

CEMETERIES BOARD OF TRUSTEES  
CITY OF FORT LAUDERDALE  
City Hall 8th Floor Conference Room  
Thursday, September 13, 2007  
3:30 p.m.

<u>Board Member</u>	<u>Attendance</u>	<u>Cumulative Attendance</u>	
		<u>Present</u>	<u>Absent</u>
Mark Van Rees, Chair 3:45	P	3	2
Victoria Mowrey, Vice Chair	P	4	0
Alfred Calloway	P	2	0
Cameron Mizell	P	1	0
Ann Platt	P	4	1
Jose Portela	P	4	0
Dolores Sallatte 3:40	P	1	0
Larry Sherman	A	3	1
Susan Telli	P	2	0

Also Present

Julius Delisio, Cemetery Board Liaison  
Jamie Opperlee, Recording Secretary  
Lisa Slagle, City of Fort Lauderdale  
Cate McCaffrey, Director, Fort Lauderdale Business Enterprises  
John Moritz, Carriage Services  
Trevor Jackson, Carriage Services  
Kirk Buffington, Procurement Director  
Penelope Miller, Bank of America  
James Buchanan, Bank of America  
Abraham Cárdenas, Bank of America

The meeting was called to order by Vice Chair Mowrey at 3:37 pm.

Board members introduced themselves in turn.

Mr. Mizell announced that he was a licensed funeral director at Mizell and Kurtz Funeral Home, and was recently appointed by Commissioner Moore.

Ms. Sallatte arrived at 3:40.

Chair Van Rees arrived at 3:45.

**1. Minutes Approval**

**A. Meeting of 7/12/2007**

**Motion** made by Ms. Telli, seconded by Mr. Portela, to approve the minutes of the July 12, 2007 meeting. In a voice vote, the motion passed unanimously.

After Chair Van Rees arrived, he asked Mr. Moritz if Carriage had a policy regarding inclement weather and interments. Mr. Moritz said it was now policy that no grave would be left unfilled at the end of the day. If there was a storm accompanied by thunder or lightning, there may be a delay of a few hours, but they would return later and fill the grave.

Chair Van Rees asked Carriage to provide written policy guidelines to be distributed to area firms, explaining that during the interment process, if weather existed that posed a danger to personnel or families, the process would be halted. The interment would be delayed until conditions were safe, or would be rescheduled. Mr. Moritz said this policy had always been in place, and agreed to provide it to Mr. Delisio in writing within two weeks.

Mr. Delisio said they had modified the forms maintenance superintendents signed to confirm that all these processes had taken place at the end of the day. Mr. Delisio clarified that they did not have a policy or practice of turning families back, or telling them not to come to the cemetery due to inclement weather.

Ms. Salatte wanted to be sure that all of the funeral homes were notified of this policy as well.

Mr. Delisio noted that they had been lenient about Saturday burials at Sunset. They had tried to limit the number of burials on Saturday, but funeral directors had been upset by this, so they were working together to resolve it. Mr. Delisio said they would communicate to the funeral directors that if employees or families would be in danger, they must postpone the interment.

Ms. Telli remark that African-Americans tended to wait until Friday and Saturday to hold funerals. She felt they must all understand and respect the different cultures in the community, and said if they had to "hold a hundred funerals on Saturday at Sunset... then we need to take a look at that." She wanted Mr. Delisio to determine a reasonable number of burials that could take place at Sunset on a Saturday.

Mr. Delisio said they had worked with funeral directors to correct the problem of funeral directors providing them with the wrong times, and this situation had improved in the past year. Mr. Delisio said no one had ever been turned away for a Saturday burial. They had always made accommodations, and had held up to 19 burials on a Saturday.

Mr. Mizell explained how a funeral could deviate from its anticipated time, and said the only way to prevent too many funerals arriving at the same time was to

enforce limits. Failing this, they must “take it how it comes.” He said they could notify families when they made their arrangements for Sunset that there was a chance of delay because the cemetery was busy. He acknowledged the culture would not change.

