel: Cobb Cole**
 - B. District Engineer: Heidt Design**
There were no District Counsel or District Engineer reports.
 - C. District Manager: Wrathell, Hunt and Associates, LLC**
 - **NEXT MEETING DATE: July 26, 2023 at 2:00 PM.**
 - **QUORUM CHECK**
- The next meeting will be held on July 26, 2023, unless canceled.

EIGHTEENTH ORDER OF BUSINESS

Board Members' Comments/Requests

Ms. Suit stated there were 0 registered voters residing within the CDD as of April 15, 2023.

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. Harvey, with all in favor, the meeting adjourned at 2:17 p.m.


Secretary/Assistant Secretary


Chair/Vice Chair