



CITY OF FORT LAUDERDALE

**CEMETERY SYSTEM BOARD OF TRUSTEES  
MINUTES OF VIRTUAL MEETING  
CITY OF FORT LAUDERDALE  
CITY HALL 7<sup>TH</sup> FLOOR CONFERENCE ROOM  
100 N. ANDREWS AVENUE, FORT LAUDERDALE, FL 33301  
THURSDAY, NOVEMBER 12, 2020 – 3:30 P.M.**

<b>Members</b>	<b>Attendance</b>	<b>Cumulative Attendance 03/2020 through 02/2021</b>	
		<b>Present</b>	<b>Absent</b>
Dennis Ulmer, Chair	P	4	0
Richard Kurtz, Vice Chair	P	3	1
Pamela Beasley-Pittman	P	4	0
Paul Gitnik	A	3	1
Chelsea Krebs	P	2	1
John Lilli	P	1	3
Fred Nesbitt	P	3	1
Michael Watson	P	4	0
Patricia Zeiler	P	3	1

**City Staff**

Stacy Spates, Cemetery Administrator  
Susan Grant, Finance Director  
Linda Logan-Short, Deputy Finance Director  
Lucretia Penrow, Parks and Recreation  
Diana McDowell, Parks and Recreation  
Trevor Jackson, Parks and Recreation (arrived 4:50)  
Jamie Opperlee, Recording Secretary, Prototype, Inc.

**Guests**

Mark Hall, Truist (SunTrust)  
Kim Krause, Truist (SunTrust)  
Gregory McAloon, Fred Hunter Memorial Services

**1. CALL TO ORDER**

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

**Communication to the City Commission:**

**Motion** made by Dr. Beasley-Pittman, seconded by Mr. Nesbitt, to Communicate to the City Commission this Board’s appreciation for holding virtual Board Meetings and favors continuing as long as possible. In a roll call vote, the motion passed unanimously (8-0).

**A. Roll Call**

**B. City Ordinance No. C-09-05, Quorum Requirement 9**

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

**2. OLD BUSINESS**

**A. Cemetery Management Software Purchase Update (Discussion)**

Ms. Spates said the purchase of the Cemetery software was approved at the October 6 Commission meeting. The vendor is CemSites and the contract is for five years. Installation and conversion are underway in preparation for the data dump from the previous contractor. Ms. Spates described the storage of records going back 90 years that will eventually be incorporated. Three part-time staff will be hired to accomplish this and the funds have been allocated.

**B. Sunset Memorial Gardens Irrigation Automation Update (Discussion)**

Ms. Spates reported this item was also approved at the October 6 Commission meeting. Trevor Jackson was initially not available to report on getting vendors up to speed, as to which vendor was awarded and the status of a fully-executed contract.

Later in the meeting, Mr. Jackson stated that he has a meeting on November 18, 2020, with the vendor. They will come to Sunset to sit down and hammer out when this project can be executed.

**C. Cemetery Investment Policy (IPS) Final Revisions (Discussion/Motion)**

Ms. Spates reported on the language to be finalized regarding real estate. Showing the portion of the contract on screen be revised:

*11. Mutual Funds and co-mingled Trust Funds, including real estate investment trusts (REITS), providing the underlying investments meet the minimum quality standards of trust investments.*

**Motion** made by Mr. Nesbitt, seconded by Ms. Zeiler, to approve the policy change regarding the real estate investment trusts. In a roll call vote, the motion passed unanimously (8-0).

Ms. Spates will make a final draft to send to Commission for approval.

### 3. NEW BUSINESS

#### A. Approval of Meeting Minutes for 09/10/2020 (Discussion/Motion)

**Motion** made by Vice Chair Kurtz, seconded by Ms. Zeiler, to approved the September 10, 2020, minutes as submitted. In a roll call vote, the motion passed unanimously (8-0).

