

**CEMETERY SYSTEM BOARD OF TRUSTEES  
CITY OF FORT LAUDERDALE  
CITY HALL 8<sup>TH</sup> FLOOR CONFERENCE ROOM  
THURSDAY, MAY 10, 2012  
3:30 P.M.**

| <b>Members</b>             | <b>Attendance</b> | <b>Cumulative Attendance</b> |               |
|----------------------------|-------------------|------------------------------|---------------|
|                            |                   | <b>2/2012 through 1/2013</b> |               |
|                            |                   | <b>Present</b>               | <b>Absent</b> |
| Michael Ruddy, Chair       | P                 | 1                            | 1             |
| Patricia Hayes, Vice Chair | P                 | 2                            | 0             |
| Damon Adams                | P                 | 2                            | 0             |
| Larry Ott                  | P                 | 2                            | 0             |
| Jonathan Pearson           | P                 | 1                            | 1             |
| Dolores Sallette           | P                 | 2                            | 0             |
| John Sykes                 | P                 | 2                            | 0             |
| Susan Telli                | P                 | 2                            | 0             |
| Mark Van Rees              | P                 | 2                            | 0             |
| Jimmy Witherspoon          | A                 | 0                            | 2             |

City Staff

Julius Delisio, Cemetery Board Liaison  
D'Wayne Spence, Assistant City Attorney  
Leona Lettsome, Parks and Recreation / Recording Secretary

Guests

John Banas, Carriage Services  
Trevor Jackson, Carriage Services  
Joel Metter, Citizen  
Alan Levy, Citizen

Communication to the City Commission

None

The meeting was called to order 3:30 pm and it was determined a quorum was present.

**1. Minutes Approval**

**A. March 2012 Meeting**

Mr. Van Rees pointed out that within the last paragraph on page 5 of the minutes dated March 8, 2012 it should read, "Mr. Van Rees pointed out that Interment Services prices would be same every day of the week". In addition Mr. Ruddy noted that on page 6

under Capital Project Updates, the 2<sup>nd</sup> paragraph does not state which cemetery is being referred to. Ms. Telli confirmed that it should read "Mr. Banas stated that they had allocated \$10,000 at the Lauderdale Cemetery to develop the Jewish section but the conversation with Mr. Levy had completely stopped".

**Motion** made by Mr. Ott, seconded by Mr. Sykes, to approve the minutes of the Board's March 2012 meeting. In a voice vote, the motion passed unanimously.

## **2. New Business**

### **A. City Ordinance No. C-09-05, Quorum Requirement**

The Board currently has ten members; so six members constitute a quorum.

### **B. Sun Trust Bank/Trust Quarterly Review**

Mr. Delisio stated that there would not be any SunTrust Bank members present at today's meeting due to last minute travel arrangements. Mr. Delisio stated that the SunTrust representative went over the statements with him and also advised him that the committee should refer to the updates that they had done but will go over this information with members of the board today.

Mr. Delisio stated that on page 5 of the documents he provided, it shows the allocations and currently there are some managed accounts and mutual funds. Mr. Delisio also stated that we are within the parameters of our investment policy. Mr. Delisio further stated that on page 6, it shows the performance of the portfolio and what it is being benchmarked to but stated that we underperformed during the periods when SunTrust had the account. Mr. Delisio noted that during August and September of 2011, the markets tanked right after, which resulted in the underperformance but it is slowing recovering as the account is now close to 21 million based on the latest statement received. Mr. Delisio stated that there was evidence of some significant improvements over the past year.

Mr. Ruddy asked Mr. Delisio to confirm whether the performance numbers reflect the amount before or after their fees. Mr. Delisio stated that it appears that the performance numbers shown were before their fees and that there is also a fixed fee for the SunTrust managed accounts, which are twenty-five basis points. Mr. Delisio stated that some of the other fees are identified when the reimbursement is done as we charge back the fees for all the managed accounts, which represents a 50/50 split that is done with the contractor prior to distributions. Mr. Delisio stated that on page 5, all of the mutual fund returns shown are after the mutual fund fees and not SunTrust. Mr. Delisio stated that others such as Rushmore Capital, Federated, etc, there is a monthly bill received, which is then paid by the bank and added to the monthly bank fees. Mr. Delisio also stated that besides SunTrust's twenty-five basis points there are also fees that all the managed/mutual funds accounts charge but may not be reflected in this total but is

reflected when shown on the reimbursement of all the expenses, mutual funds distribute after fees.

