

**City of Coral Gables City Commission  
Agenda Item H-2  
September 23, 2014  
City Commission Chambers  
405 Biltmore Way, Coral Gables, FL**

**City Commission**

**Mayor Jim Cason  
Vice Mayor William H. Kerdyk, Jr.  
Commissioner Patricia Keon  
Commissioner Vince Lago  
Commissioner Frank Quesada**

**City Staff**

**Acting Interim City Manager, Cynthia Birdsill  
City Attorney, Craig E. Leen  
City Clerk, Walter J. Foeman  
Deputy City Clerk, Billy Urquia**

**Public Speakers:**

**Javier Salman**

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H-2 [Start: 02:36:30 PM]

RESOLUTION ACCEPTING THE RECOMMENDATION OF THE CHIEF PROCUREMENT OFFICER TO AWARD THE WILLIAM H. KERDYK TENNIS CENTER RENOVATIONS CONTRACT TO STATE CONTRACT AND ENGINEERING, INC., PURSUANT TO REQUEST FOR PROPOSALS (RFP) 2014.07.01, AND SECTION 2-828 OF THE PROCUREMENT CODE ENTITLED "CONTRACT AWARD"; AND AUTHORIZING AN AMENDMENT TO THE FISCAL YEAR 2013-2014 ANNUAL BUDGET TO RECOGNIZE AS REVENUE A TRANSFER FROM THE CAPITAL IMPROVEMENT FUND RESERVE AND APPROPRIATING SUCH FUNDS TO PUT TOWARD THE COST OF THE PROJECT.

Mayor Cason: All right, let's move on to H-2.

Acting Interim City Manager Birdsill: Thank you, Mayor. This is a resolution to recommend the renovations for the William H. Kerdyk Tennis Center at the Biltmore Hotel. We have here today Javier Salman, who will walk us through the planned renovation.

Javier Salman: Well, good afternoon.

Mayor Cason: Pull the mike over closer.

Mr. Salman: Good afternoon, members of the Commission, Mr. Mayor, residents and citizens. Before you is a project which has been long delayed; been much delayed in coming to fruition, and we're here before you today to talk about the project and bring you up to speed as to some of the changes that were made since it was initially proposed, and what is going to be done, as well as open it up to any questions you may have, to clarify any questions that may still linger as to the project. The project, as it currently stands, is a total replacement of all the surfaces of the actual playing fields for the Tennis Center. In addition to that, we are removing and replacing all the existing light, as well as doing landscape enhancements at the front, some landscaping enhancements in the courtyard that curve between the 7 through 10 and 1 through 6 courts, and then the relocation of the practice wall. Additional details for the project are repaving and the creation of a pedestrian entrance along the middle to avoid having people walk down the street as they currently do. That's primarily a safety issue, as well as one of access. With regards to visibility and potential of the facility, the existing Tennis Center here, all the windows here face the streets, so it won't be all eyes on the entrance either way. Likewise, we're going to be replacing and expanding the planter for the big banyan tree in the middle. It's a beautiful tree. It's not stressed in any way right now. We don't want to stress it by the work that we're going to be doing. We will be replacing the paving, and we're going to increase the size of the

planter and create a seat wall for people to wait while they attend the other people playing. Likewise, as I said, the practice wall is going to be moved to the south and a little bit to the west to move it as far out of the way as possible to allow for better and easier play. We had a lot of response from the community early on when we had originally proposed a removal of the wall, and it was directed to us by staff to go ahead and put it back in, but let's make it a little lower and let's move it out of the way. Currently, it's about 24 feet; this will be 18 feet when it's done. And finally, in order to get some presence to the facility and bring it in line with the architecture of the Biltmore, which sits right next to it, and similar to the architecture that the City has done for its public buildings and its public improvements, wherever possible, we're creating an entrance pavilion that'll line up with Cordova and create a sense of place for the facility, so that not just the neighbors will know, but the visitors who come, for example, if you're driving down Biltmore Way, just before you make the turn to go in front of the Venetian Causeway, you see the signs that says Biltmore Hotel with it arrow. It says "pool." It says "Tennis Center." But right now, and it's very easy to miss, unless you know where it is, and a lot of the residents do, it's hard to find. But this will hopefully create a sense of place in a location that everybody's mental map as to where the Tennis Center is. And it acts as a nice architectural feature, and we look forward to the development of the overall project.

