

**Greenbrook at Kendall, Inc**  
**d.b.a**  
**Greenbrook Pools**

1550 Madruga Avenue  
Suite 408  
Coral Gables, FL 33146

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***The Federal Legislation (Virginia Graeme Baker Act) & the Revisions of State Laws (Chapter 64E-9 Public Swimming Pools): Existing Violations of the Country Club of Coral Gables Swimming Pool***

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August 4, 2009

City of Coral Gables  
Public Works Department  
2800 SW 72<sup>nd</sup> Avenue  
Miami, Florida 33155

Dear Mr. Ernesto Pino,

Here is a summary of the Federal & State laws, and an explanation of the cost-effective construction strategy I suggested:

**Mandatory Federal Requirements for Entrapment Avoidance:** Effective Dec. 20, 2008, the Virginia Graeme Baker Pool and Spa Safety Act (VGBA) requires that:

(I) Each public pool, both new and existing, shall be equipped with drain covers conforming to the ASME/ANSI A112.19.9 -2007 Standard.

The Country Club of Coral Gables pool's existing main drain does not conform to the above standards. Therefore, it must be replaced with a drain that meets the ASME/ANSI Standard.

(II) Each public pool with a single main drain, both new and existing, shall be equipped with one or more additional devices or systems designed to prevent suction entrapment that meet the requirements of any applicable ASME/ANSI Standard or applicable consumer product safety rule. In addition to a compliant drain cover, such additional devices or systems include a safety vacuum release system (SVRS), or suction limiting vent system, or gravity drainage system, or automatic pump shutoff system, or drain disablement, or other system determined by the CPSC to be equally effective in preventing suction entrapment.

The Country Club of Coral Gables pool has a single main drain, and therefore, to comply with the VGBA, in addition to a compliant drain cover, it must be equipped with one of the approved additional anti-entrapment devices.

In addition to the Federal requirements described above, the Country Club of Coral Gables pool must also comply with Florida Chapter 64E-9.

**Mandatory State Requirements for Entrapment Avoidance:** Florida Chapter 64E-9 was recently amended to include subsection (f) which states, all pools built without a main drain collector tank must be retrofitted with a properly sized and piped collector tank as described in the collector tank definition, the first paragraph of 64E-9.005, 64E-9.007\*8), and 64E-9.007(10) on or before the following dates to eliminate direct suction through the main drain. 1. For all pools, including wading pools, except spa type pools, with a main drain grate water depth of 4 feet or less, construction shall be completed, on or before one year from the effective date of this rule; ... and for all other pools, retrofit by July 1, 2013. ... 4. Pools that cannot be retrofitted by these dates shall be closed on or before these dates.

**Therefore, the only anti-entrapment additional device or system that embraces both Federal and State law is a gravity drainage system that utilizes a collector tank.** Other devices such as an automatic pump shut-off are only costly and short-term answers. Furthermore, other devices such as the SVRS are not available remedies to the Country Club of Coral Gables pool (only available to pools using circulation pumps that are less than 10 HP).

#### **TOTAL COSTS: \$33,000-\$36,000**

(Total Costs include engineering, plans, and the materials and labor necessary to retrofit a properly sized and piped collector tank for the Country Club of Coral Gables (and replacing the existing main drain to comply with the VGBA)

#### **ADDITIONAL LINE ITEMS:**

- Repairing the Expansion Joint **\$6,000-\$8,000** (includes structural engineering, necessary plans approved by DOH, and all materials and labor)
- New *Diamond Brite* pool plaster **\$28,000** (includes all prep work including but not limited to score cutting and retiling Olympic lap lanes on floor of pool, replacing trim tile on stairs, and all materials and labor)
- Replace Non Working Lights (**\$500 per light**)

**Upon signing Agreement, Greenbrook can mobilize and have a set of plans delivered to the Dept. of Health for approval within one week. The Dept. of Health has 30 days upon receiving the plans to approve or request revisions. Greenbrook can order Collector Tank and other materials to avoid additional delay after receiving approval from Dept of Health and submitting to City of Coral Gables for permitting.**

**Thank you,**

**Adam Frenz**  
Greenbrook Pools  
1550 Madruga Ave., Suite 408  
Coral Gables, FL 33146  
305.322.4242 mobile  
305.661.0707 office  
305.230.3500 fax

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***Who We Are:***

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*Greenbrook Pools* (hereinafter “Greenbrook”) has built thousands of pools over the last three decades. In fact, we have been constructing commercial and residential pools from Key West to Palm Beach since 1976. However, what we are truly proud of is that we have finished every job we have started and that the key members of our team have remained the same.