Mr. Ruddy stated that although it may be a bit complicated, it is probably worth doing the exercise once to make sure we are paying fair market value for the fees for portfolio management. Mr. Delisio stated that for example Guardian Trust company, we paid for the month of April \$466, Federated \$360, Gatry \$373, Northpoint \$167 and Rushmore \$462 and SunTrust \$4,324.34 for a total of \$6,155 in fees for the managed portion of the accounts.

Ms. Telli asked Mr. Delisio to confirm how much money is being managed? Mr. Delisio stated that there are in fact six managed accounts. Mr. Delisio also stated that on the attached sheets that he provided, Corpus represents all deposits made to the account being from sales not from any capital gains. The capital gains are listed under accumulated earnings. Mr. Delisio also stated that the corpus on the \$21 million dollar account is roughly 57% of what's really sitting in the account. Mr. Delisio stated that the next two sheets he provided gives a snapshot of what has occurred. He confirmed that our fiscal year is from October to September. Mr. Delisio stated that on the sheet it shows the beginning balance, interest and dividends earned, what deposits were made from sales, what the bank fees were and the maintenance reimbursements. Mr. Delisio noted that if you look at the 2010/2011 sheets the October bank fees was \$10,368 on \$18,896,000 and that it shows more money being managed now with fewer fees. Mr. Delisio also stated that he would be providing these sheets every meeting for the Board to put everything into perspective and bring clarity.

Mr. Ruddy asked if there are any other questions or discussions on the SunTrust item and the response was No. Mr. Ruddy asked for the two persons that walked in to state their names. In response the persons identified were Trevor Jackson and John Banas from Carriage Services.

Mr. Ruddy stated that the next item on the agenda is Mr. Joel Metter, who will be speaking on Evergreen Cemetery.

**C. Citizen Request to Speak: Joel Metter, Evergreen Cemetery**

Mr. Metter stated that he was present to bring to the attention of the board issues concerning the northern end of Evergreen Cemetery on the northern fence and the alley along the north side. Mr. Metter stated that he is representing three capacities, as a owner of plats in the Jewish section of the cemetery, which borders the northern boundary of the cemetery along the dirt alley; a homeowner whose home backs on the alley; and also as a representative of the Temple of Emanu-el now Temple Kolami Emanu-el. Mr. Metter also stated that the alley currently has a barrier, which has been there for thirty plus years to prevent through traffic. Mr. Metter stated that SE 10 Ave is a one-way which forces traffic out to Federal Highway. He further stated that the City of

Fort Lauderdale has made SE 9<sup>th</sup> Ave go one-way south so traffic cannot enter Rio-vista after they are forced up the side of the cemetery. Mr. Metter stated that as a result anyone that tries to go east try to use the alley, which is prevented by barriers however, occasionally delivery trucks would still turn down to go to the Fort Lauderdale Yacht Club.

Mr. Ruddy asked whether this shows up on a GPS as a street. Ms. Hayes responded that this is in fact is a plated street and not an alley. Ms. Telli stated that for a number of years attempts have been made to vacate the street so the City could expand the cemetery halfway into the street and with the other 50% to the home owners.

Mr. Metter stated that in 1991, a portion of the street was vacated and given to all the homeowners so it is now narrower than the actual fence line of the property. He further stated that in 1994, the Board took a formal position to vacate the street/alley and divide the property between the homeowners and the cemetery and the City public Utilities Department objected because there was a sewer line present. Mr. Metter further stated that about eight years ago the City dug up the sewer lines and replaced them but still need to gain access. Mr. Metter stated that over the last year vandals have been cutting through the barriers using chain saws, trucks and even pull chains and he has photographs to prove it. Mr. Metter further stated that everytime this has happened he has notified the transportation department and they would come out and replace it with a thick board, bolting it down but someone would still remove it and this has happened twice. Mr. Metter stated that after the second time a stake was put into the ground and it was cut off the ground at ground level with a chain saw but thereafter it was replaced with construction barriers filled with sand. However, someone used a truck to push them over on their sides but it still functions as an effective barrier.