Ms. Salatte agreed the family must be informed when they came in regarding this policy. She said Haitian families wanted see the grave covered in its entirety before leaving, so these families were informed that they could not guarantee that they would have this opportunity, because the weather or traffic could prevent it.

The Board discussed the possibility of offering discounts for Monday through Friday, or adding a surcharge for Saturdays. Chair Van Rees said his firm had done this and it had made a difference.

Mr. Delisio said their rules and regulations allowed for a temporary change at management's discretion, but reminded the Board that they must offer the discount at Lauderdale Memorial as well.

Mr. Delisio agreed to look at offering a Thursday/Friday discount test period for six weeks, and to create the written inclement weather policy.

The Board wanted to investigate a lightning alarm system for the cemeteries.

Mr. Delisio requested input from Mr. Portela and Mr. Mizell regarding what would occur if a family were turned back because of inclement weather. Mr. Delisio, informed Mr. Portela that there were enough mausoleums available that they could temporarily inter in a mausoleum, and a family could return later for the interment. Chair Van Rees wanted families to understand that the cemetery would not charge when the family returned for the interment.

Mr. Portela pointed out that there were times when families were kept waiting, and they understood that delays could occur.

## **2. Old Business**

### **A. Cemetery Contract**

Mr. Delisio said the City Auditor had recommended the contract be put out to bid. Mr. Delisio introduced Kirk Buffington, Procurement Director, to explain the RFP process to the Board.

Mr. Kirk Buffington, Procurement Director, said the RFP process was governed by City ordinance. Mr. Buffington said they were most concerned about transparency of the process and a level playing field whenever they performed a

solicitation. Mr. Buffington said this RFP would be restricted to vendors they knew could provide this type of service, and they would be allowed ample time to respond. He remarked on the complicated and technical nature of the process.

Mr. Buffington explained that once interested parties, which could include the Cemeteries Board, reviewed the RFP in its draft form, it would be released to the public. He recommended leaving it out for at least 30 days. During this time, they may have pre-proposal conferences, allowing proposers to meet with staff to discuss the specifics of the RFP.

Mr. Buffington continued that during that 30-day period, the City Manager would appoint the selection and evaluation committee, the purpose of which was to review, evaluate and rank the proposals in accordance with a set of criteria established in the RFP package. Mr. Buffington informed the Board that one criterion must be price; the other criteria could be anything determined to be important.

Mr. Buffington said once the proposals were received, the evaluation committee would review them. The Board discussed with Mr. Buffington whether the Cemeteries Board could serve as the evaluation committee, or if just some members of the Cemeteries Board would serve on the evaluation committee.

Mr. Buffington said the evaluation committee could, during the review process, allow the firms to give oral presentations. The committee would then rank the proposers and create a short list. They would then make a decision on their recommendation. The recommendation was sent to the City Manager to make to the City Commission.

Mr. Buffington recommended allowing 90 days for this process, noting that scheduling the meetings for the evaluation committee usually presented the greatest time challenge.

Ms. Mowrey asked if the Cemeteries Board would be permitted to review the proposals prior to the selection committee making their decision. She also asked if the Cemeteries Board could serve as the selection committee. Mr. Buffington said he had seen instances where another Board served as a selection committee, and this was up to the City Commission and the City Manager.

Regarding the proposals, Mr. Buffington explained that these were public record, so a Board member, as an individual or as a Board member, could request the proposals. They could then choose to discuss these proposals at there meetings.

Mr. Buffington cautioned the Board that whether or not some members of their Board served on the selection committee, the formal recommendation would be made by the selection committee.

Regarding the RFP, Ms. Telli asked if it would be possible to consider returning to staffing patterns they had used in the 1990s, performing the services in-house instead of contracting them out. Mr. Buffington recommended Ms. Telli discuss this with her commissioner.

