



**APPROVED**

**CEMETERY SYSTEM BOARD OF TRUSTEES  
CITY OF FORT LAUDERDALE  
CITY HALL 8<sup>TH</sup> FLOOR CONFERENCE ROOM  
THURSDAY, NOVEMBER 9, 2017  
3:30 P.M.**

Members	Attendance	Cumulative Attendance 2/2017 through 2/2018	
		Present	Absent
Michael Ruddy, Chair	P	5	0
Patricia Hayes, Vice Chair	P	4	1
Damon Adams	P	5	0
Victoria Mowrey	P	4	1
Allen Powell	P	5	0
John Sykes	A	4	1
Mark Van Rees	P	5	0
Myrna Pototsky	P	4	1
Dennis Ulmer	P	5	0
Richard Kurtz	A	2	3

City Staff

Stacy Spates, Liaison/Recording Minutes  
Kimberly Cunningham Mosley, City Attorney's Office  
Carl Williams, Parks and Recreation  
John Herbst, City Auditor's Office  
Lee Feldman, City Manager

Guests

Yamilet Reina, Carriage Services  
Trevor Jackson, Carriage Services  
Chris Manceaux, Carriage Services  
Michael Elliott, Corporate Counsel for Carriage Services  
Kim Krause, SunTrust  
Carter Larson, SunTrust  
Anthony Brunson, Anthony Brunson, P.A.  
Audrey Robinson, Anthony Brunson, P.A.  
Roberto Fernandez, Plantation High School  
Walter Duke, Fort Lauderdale Resident

**CALL TO ORDER**

Chair Ruddy called the meeting to order at 3:30 p.m.

A. Roll Call

B. City Ordinance No. C-09-05, Quorum Requirement (Discussion)

Roll was called and it was determined a quorum was present.

## **2. OLD BUSINESS**

### **A. Single Private Estate at Lauderdale Memorial Park (Discussion/Motion)**

Mr. Van Rees and Mr. Ulmer individually visited Lauderdale Memorial to assess the cremation garden for feasibility of adding a single mausoleum crypt to the area. Mr. Van Rees discovered two private estates that were previously located in the cremation garden are now gone. Mr. Van Rees recommended approving a single crypt burial plot for (site #1) for Mr. Felix Thomas. Mr. Ulmer expressed concerns over the installation of a double crypt without approval from the City or required permits obtained for the foundation. Ms. Reina could not confirm if permits were obtained for the double crypt installation in 2015.

Mr. Van Rees withdraws the original motion made at the July 13, 2017 meeting to request the approval of adding three double crypt mausoleum spaces in the cremation garden at LMP, seconded by Mr. Powell. In a voice vote, the motion passed unanimously.

#### **New Motions:**

**Motion** to approve a single private mausoleum crypt (site #1) in the cremation garden of Lauderdale Memorial Park pending City Commission approval made by Mr. Van Rees and seconded by Ms. Mowrey. In a voice vote, the motion passed 4 to 3.

Motion to approve by ratification a double crypt mausoleum crypt (site #), in the cremation garden of Lauderdale Memorial Park pending City Commission approval made by Ms. Mowrey and seconded by Mr. Van Rees. In a voice vote, the motion passed 4 to 3.

The motions pertain to recommendations for approval of the sites only; approvals do not extend to the sales contracts.

### **B. Short Term Maintenance Plan Update (Discussion)**

Installation of cemetery signage is now complete. Ms. Mowrey pointed out the short-term plan is now nine months in process, which defeats the purpose of a short-term maintenance plan.

Michael Elliott stated that the plan was ambiguous in reference to resodding/reseeding the cemeteries and is unsure of what it means. Ms. Mowrey asked Mr. Elliott if he is responsible for the management of cemetery operations on a daily basis. Mr. Elliott responded that he does not owe Ms. Mowrey an answer because he is here on behalf of Carriage Services. Mr. Elliott could not promise a deadline of when the short-term maintenance plan would be complete. It is an ongoing process.