Mr. Metter stated that he was informed that someone approached the Department of Transportation with a proposal to open up the alley for vehicular traffic. Mr. Metter stated that as a cemetery plat owner and speaking on behalf of Temple Kolami Emanuel who has many former members, present members and future members who will be buried right along the side of the unpaved alley, has provided pictures to show the closeness of not only Jewish graves to the alley but other graves that has been improved recently. Mr. Metter stated that this move would create a very undesirable situation.

Mr. Pierson asked who has made this proposal. Mr. Metter responded that he does not know who is making the proposal but was only informed that someone had approached the Department of Transportation.

Mr. Ruddy asked Mr. Metter when would this meeting be taking place and Mr. Metter responded that he does not know if there is a meeting but that he is only aware of a proposal being made.

Mr. Metter stated that he would like to submit a letter to the board from Temple Kolami Emanu-el, strongly objecting to the alley being opened and taking the position that it would decrease the dignity of the cemetery, disrupt the peace and quiet for those who visit, create debris and all around decrease the desirability of not only people who own plats there and being buried there but also selling future plats to customers.

Mr. Metter stated that he would like to ask the board to take a formal position, opposing the opening of the alley/street for through vehicular traffic and maintain the status quo and convey that position to the appropriate City department.

Ms. Telli stated that this goes back a long time in history and presently in our audience is Mr. Alan Levy who is not on our agenda but felt that he has ample reason to speak up this afternoon because this has been a commitment and one of the reasons why she has stayed on the board for so long to protect the integrity of the cemetery and enhance the cemetery and object totally to anyone or anything especially with the Department of Transportation getting involved.

Ms. Telli asked whether we agreed or if it was passed upon back in 1994 that we would give them 50% of the easement. Mr. Metter responded by saying yes and stated that there was a letter dated September 27, 1994 from the Superintendent of Special Facilities and addressed to the residents along that street. It stated that *"It is with offer to you the Cemetery Board recommended the vacation of SE 12<sup>th</sup> St from Se 10<sup>th</sup> Ave to the eastern end of the Evergreen Cemetery. The vacation of this property would permit the closing of this undeveloped road and we believe enhanced security by eliminating parking area for vandals. If the vacation is approved, you and your neighbors will gain additional property to use at the rear of the residences. The southern portion of 12<sup>th</sup> St. will revert to the cemetery and the northern portion will revert to the property owners."*

Ms. Telli asked if it was ever passed and Mr. Metter said that it was not passed because the City Utilities Department objected it because of the sewer line that was there.

Mr. Rees stated that this came up a few years ago and there were some other questions regarding this but not the same issue but very similar with regards to utilities. Mr. Rees recalls that even FP&L objected to closing this off or at least allowing anything else to change there, as there has to be a right of way. Mr. Rees stated that he was unaware of this issue in 1994 but it appears that it never went to Commission.

Mr. Pearson asked if we could have someone from the City at the next meeting to confirm if this is a rumor or fact.

**Motion** made by Mr. Pearson and seconded by Ms. Hayes to have a member of the Transportation and Mobility Department come before the board at it's next meeting and confirm whether the plated street or the unpaved extension of SE 12<sup>th</sup> St. to the east of SE 10<sup>th</sup> Ave. is being considered for vehicular traffic.

Mr. Spence stated he does not know the details of the matter being discussed here but it appears to him particularly when it refers to maintaining the right of way that he is aware of the Transportation and Mobility Department presently conducting a study of the most mobile transportation arches and are presenting that at the next City Commission meeting. Mr. Spence stated that it does not include Evergreen cemetery or this pathway but he suspects that they may not want the right of way vacated so that they can utilize it not necessarily for vehicular traffic but as pedestrian greenways or something along that aspect. Mr. Spence also stated that he agrees in the way the board is moving forward and agrees that we should request the presence from the Transportation and Mobility Department to discuss whether or not this is in fact their plans. Mr. Spence further stated that with respect to the vacating of the right of way, he suggests that a possible solution can be the vacation of right of way but to maintain an easement for the utilities.