Mr. Delisio asked what would happen if no bid met the minimum requirements and Mr. Buffington said they would be considered non-responsive. If this occurred, they would report this to the City Commission, and negotiate an extension with Carriage. He said this was why staff must ensure that their requirements were realistic and accurate.

Mr. Delisio confirmed with Mr. Buffington that if only one bid were received, they could negotiate; the RFP did not become the contract. If more than one bid was received, they could go through a "best and final" process to obtain best and final prices from bidders. After these negotiations were complete, it was given to the City Commission.

Mr. Buffington said it would probably be a 5-year contract and 5 year extension. He assured Mr. Delisio that the contract would be fair to the vendor.

Mr. Buffington anticipated the RFP would be ready for review in a few weeks. Ms. McCaffrey noted that if the Cemeteries Board wanted to review the RFP they would need to call a special meeting.

Ms. Mowrey pointed out that it was the Board's responsibility to make all of this work for the citizens of the City and they therefore should have as much input as they were allowed to have. If this required additional meetings, they must do so. Mr. Calloway felt that as trustees, the Cemeteries Board should be the one to make the final recommendation to the City Commission.

Mr. Buffington wanted the Board to understand that they could not overturn the decision of the selection committee. Chair Van Rees wanted to ensure that at least two to three members of the Cemeteries Board were included on the selection committee.

Mr. Buffington recommended Ms. McCaffrey agenda a conference item for the Commission to discuss the creation of the selection committee.

**Motion** made by Mr. Calloway, seconded by Ms. Telli, to recommend to the City Commission that members of the Cemeteries Board comprise a simple majority of the selection committee.

Ms. Mowrey remarked that this would take an enormous amount of time and effort, but since they were responsible for what transpired after the contract was signed, they must be a part of the selection process.

Chair Van Rees said he had a firm belief that they must hire a management company, because the City did not want to take on the responsibility of the operations of the City Cemeteries.

Ms. Mowrey asked if members of the Cemeteries Board would be permitted to vote when the Board made a recommendation, if they had served on the selection committee. Mr. Delisio said in that case, the members must recuse themselves from the Cemeteries Board vote, but they could be included in the Board's discussion.

Mr. Buffington reminded the Board that regardless of the Board's recommendation, it was the City Manager, not the City Commission, who ultimately made the decision regarding the selection committee, and the Board's vote was not binding.

Chair Van Rees said he had observed in the newspaper that the City Manager had an unfavorable view of advisory boards. Mr. Calloway reiterated that since the Cemeteries Board was responsible for the trust, they must represent the majority that made the final recommendation to the City Commission.

Mr. Buffington urged the Board to allow the City Commission to make this decision. Chair Van Rees felt it was a matter of communicating with the City Commission.

**In a voice vote, Board unanimously approved Mr. Calloway's motion.**

Mr. Buffington asked that the Board review the draft RFP before he received it, so he would have their input. Mr. Delisio agreed to send a draft copy to Board members for their comments within the next week.

The Board agreed to meet on September 25 at 3:30 to review the RFP.

### **3. New Business**

#### **A. Bank of America Trust Fund Quarterly Update**

[This item was taken out of order]

Ms. Penelope Miller, Bank of America, informed the Board that Bank of America and U.S. Trust had merged, and the name of their division would become U.S. Trust, Bank of America Private Wealth Management. Ms. Smith introduced Jim Buchanan, the trust officer, and Abraham Cardenas, a portfolio analyst. Ms.

Smith distributed copies of the Trust's quarterly investment review to Board members.

Mr. Cárdenas referred to the Equity Market Performance page of the report, and remarked that August had been a very volatile month. He explained that there had been a "flight to quality" as investors had gone into safer assets.

Mr. Cárdenas referred to the Fixed Income Market Performance page, and said as investors had left higher-yielding investments to safer assets, demand had increased and prices had gone up. Mr. Cardenas said that they were seeing a drop recently in the yield curve as prices had increased.