Our shared vision and dedication to the utmost standard is what has kept our team together. Every member of our team shares an obligation to be completely thorough in every task, and will do whatever it takes to complete our projects to the maximum criterion.

*Greenbook* has received numerous awards including, the National Pool & Spa Design Award and was voted Best Luxury Pool Builder in South Florida by Luxury Pool Magazine. We have also been featured on the cover of several periodicals including, *Open House, Florida Architecture, Miami Home Décor, Pool and Spa News, Ocean Drive Magazine, and Pool and Spa Living*.

Our pools have been featured on various television shows including, *Home & Garden TV*, which revealed a special segment on *Greenbrook*. The piece included *Greenbrook*’s innovative fully functioning pools, an interview with *Greenbrook*’s two partners Ira Grabow and Frank Goni, and candid dialogue with some of our pleased clients.

The *Greenbrook* team has worked hard to develop a network of trusted sources over the last three decades. This provides us with the ability to deliver our projects in a timelier manner then other builders. Our commitment to excellence and our willingness to do whatever it takes is why we build the best spas, best water features, and best pools in South Florida.

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## ***Clients:***

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### **Some Recognizable Clients:**

Oprah	Cher	Madonna
Dan Marino	Gloria Estefan	Sly Stallone
Jimmy Johnson	Jon Secada	Paulina Rubio
Rosie O'Donnell	Shawn Marion	Penny Hardaway

### **Some Commercial Clients:**

Aloft	Albury Court	Aqua
Banyan Court	Beachside	Bentley Bay
Coral Lagoon	Duval House	Egret Condominium
Emerald Bay	Espirito De Santos Plaza	Fairmont Turnberry
Fisher Island	Fontainebleau	Hawks Nest
Hyatt	Indigo Reef	Intercontinental Hotel
Jupiter Yacht Club	Kawama Beach Resort	Key Colony Point
Oceanside Marina	Parrot Kay	Peninsula II
Renaissance Dadeland	Ritz Carlton	Santa Maria Hotel
South Point Lofts	Sunset Key	The Grande Condominium
Tranquility Bay	Tranquility II	Turnberry Isle
Westin (Coral Gables)	Westin (Key West)	

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***Where We Have Built & Who We Have Worked With:***

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**Some of Our Project Locations:**

Fisher Island	Star Island	Indian Creek Island
Gables Estates	Dilido Island	Palm Island
Key Biscayne	Aventura	Ocean Reef
Key West	Jupiter	Islamorada
La Gorce Island	Tahiti Beach	Sunset Harbor

**Some of the Companies We Have Worked With:**

* Lennar	Turnberry Associates	Gryphon Construction
Coastal Construction	Estoril, Inc	Cabi Developers
** Ocean Properties / N. S. Construction	Graham Companies	Floridian Builders
Max Strang AIA	Craig Reynolds AIA	Raymond Jungles
Charles Harrison Pawley AIA	DL Porter	Miller & Solomon
Miami-Dade Parks & Recreation	City of Miami	Miami-Dade County
Miami Airport	D'asign Source	Weitzer Associates
Wallace Tutt Construction	The Singh Companies	Aultman Construction
Coscan Construction	Stathis Construction	Oxford / Universal
Tracy Construction	Islamorada Buidlers	CDC Construction
Pinecrest Development	East Coast Construction	Shoreline Construction
Alliance Construction	Cornerstone	Tom Pope AIA
Bender & Associates AIA	Michael Miller AIA	Mike Ingram AIA

*\* (Lennar) Sole pool builder for all residential and commercial pools (Dade Division)*

*\*\* (Ocean Properties / North South Construction) Sole pool builder for all pools on Sunset Key Island*

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## *References:*

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### **ESPIRITO SANTO PLAZA:**

**Description:** Renovation of the Outdoor Fountains  
**Year Completed:** 2009  
**Address/Location:** Espirito Santo Plaza  
1395 Brickell Avenue  
Miami, Florida 33131  
**Website:** [www.espiritosantoplaza.com](http://www.espiritosantoplaza.com)  
**Customer Contact:** **Joseph Senker**  
Estoril, Inc.  
Vice President of Operations  
**Preferred Method:** **305.219.1301 Mobile**  
Espirito Santo Plaza  
1395 Brickell Avenue, Suite 200  
Miami, Florida 33131  
[jsenker@espiritosantoplaza.com](mailto:jsenker@espiritosantoplaza.com)  
305.371.3500 Main Office  
786.999.8001 Direct  
305.219.1301 Mobile  
305.381.6347 Fax