### **3. NEW BUSINESS**

#### **A. Mr. Roberto Fernandez, Plantation High School – Woodlawn Marker**

Mr. Fernandez is engaged in cemetery clean-up projects with students at Woodlawn Cemetery. Mr. Fernandez has an offer from Broward Monument to donate a stone for Rubin Stacy, an African American who was lynched in 1935 and laid to rest at Woodlawn. Broward Monument would make an Autumn Rose Granite 10x8x4 stone with the inscription and install it at Woodlawn. Mr. Fernandez is asking the board to produce a letter stating that the city will waive any fees for their donation of the stone in support of his project.

The board requested a rendition of the marker be presented to the board for further review at a future meeting. Mr. Herbst explained that the Cemetery Board does not have the authority to waive fees. However, the General Fund could contribute to cover the fee of the marker in the form of a transfer from one fund to another.

#### **B. Trust Fund Investment Review/Sun Trust Bank (Discussion/Motion)**

Per the board's request, SunTrust has raised \$1.8 million in cash for capital expenses in addition to the \$900,000+ cash already on hand. Total cash on hand is now at \$2.889 million, which represents just below 10% of the portfolio. SunTrust rebalanced the portfolio at the same time.

We have seen decent economic numbers in the US. Earnings are strong which have supported the price earnings ratio. Low volatility continued but we expect that volatility will be picking up. We do anticipate a recession over the next year or so. We caution modest expectations going forward. We are likely to see an interest rate hike in December due to the FED chair change and then two to three rate hikes through 2018.

Because of the cash increase, your equity exposure is right around 45%, fixed income is around 45%, and cash is roughly 10%. Through October 31, 2017, we have good strong returns on a year-to-date basis for the ten-month period and 9.8% net of fees. Fixed income is showing strong returns given the individual corporate bonds that are paying strong yield to the portfolio. We should be not surprised if we see a correction in the market of 10% or so which a normal occurrence.

#### **C. Approval of Meeting Minutes for 10/05/2017 & 10/24/2017 (Discussion/Motion)**

**Motion** to approve minutes of the October 5, 2017 meeting, with noted corrections, made by Mr. Van Rees and seconded by Mr. Powell. In a voice vote, the motion passed unanimously.

**Motion** to approve minutes of the October 24, 2017 meeting, made by Ms. Mowrey and seconded by Mr. Van Rees. In a voice vote, the motion passed unanimously.

Mr. Feldman recommends that all of the board's concerns relating to the audit, private estates and short-term maintenance plan be placed on the agenda as a regular commission conference item at the meeting on November 21, 2017 in lieu of Communications to the Commission.

#### **D. Cemetery Agreed-Upon Procedures Audit (Discussion/Motion)**

Mr. Brunson presented the final report of the AUP. The charge from the previous meeting was to place monetary value on the findings that we presented in the report. For the two-year period, there were 5,081 contracts; interest/finance charges earned on those property sales is \$1,059,825. We have no evidence that the City participated in any of the interest earnings. Total property contracts sampled were ninety.

Based on zip codes that we assigned, we determined resident contracts were 47 and non-resident contracts were 43. There were no remittances to the trust fund from interest earnings/finance charges for \$201,367. Eight of the 38 contracts received an additional discount of \$300.00 over the resident discount of 25%. In summary, the range of unpaid liabilities to the trust fund is \$201,367 - \$424,044.

Mr. Feldman raised the issue with zip code 33311; the zip code is problematic especially in the NW section of unincorporated sections of Broward. Franklin Park and Washington Park sections use the zip code of 33311, which is the same as NW section of the City of Fort Lauderdale. The only way true way of determining a resident is to apply the actual address. 33311 is the only zip code that encompasses the unincorporated and NW section.

**Motion** to accept the final report of the Agreed-Upon Procedures with noted corrections made by Mr. Van Rees and seconded by Mr. Powell. In a voice vote, the motion passed unanimously.