Mr. Cardenas drew the Board's attention to the Strategic Asset Allocation Model page, and explained that they were 50 percent in equity and 50 percent in fixed income, and their strategy was to have 34 percent in large-cap stocks.

Mr. Cardenas explained to Ms. Telli that they no longer had any investments in junk bonds.

Mr. Cardenas referred to the Year-to-date Asset Allocation page, showing the total stock position had increased 8% since 2006. He remarked that they had also increased their large-cap, mid-cap and international stock holdings.

On the Investment Performance Review, Mr. Cardenas said the total account return net of fees was 4.44% through August. He pointed out that their equities portion had performed at 4.9%, their fixed income position was at 3.11% and their cash equivalents were at 3.65%.

Ms. Smith drew the Board's attention to the Year-to-date Asset Reconciliation, and noted that the total value of the account at the beginning of the year had been \$16.045 million, and after additions, gains and withdrawals, it now stood at \$16.77 million. She added that the estimated income had decreased slightly from the beginning of the year and was now approximately \$574,000.

## **B. Customer Survey Results**

Mr. Delisio explained that he had sent surveys to everyone who had purchased a burial between January 1 and June 30, 2007. He said this had been done pursuant to a request from Commissioner Moore.

Chair Van Rees remarked that there was one area, "Were your requests met in a timely manner," in which they have not fared very well. Mr. Delisio said he had considered this, but remembered that he had not received any written complaints regarding this. The Board debated how the question could be interpreted, and agreed it must be asked more specifically.

Mr. Delisio said they had contacted everyone who made a negative comment that provided their name to determine what corrective action was needed.

Mr. Delisio pointed out that 88% of people had rated them good to excellent overall, and he felt they were doing a good job for the families they were servicing. He said he intended to repeat the questionnaire process each quarter.

### **C. Private Mausoleum(s) Lauderdale Memorial Park**

Mr. Delisio said they had some requests for small mausoleums, and they intended to take a site directly east of Mayhue, split it in half and place two small private mausoleums there.

Ms. Telli did not like mixing different types of granite and stonework.

Mr. Delisio remarked that the granite at the current mausoleums are different, and revenue to the Perpetual Care Trust Fund would be approximately the same as placing one large family mausoleum.

Ms. Mowrey noted that since their provider could change in one year, they may not be able to continue in the direction they had intended. She wondered what would happen if a new provider had other ideas. Chair Van Rees said this was fine, provided it fit their existing plan.

Ms Platt said she had a very strong opinion about the style, and was opposed to cluttering the center median with height, preventing a view across the Cemetery.

**Motion** made by Ms. Sallatte, seconded by Ms. Telli, to approve the sale of private mausoleums, on the condition that they stay with the Scot style. In a voice vote with Ms. Platt and Ms. Mowrey opposed, motion passed 7 - 2.

### **D. Maintenance Reimbursement April – June 2007**

[This item was taken out of order]

**Motion** made by Ms. Mowrey, seconded by Mr. Platt, to approve the reimbursement.

Ms. Telli asked about the replacement of trees on 84 and 4th Avenue. Mr. Delisio explained that they had planted over 100 trees at Lauderdale Memorial and Sunset since January 1.

Mr. Delisio reported that tree maintenance at two parks had cost \$47,000, and they had been very specific with the contractor not to go over to the bank side at Evergreen.



Mr. Delisio explained that they were watering following the restrictions.

**In a voice vote, Board unanimously approved Ms. Mowrey's motion.**

Mr. Mizell left the meeting at 5:37.

**E. Election of Chair and Vice Chair**

**Motion** made by Ms. Telli, seconded by Ms. Platt, to elect Mr. Van Rees as Chair and Ms. Mowrey as Vice Chair. In a voice vote, Board unanimously approved.

**4. Adjournment**

The Board's next regular meeting was scheduled for November 8, 2007.

There being no further business to discuss, the meeting was adjourned at 5:50 p.m.