Mr. Sykes asked to identify where the transformers were located. Ms. Telli stated that a utility line was built specifically for the Jewish section of the cemetery and paid for several years ago by the temple. Ms. Telli believes that there is a transformer on that pole at the corner of the cemetery.

Mr. Sykes asked whether or not the vandals were trying to do anything other than moving the barriers and Mr. Metter said that he is only aware of an incident where someone was climbing the fence.

Mr. Ruddy asked Mr. Spence to confirm whether or not someone who wanted to speak if his or her name would have to be published in advance and Mr. Spence suggested that a motion be made to accept public comment.

**Motion** made by Ms. Telli, seconded by Mr. Sallette to accept public comment from Mr. Allen Levy.

Mr. Levy stated that he has been a resident of City of Fort Lauderdale since 1942 and commends the City for having such a beautiful cemetery that is well preserved. Mr. Levy stated that he has worked from behind the scene and admires the beautiful site on Sunday to see families walk through the cemetery like it was a public park. Mr. Levy stated that he worked on a parks board in securing over \$200 million dollars for various projects around town and must admit that Fort Lauderdale came out the best. Mr. Levy suggested making the road a passive walk in an attempt to help preserve the heritage. He further stated that he has six plots located within this cemetery and believes that anything we can do to help preserve this heritage would be a great thing.

#### **D. Quarterly Maintenance Reimbursement**

Mr. Delisio stated that there is nothing unusual that was billed in this quarter. Mr. Delisio stated that the only thing that should be reimbursed this quarter is \$168,795.47.

**Motion** made by Mr. Pearson, seconded by Mr. Sykes to approve the motion on the maintenance reimbursement. In a voice note, the motion passed unanimously.

#### **E. Capital Projects Update**

Mr. Delisio stated that the City Commission approved the Sunset fence variance and work should start the first week of June and should be done in about two weeks. Mr. Delisio confirmed that the fence has already been fabricated has been sitting for the last eighteen months.

Mr. Banas presented a PowerPoint presentation on the status of cemetery improvements. Mr. Banas stated that this year the Memorial Day Tribute would have a Squadron of Navy Jets; four F18's that will be coming from California in honor of Lt. Matthew Lowe who died in a training incident last year and was buried at Evergreen Cemetery. Mr. Banas stated that the Mayor as well as Chief Adderley have accepted the invitation to come and place the wreath. Mr. Banas stated that the event should be brief approximately 45 minutes with a 21-gun salute and the dove release at the end.

Mr. Banas stated that there is a little more than \$3,000 remaining, which will be used to begin the next project to re-pour the sidewalks and begin leveling the old monuments within the Jewish section. Mr. Banas further stated that he should have photos in about the next two months to show the new sidewalks and the monuments within the Jewish section. Mr. Banas also stated that trash cans is also apart of the project in which all of the monies for trash cans from Sunset, Lauderdale and Evergreen were combined together into one project that now has a total of \$11,000. Mr. Banas stated that pavers have already been placed under the trash cans and there is still some monies left which will be used to place some pavers at the front entrance at LMP to place the memorial plaques that were attached to the old entrance wall.

Mr. Banas stated that at Lauderdale, the 9<sup>th</sup> Ave entrance and the irrigation is complete. Mr. Banas confirmed that \$5,800 of the \$11,000 has already been spent. He further stated the Sunset Mausoleum of \$384,000 allocated, \$328,000 has been spent to date and as for the Gazebo portion of \$216,000 only \$158,000 was spent and this should be done within the next four to six weeks pending permit approvals.

Mr. Banas confirmed that the pumping station at Sunset is completed and the entrance for the most part is complete, however there is still about \$1,200 remaining, which will be used to redo the irrigation area once the new fence has been installed. Mr. Banas also confirmed that a truck was purchased recently for the irrigation so the workers could secure the irrigation supplies. Mr. Banas also stated that there are other monies that have been set aside to replace another truck that went bad. Mr. Banas also confirmed that four new gas powered utility carts were purchased as part of the

commitment even though it was a non-capital item but it was something we said would be done once we had gotten the contract four years ago to add gas powered utility carts.