#### B. Trust Fund Investment Review – SunTrust Bank (Discussion)

Kim Krause, Truist, gave the Investment Review, through October 31; highlights are as follows:

- A lot has happened with market values for a nice rally thus far in November, noting that typically the market likes to see a “divided government” which means less chances of dramatic increase in taxes and that stimulus will likely move forward.
- S&P has hit record highs related to progress towards coronavirus vaccine.
- Safe haven assets have cooled off, risk assets have done well.
- Lagging dividend strategies overall were explained, up 10% early November.
- Portfolio Summary/YTD January-October:
  - Beginning market value \$30.7 million
  - Contributions and withdrawals throughout the year, just under \$1 million
  - Market loss just under \$636,000, somewhat offset by positive interest and dividends of \$485,000
  - October market value \$29.7 million
  - However, market value as of November 11 is \$31,070,000.
  - YTD Return is now 4.2% thanks to recent market rally.
- Composition of Portfolio:
  - Not a lot of change, steady exposure, within lines of investment policy
  - Dividend exposure items explained.
  - Growth exposure through Edgewood, actively managed funds, mostly technology-oriented stock.
  - Announce of vaccine good news, but expect some fits and starts as releases approach, plus safety and effectiveness.
  - Real Estate has underperformed most of the year, but is recovering.
  - International equities, 6% allocation, Vanguard International Growth fund is up 40% YTD.
  - Balance of Portfolio described.
  - One year return is 5.7%.
- Manager’s performance on Portfolio concluded the TYD presentation.

#### C. Acknowledgement to SunTrust for Investment Training

Chair Ulmer thanked Kim Krause and Mark Hall for the Investment Training required by State law, noting it was the best training of its kind ever received, much more relevant to the Cemetery Trust Fund. Chair Ulmer asked for consensus to send a formal email on behalf of the Board expressing thanks.

D. Maintenance Reimbursement Requests for August & September 2020  
(Discussion/Motion)

**Motion** made by Mr. Nesbitt, seconded by Dr. Beasley-Pittman, to approve the Maintenance Reimbursement for August 2020 in the amount of **\$125,472.43** to the City of Fort Lauderdale. In a voice vote, the motion passed unanimously (8-0).

**Motion** made by Vice Chair Kurtz, seconded by Ms. Zeiler, to approve the Maintenance Reimbursement for September 2020 in the amount of **\$163,041.01** to the City of Fort Lauderdale. In a voice vote, the motion passed unanimously (8-0).

E. Cemetery P&L Statement (Discussion)

Ms. Spates noted that Staff worked extremely hard throughout the current pandemic to make sure first-class service continues to be provided, while producing revenue and working through City-wide closures. Amazed and impressed, she commended the Cemetery Staff for these numbers. Mr. Nesbitt commended Ms. Spates as the leader of this team, Board Members concurred.

Mr. Kurtz asked about selling openings/closings as a pre-need; Ms. Spates said the State opined that pre-need merchandise and services cannot be sold, only on an at-need basis. Discussion followed on communicating the State laws to the public: Only licensed funeral directors have this caveat; municipalities cannot do so; however, only a cemetery can do openings/closings, and can compete on headstones and vaults.

F. Cemetery Signage (Discussion/Motion)

Ms. Spates admitted the various conditions of signage is ratty; plans are to redo all the signage in all four cemeteries, consolidating most of the information on as few signs as possible (sample sign displayed on screen), and working with Parks and Recreation for uniformity. Part of the Cemetery Master Plan envisioned signage such as Pompano Beach's lighted sign; such signs are not cheap (approximately \$12,000), so possibly only Lauderdale Memorial and Sunset will be lighted. Other locations were discussed as well as various types on upgrades and lighting and whether signs on I-95 are even effective, with the exception of signs for Historic Woodlawn and Evergreen. On the latter, FDOT may not permit a lighted sign, but State Historic signage should be investigated. No action needed at this time; Ms. Spates would welcome further ideas and this item can be revisited. The larger, standard signs will go ahead.

Ms. Krebs spoke on behalf of neighbors around Evergreen Cemetery: anybody driving there after dark is not already aware there is a cemetery across the street and doesn't think the lit-up sign is going to relay any new information. The example shown is nice, but wouldn't benefit Evergreen at all. Also, her HOA needed a new sign and went for a less expensive option because it is in a "high crash" area. Ms. Spate's agreed.

#### G. Scheduling of Ethics Training for Board Members (Discussion/Motion)

Chair Ulmer noted that before Covid, the City would do a training for advisory board members every year on the Sunshine Law and requirements of serving on a board. This Board could perhaps do a special meeting so Mr. Spence could advise the new Board members or incorporate an item on the legal aspects of the Sunshine Laws into the January meeting. Discussion ensued. Chair Ulmer stressed that other Board Members do not communicate by any means outside the formal Board meetings; emails sent to Chair Ulmer will be deleted unread. Ms. Spates will reach out to Mr. Spence to see if he can attend the January meeting, and stressed again that Board Members do not speak to or email each other nor speak on behalf of the Board for any reason at any time.