### **THE FONTAINEBLEAU:**

**Description:** Construction of Elevated Pools & Spa  
Construction of New Fountains  
**Year Completed:** 2008  
**Address/Location:** Fontainebleau  
4441 Collins Avenue  
Miami Beach, Florida 33140  
**Website:** [www.fontainebleau.com](http://www.fontainebleau.com)  
**Customer Contact:** **Michael Bauer**  
Turnberry Associates  
Vice President of Construction  
**Preferred Method:** **305.807.6070 Mobile**  
Turnberry Associates  
19501 Biscayne Boulevard, Suite 400  
Aventura, Florida 33180  
[Mbauer1@gmail.com](mailto:Mbauer1@gmail.com)  
305.807.6070 Mobile

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## *References (continued):*

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### **PENINSULA II:**

**Description:** Construction of Elevated Pool & Spa  
Construction of Elevated Pond and Glass Waterfall  
Construction of Fountains

**Year Completed:** 2008

**Address/Location:** Peninsula II  
3301 NE 183<sup>rd</sup> Street  
Aventura, Florida 33180

**Customer Contact:** Charlie Adams  
Gryphon Construction  
Project Manager for 31-story luxury high-rise

**Preferred Method:** 786.286.1140 Mobile  
Gryphon Construction  
3300 Corporate Avenue, Suite 110  
Weston, Florida 33331  
[chasadam@bellsouth.net](mailto:chasadam@bellsouth.net)  
954.217.1501 Main Office

### **PARROT KEY RESORT / TRANQUILITY BAY I & II RESORT POOLS:**

**Description:** Parrot Key: Construction of Courtyard Pools (4 Pools)  
Tranquility Bay: Construction of Courtyard Pools (2 Pools)

**Years Completed:** 2006-2008

**Address/Location:** 2801 North Roosevelt Boulevard  
Key West, Florida 33040

**Website:** [www.parrotkeyresort.com](http://www.parrotkeyresort.com)

**Customer Contact:** Brian Botsford  
Botsford Builders, Inc.  
President

**Preferred Method:** 305.587.9988 Mobile  
Botsford Builders  
937 107<sup>th</sup> Street Gulf  
Marathon, Florida 33050  
<http://botsfordbuilders.com/>  
[brian@botsfordbuilders.com](mailto:brian@botsfordbuilders.com)  
305.743.5994 Main Office  
305.796.9644 Office

## Rodriguez, Joe

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**From:** Pino, Ernesto  
**Sent:** Wednesday, August 05, 2009 8:06 AM  
**To:** Pounds, Michael; Rodriguez, Joe  
**Subject:** FW: Greenbrook Pools - Country Club of Coral Gables Swimming Pool Construction  
**Attachments:** Greenbrook Pools - Described Scope of VGBA and FL Code Requirements.pdf; Greenbrook Pools Company Profile.pdf

Mike/Joe,

Subsequent to Joe's meeting with Greenbrook at the Country Club this past Monday and my conversation with Adam Frenz, they agreed to submit their recommendations on the work that must take place to comply with the VGBA. This Pool Company seems to have considerable experience with the work that needs to be done to comply with the Act.

Please refer to the attachments for their recommendations.  
Let me know when we can meet to discuss the options.

Thanks.

Ernesto R. Pino, R.A., LEED AP  
Assistant Director  
Public Works Department  
City of Coral Gables  
Phone: 305 460-5004  
Fax: 305 460-5080

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**From:** Adam Frenz [mailto:[adamfrenz@gmail.com](mailto:adamfrenz@gmail.com)]  
**Sent:** Tuesday, August 04, 2009 3:20 PM  
**To:** Pino, Ernesto  
**Cc:** Ira  
**Subject:** Greenbrook Pools - Country Club of Coral Gables Swimming Pool Construction

Ernesto,

Attached is the explanation of how the Country Club of Coral Gables Pool is affected by the Federal Legislation (VGBA) and revisions to state law (Chapter 64E-9 - Public Swimming Pools), and the benefits of the construction summary we discussed in your office yesterday afternoon. I also included the price range for the collector tank construction and main drain replacement, expansion joint repair, new *Diamond Brite* pool plaster, and light replacement. Lastly, I also attached our Company Profile along with references (all of which were checked when we were awarded the Venetian Pool Restoration Project).

Thank you,

Adam Frenz  
Greenbrook Pools

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