Mr. Banas confirmed that Planning and Zoning and the Commission approved the Sunset fence project and now it is on schedule for the first week of June.

Mr. Banas stated that at 9<sup>th</sup> Ave in Lauderdale, it was approved that \$10,000 would be taken from roadway to do gate improvements however, the columns in which the gate was attached to the bricks were old and crumbling so these were removed and redone.

Mr. Banas stated that at Sunset, section 7 of the irrigation was not well thought out and was not timed by a machine and have since been replaced with four 8-zones of pop-up heads to begin to make it as green as possible. Mr. Banas further stated that in addition to that twenty zones will be added to our new section 2 and with those additions the entire Sunset area would be under new automated irrigation systems.

Mr. Ruddy asked Mr. Banas if we were under the same requirements for the South Florida Water Management district and Mr. Banas confirmed that yes we are and further stated that this is why it is so important for us to water it at night so that we are not alarming everyone but also so that the water can soak in since it evaporates in the daytime before it can soak in and this is the most efficient way of doing it.

Mr. Banas displayed a picture of the new gazebo and stated that the screws have all been put in place in the crypts to begin hanging the doors and the granite trim plates are also in place, which should be hung within another week and a half followed by the stucco, which should also take another week and a half and thereafter the landscaping could begin.

Ms. Telli asked Mr. Banas if there was any electrical outlet in the gazebo and the confirmed that there was in fact an electrical outlet and further stated that this is where we will hold our next candle light vigil. Mr. Banas stated that the gazebo is completely open air so that the breeze flows freely.

Ms. Telli asked Mr. Banas how many persons are allowed into each cremation niche and Mr. Banas stated that you could put two inside a niche but would just have to pay for a second right of inurnment since all remains must be tracked for the cemetery.

Mr. Banas stated that since the last meeting it was discussed that garden 8 at Lauderdale Memorial be designed in such a way to allow not just burial but also a little bit of cremation products. He further stated that a short over the walkway and bridge feature has been added to the design but would require the board's approval as well as Commission's approval to allow private estates in this quadrant of garden 8. Mr. Banas



also stated that if this feature were not approved then it would be replaced with something else.

Ms. Sallette asked Mr. Banas what happened to the area where the indigents were buried some years ago and Mr. Banas stated that they know where everyone was and that they are located behind the mausoleum. Mr. Banas also stated that there is a listing of everyone and that it is all mapped out but they are just not marked.

Mr. Ruddy asked Mr. Banas about the updates on the cameras and Mr. Banas confirmed that the cameras were installed at the main entrance. Mr. Banas stated that the cameras are from the Fort Lauderdale Police Department and takes a picture everytime it's activated since it is motion sensitive.

Mr. Ruddy asked Mr. Banas what prevents someone from stealing a camera and Mr. Banas stated that it is mounted to a pole in a lock box that is the property of the Fort Lauderdale Police Department.

**Motion** made by Mr. Adams, seconded by Mr. Pearson to approve the capital projects updates. In a voice vote, the motion passed unanimously.

#### **F. City Commission Action Items**

None.

#### **Other Discussion Items**

Mr. Delisio stated that they had looked at particular vendor for bronze vase replacements but was very expensive, but plan to bring this discussion to a future meeting.

Mr. Sykes stated that he would like to know if there were any other developments on the bronzing of the plaques or the markers and Mr. Delisio responded that one was submitted but it was denied. Mr. Delisio further stated that he informed the party to provide pictures of an alternative so that he could prepare it for discussion on the agenda but they declined to do it. Mr. Delisio stated that it was not that the manufacturer was not approved but rather the line of product that was not approved.

### **3. Adjournment**

There being no further business to discuss, the meeting was adjourned at 5:10pm.

The Board's next meeting was scheduled for July 12, 2012.

[Minutes prepared by: L. Lettsome, Parks and Recreation]

Cemetery System Board of Trustees

May 10, 2012

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