#### H. Other Business

Gregory McAloon, Attorney at Tripp Scott, representing Fred Hunter Memorial Services, spoke on Pre-need Services. In January 2020, prior to Covid hitting, negotiations had begun with the City to work out a process whereby Fred Hunter's pre-need licenses could be used on behalf of the City. As explained, municipalities are not exempt from license requirements. However, using an agent's license is permissible to provide pre-need services. Among several City agencies, it was agreed that pre-need services are needed, such as a guaranteed plot (rather than reserving a plot within the whole area), making monthly payments over time instead of lump-sum payment, and that costs would be fixed. There are also revenue considerations and associated matters. However, the City Attorney informed that this would need to be placed out to bid. When Procurement was approached, it was learned that there is nothing happening to put a bid like this out at this time. Mr. McAloon has appeared in order to request this Board recommend to the City Commission to take steps to place pre-needs services out to bid, taking note that one specific provider is not being recommended. Fred Hunter wants to work with the City, and it does not have to be in this narrowly defined process. They are available to provide consulting and associated services; however, pre-need is their preference and they would like to meet procedures in order to implement the services.

Ms. Zeiler wanted to know why Fred Hunter cannot do an unsolicited proposal to the City? Mr. McAloon said this route was investigated; this is different as it is only a pure services contract, no goods are being provided.

Susan Grant, Finance Director, did not know if this fits unsolicited rules and if it even needs to go to City Commission first. Mr. McAloon said it doesn't necessarily, it's just that they are not getting any movement internally, a stop-gap has been reached, and another route needs to be recommended to pursue an RFP (for no one in particular), just to open the competitive process. The fine points of what has been done to date were related to the Board, especially the narrow scope of contracting with an agent who has the necessary licensing.

Mr. Lilli brought up dealing with local entities that might draw business to Fred Hunters, which open brief discussion on Carriage and those problems just recently partially resolved. Mr. McAloon again said that this request is not to push for Fred Hunters, but simply recommending that a bid move forward, whoever it may be. Mr. Lilli asked how the Catholic cemetery deals with selling pre-need services in advance; Ms. Spates said they're private, not a municipality; next, the City has not closed out this particular issue with Carriage; further, a business decision is up to management (while it is nice to come to Board for a recommendation, ultimately the Board needs to understand their role and there are certain business decisions that are determined under City Management and that chain of command). This issue has been discussed and that history was given. The Board cannot overstep its bounds in terms of a business decision. This will no doubt be looked at in the future, but right now it is not a priority. Some discussion ensued, but Chair Ulmer ultimately closed the matter as this is not within the realm of the Board, at least until Mr. Spence is available to advise; Ms. Spates will follow-up with Mr. Spence and report back. Ms. Zeiler reminded the Board that this is not revenue lost; more this is an issue of Staff taking abuse because the public does not understand the State statutes. Finally, Ms. Spates stressed the priority of the software migration as the major economic savings for this Agency at this time.

On other business, Dr. Beasley-Pittman wondered if any cemeteries other than Sunset have been flooding due to the recent weather, has it affected burials, and when will the water be cleared. Ms. Spates said because of flooding in residential areas being City priority, there will be no services on Saturday, November 14, as the ground is too saturated. Mr. Jackson said that Sunset, Section 7, is now drained and burials can resume in a week or so; Woodlawn is not bad; Lauderdale had some water along the fence line that is now gone; and Evergreen had no flooding.

Chair Ulmer asked if anyone wished to speak. Hearing none, they moved on with other business.

I. Communication to the City Commission – None

Chair Ulmer stated the Governor had not issued an executive order for meetings to be held virtually (Zoom meetings were ordered by Fort Lauderdale Mayor Trantalis). Chair Ulmer thinks the Commission should be informed that this Board appreciates being allowed to meet virtually, and supports continuation to do so at this time.

**Motion** made by Dr. Beasley-Pittman, seconded by Mr. Nesbitt, to Communicate to the City Commission this Board's appreciation for holding virtual Board Meetings and favors continuing as long as possible. In a roll call vote, the motion passed unanimously (8-0).

**4. ADJOURNMENT**

**NEXT SCHEDULED MEETING DATE: THURSDAY, JANUARY 14, 2020 – 3:30 P.M.**

Chair Ulmer wished Happy Holidays to all, hoping 2021 will be better for everybody.

There being no further business to come before the Board, the meeting was adjourned at 5:00 p.m.

Attachments: Trust Fund Investment Review

[Minutes prepared by M. Moore, Prototype, Inc.]