



APPROVED
CEMETERY SYSTEM BOARD OF TRUSTEES
MINUTES OF MEETING
CITY OF FORT LAUDERDALE
FIRE STATION 2 ADMINISTRATION/HQ
528 NW 2nd STREET, FORT LAUDERDALE, FL 33311
THURSDAY, JANUARY 11, 2024 – 3:30 P.M.

Members	Attendance	Cumulative Attendance	
		03/2023 through 02/2024	
		Present	Absent
Mark Van Rees, Chair	A	5	2
Patricia Zeiler, Vice Chair	P	4	3
Scott Busa	P	7	0
Chelsea Krebs	P	5	2
Fred Nesbitt	P	6	1
Dennis Ulmer	P	6	1
Michael Watson	P	5	2

City Staff

Stacy Spates, Cemetery Administrator
 Kimberly Cunningham-Mosley Assistant City Attorney

Guests

Kim Krause, Truist Bank
 Carla Blair, Recording Secretary, Prototype-Inc.

1. CALL TO ORDER

Chair Van Rees called the meeting to order at 3:32 p.m.

A. Roll Call

Roll was called.

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

It was determined a quorum was present.

C. Approval of Meeting Minutes for November 9, 2023 (Discussion/Motion)

Mr. Ulmer asked for clarification on Mr. Watson’s comment on Page 3 concerning the Southside school. Mr. Watson confirmed he said it as an example only.

Motion made by Mr. Watson, seconded by Mr. Busa, to approve the meeting minutes for November 9, 2023, as amended. In a voice vote, the **motion** passed unanimously. (6-0)

2. OLD BUSINESS

A. Cemetery Software Update (Discussion)

Ms. Spates stated they are at a point where Procurement will be sending the vendor a cure letter, reviewed by the Attorney's Office.

Mr. Nesbitt said it has been almost four years. He recommended terminating the contract and consider suing.

Ms. Spates confirmed they need to go through the process in order to terminate. She explained other systems used by municipalities and noted they have demoed many of the options. She noted the vendor's position remains that the product is ready for use.

A brief discussion ensued about other cemetery software and issuing the RFP.

B. Sunset Mausoleum Update (Discussion)

Ms. Spates explained that the City has received two responses and are in the process of setting up the evaluation committee.

Vice Chair Zeiler asked if someone from this Board sits on the evaluation committee. Ms. Spates described the committee composition and noted one Board member would be permitted to attend as an observer, based on Sunshine Law.

C. Administration of the Fort Lauderdale Merchandise Trust with CFS (Discussion/Motion)

Assistant City Attorney Cunningham-Mosley provided a history of the contract and reconciliation of records. She noted they are waiting on direction from Carl Williams, Director of Parks and Recreation. She suggested including this item to the agenda if they plan to hold workshop with the City Commission.

Ms. Spates provided additional information about the Merchandise Trust Fund. She said they cannot sell pre-need, only at time of death. She clarified it is different than a perpetual care fund.

Assistant City Attorney Cunningham-Mosley stated they need to reconcile the trust.

Mr. Watson asked how much was currently in the trust fund. Ms. Spates stated, as of September 30, 2018, it contained approximately \$4.2M and the current dispute is about reimbursement. Ms. Spates reiterated the importance of reconciliation.

Discussion ensued about reimbursement, burials, and communication with the State.

Mr. Nesbitt recommended inviting Mr. Williams to the next Board meeting to continue

discussion.

Assistant City Attorney Cunningham-Mosley also suggested connecting with the City Auditor's Office to finalize accounting before pursuing procurement and solicitation.

Discussion continued about next steps, trust fund lawsuit, and options moving forward.

Mr. Busa asked for clarification on why the City owes money. Ms. Spates said Carriage stopped accepting payments and the payments were coming to the City. She said the collections report includes a bucket for Carriage.

There was consensus to meet with Mr. Williams prior to engaging in a workshop with the City Commission.

3. NEW BUSINESS

A. Perpetual Care Trust Fund Investment Review/Truist Bank (Discussion)

Ms. Kim Krause, Truist Bank, reviewed the following: Market Returns through Calendar Years 2022 and 2023; Sector Returns; Magnificent 7 Stocks; Fixed Incomes and Yields; Overall S&P Average; Labor Market; Positive and Negatives; Consumer Debt; Soft Landings; Market Value Increase; and Portfolio. She noted they anticipate positive returns in 2024 but acknowledged market volatility with the election.

Mr. Watson asked about asked about the bank statement document prepared by the City and columns that did not add up. Ms. Krause suggested it could be accrued income or unrealized value market gains or losses.

Mr. Busa clarified that they are going to reduce their reliance on the Magnificent 7 in 2024. Ms. Krause said slightly.

B. Communication to the City Commission

There was no Communication to the City Commission.

4. ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at 4:53 p.m.

NEXT SCHEDULED MEETING: Thursday, March 14, 2024 - 3:30 P.M.