The board communicated desires to expand the audit to include all of 2017 for additional testing.

Mr. Herbst explained that the audit could be done as a separate standalone audit of FY 2017 that could be considered a proprietary award (building on the work already performed) or to expand the scope of this audit to include one more year for additional testing (change order). Mr. Brunson would need to provide an estimate for the change order. The City Attorney's Office and Procurement Services would advise on the best methodology on how to proceed once the estimate is received. The board would then vote on the expenditure at a future meeting.

Mr. Brunson advised on the continuation of sampling the population for the expansion of the existing engagement.

**Motion** to expand the scope of services to include Fiscal Year 2017 (October 1, 2016 through September 30, 2017) made by Mr. Van Rees and seconded by Ms. Mowrey. In a voice vote, the motion passed unanimously.

#### **E. Cemetery Plats (Discussion/Motion)**

Ms. Hayes discussed her concerns with cemetery plots not matching cemetery plats. Specifically, Evergreen cemetery plots do match the recorded plats. Carriage should be selling the lots that are on the plats and based on the cemetery maps this is not happening. We do not have a plan that follows the plats. In order to bring in the Master Plan we would have to provide the firm with a survey or the fee would be extraordinarily high. Mr. Van Rees asked Ms. Reina if a secondary map existed for the roads that were vacated at Evergreen. Carriage confirmed that there are maps at the cemetery office for roads that were vacated at Evergreen cemetery, platted and surveyed.

According to Ms. Hayes, the map of Garden 17 at Evergreen Cemetery does not match the plat. A Master Plan cannot be performed without an accurate survey. We do not have a listing of who is buried where at any of the cemeteries. Mr. Van Rees stated that the changes made at Lauderdale Memorial Park have not been recorded.

Mr. Elliott could not confirm or deny if Carriage is selling plots according to the plat. It would take a couple of weeks to provide an answer to the board.

Attorney Cunningham-Mosley outlined the duties of the Cemetery Manager in referencing the City of Fort Lauderdale Code of Ordinances, section 10-28, sub section 8 and 9:

##### **Sec. 10-28. - Cemetery manager; qualifications, duties generally.**

Supervision of the municipal cemetery system shall be under the direction of the cemetery manager, who shall be appointed in accordance with the qualifications as set forth in the civil service classification plan and shall be selected and appointed in accordance with the civil service laws. The duties of the manager of the cemetery system or employees under his direction are as follows:

8. *Duplicate plat of cemeteries.* To keep a duplicate plat and record of each cemetery in the cemetery system, on which shall be shown all sections, lots or plots and subdivisions with the location, name and date of all burials, mausoleum walls, rows and crypts with the name and date of all entombments and columbarium walls, rows and niches with the location, name and date of all inurnments.
9. *Record of plots, crypts and niches sold.* To keep a plat and plat book of the cemeteries on which shall be shown all plots, crypts and niches which are sold or are for sale and a record made of the date, name of purchaser and the amount received for each sale.

**F. Cemetery Manager Reports**

Ms. Reina presented a report of total available inventory for the three active cemetery locations. Mr. Van Rees requested that the purchaser's address be added to future reports to differentiate residents versus non-residents.

**G. Quarterly Maintenance Reimbursement for July, August & September 2017 (Discussion/Motion)**

**Motion** to approve the Quarterly Maintenance Reimbursement to Carriage Services for the period of July through September 2017 in the amount of **\$193,154.39** was made by Mr. Adams and seconded by Mr. Van Rees. In a voice vote, the motion passed unanimously.

**H. Other Business**

Mr. Van Rees and Ms. Mowrey volunteered to serve on the RFP committee for Cemetery Management Services. Mr. Powell will serve as an alternate.

The board asked Attorney Cunningham Mosley to provide a response regarding the display of licenses at the public entrance of each cemetery office of Carriage personnel.

**I. Communication to the City Commission**

None.

There being no further business before the Board, the meeting adjourned at 6:00 p.m.

Minutes prepared by: S. Spates, Liaison