Mayor Cason: So the neighbors are totally on board; already been through iteration after iteration of meetings?

Mr. Salman: After the first initial meetings, the project was stopped and completely reprogrammed to what you see here today. The only additions have been the re-introduction of the practice wall from that time when the project was stopped in February or so of 2013. And the development of some additional landscape in direct response to some groups of residents that live in the area to help screen the tennis facility across the golf course from the residents who live on Granada, and those particular issues had been incorporated into the bid set and are

a part of the contract that is before you for approval today. So far we have e-mails (electronic) and records from all the residents who were in objecting to the project now currently in agreement.

Mayor Cason: So there's three sources of funding then, NRP funds. This was originally --

Mr. Salman: Right.

Mayor Cason: -- where the renaissance -- and I see there's, apart from the County GOB funds and there's some from capital?

Mr. Salman: Correct.

Commissioner Keon: What was the last --?

Mayor Cason: Capital improvements. Our capital improvement.

Mr. Salman: And these are carryover funds from 2012. I believe they we're asking for a relocation; although, that's not my job.

Mayor Cason: Any discussion?

Commissioner Keon: I am. When we met yesterday with Javier, I had a number of questions about it. You checked on the spacing between the courts and it's appropriate for the site?

Mr. Salman: Yes, I did.

Commissioner Keon: OK.

Mr. Salman: And I met briefly with Robert. I have another meeting with him after this to make sure that all his comments are incorporated in the project.

Commissioner Keon: All right. I really questioned why there was an entrance facility near Anastasia, because it's not where any of the parking is. My concern was, is that you're going to encourage parking along the swale, and whatever, if you can enter at that site. I don't know why you need that entrance, why you need an entrance there when there is, you know, when you can have a single entrance and exit where the one currently exist.

Mayor Cason: Did the neighbors have a problem with that entrance where it is? Was that brought to their attention? Did they focus on...?

Mr. Salman: Yes, it was, and no, they did not.

Commissioner Keon: Well, I hope you don't encourage parking on the swale because of it.

Mr. Salman: Well, we are increasing the amount of ground cover landscaping as part of the project along Anastasia, so we'll actually limit the amount of green swale area that's going to be there.

Commissioner Keon: OK. Neighbors are aware of that, the entrance feature that you're going to have there, that entrance feature that you're showing there that's going to run along Anastasia?

Mr. Salman: Yes, ma'am. They were here at the...objecting neighbors were here at the Historic Preservation meeting that Dona Spain, Historic Preservation Committee had, and it was there that I reached out to them and then met with them on site. They are fully aware of the presentation, very similar to the one that you're getting today.

Commissioner Keon: And the only other thing that when we spoke yesterday, I really, I find disappointing is that in redoing this, that you didn't meet with, or there was no attempt to talk to the people that actually play tennis there or the users of the facility before you redesign and redo a facility. I think, going forward, I think it's really important that you when you redo any one of the facilities in the City, that you ought to meet with the people that use the facility for their input. You know, two of the biggest issues at that center are the parking and the clubhouse, and neither one of those are being addressed in this \$2 million. Is that right?

Mr. Salman: That is correct. Those aspects of the project were looked at as a second phase to this project; that had not ever received any funding. We are aware of the existing situation with parking that needs to be resurfaced as soon as possible; the existing building is somewhat inefficient in its layout; has a lot of circulation space and very little usable space, and it is not optimal for its intended function.

Commissioner Keon: Now, and it's not ADA (Americans with Disabilities Act) compliant either. So I don't know what's triggered by the money you're going to put \$2 million into a project. Are we going to be required to come into compliance, the ADA compliance on that building?

Mr. Salman: Technically, no, because we're not, we're bringing everything that we're touching into compliance. So all the paving, all the access ways are being brought up to ADA standard. For example, this sidewalk will now connect with the existing sidewalk and create a level surface all the way up to and around this area into the building to the elevator, which is here.

Commissioner Keon: But the elevator's not ADA compliant?

Mr. Salman: No, it's not. But this is not part of the scope of this work.

Commissioner Keon: I know.

Mr. Salman: It's not part of the scope of this work.

Commissioner Keon: But does the expenditure of a certain dollar threshold on a facility trigger a requirement that something be ADA compliant, the other features, or no?

Craig Leen: My understanding is that all of our public facilities have to be ADA compliant.

Mr. Salman: Yes, they do, but this particular building, we're not touching any aspect of the building. It's only the playing surfaces.

Commissioner Keon: I understand that, but I'm asking you is if you rebuild a portion of a project, of a facility and you spend, is there a threshold at which you are required to make all of it ADA compliant?

Mr. Salman: If it would be making any improvements to the building itself, you would have to do it, but I don't think it applies if you have to.

Commissioner Keon: Not to the other parts of the property?

Mr. Leen: Well, I have not been asked to look at that, so I'd have to take a look at it. But generally, you know, as a matter, we're a government entity; we have a duty for things for which we open to the public, like athletic facilities, they have to be ADA compliant. But I should also say there's a settlement agreement that we have with the federal government, which is a number of years old, so I'd have to take a look at that. I know that they're well aware of that. Public Works enforces

it. And I'd have to look at...I think what you're talking about, sometimes there are buildings that are grandfathered where you don't, or that you have more time to make changes or when you reconstruct the building, then you have to make it ADA compliant. Sometimes this comes up with historic buildings, too. I think that's what you're saying, but I need to know more about this situation before I could give you an opinion.

Commissioner Keon: OK. Well as we move forward, would you look into that, please?

Mr. Leen: Yes. Of course.

Mr. Salman: The way the ADA works at least with regards to buildings, is if you do more than "X" percentage of renovations and it's a percentage of its replacement value, then you have to bring the building into complete compliance, and they have Title One, Title 2, Title 3 level of compliance. Being a government agency, you are under the most strict... In which case, anything that is reasonable to be brought into compliance, and then that's that word "reasonable", which is always a bone of contention, needs to be done. However, since the building is not technically ADA compliant, but it is technically accessible and there is another issue, because it does have a second floor and it does have an elevator. It's not that the elevator is compliant with current ADA, but it does have one, so it is accessible. Therefore, only upon really doing work on the building will you be required to then reach that maximum level of compliance. At least, that's how I've seen it in other projects that I've done for other municipalities.

Commissioner Keon: OK. That's fine. We can move forward. I would still like for the City Attorney to look at the ADA compliance issue.

Mr. Leen: We have outside compliance counsel, Kerry Nichol. I would just ask that you send it to her and get her opinion and copy me and I'll talk to her about it.



Mr. Salman: We will. Not a problem.

Mayor Cason: OK.

Commissioner Lago: Sir, real quick, in regards to our meeting in reference to LED (Light-Emitting Diode) lighting and grants from the USTA for upgrades to the facility, I spoke to my uncle; he forwarded me the contact information and actually copied me on an e-mail that's been sent to the City Manager in reference to having a walk-through on the site. We're going to try to attack the issues of potentially getting some grant monies from the USTA, and also making sure that we put the LED lights; that we meet the proper requirements and hopefully, we can get the funding for the LED lighting, so that the whole project can have LED lighting, excuse me. So you'll be getting that information. I think it was already forwarded to you, so hopefully, we can set up a meeting to see how we can offset some of the costs.

Mr. Salman: That'd be great.

Commissioner Lago: All right.

Mayor Cason: OK. Any more discussion? Do we have a motion? H-2.

Commissioner Lago: I'll make the motion.

Mayor Cason: Vice Chair makes the motion.

Commissioner Quesada: Second.

Mayor Cason: And Commissioner --

Commissioner Lago: Quesada.

Mayor Cason: -- Quesada seconds it. City Clerk.

Commissioner Quesada: Yes.

Commissioner Keon: Yes.

Vice Mayor Kerdyk: Yes.

Commissioner Lago: Yes.

Mayor Cason: Yes. Thank you.

Mr. Salman: Thank you.