



# At Dockside

*A Monthly Publication of The Ballena Bay Townhouse Association #1*

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**Protecting property values and the quality of life in Ballena Bay – December 2007**

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## *President's Message*

*By Richard Bacigalupi*

The November 8<sup>th</sup> meeting was very productive beginning with a homeowner Q&A session regarding the rewritten by-laws. The candid comments and suggestions were helpful. As stated in Board's letter you received, it was decided to suspend the vote to allow for additional homeowner review and, where applicable, suggestions can be incorporated in the by-laws or by additional amendments.

As the first meeting of the new Board positions and 2008 budget were approved. The Board positions are listed at the end of the Dockside. The 2008 Annual Budget Disclosures Statements have been mailed. Included was an Explanatory Letter from the Board to address anticipated questions. If you have not received the annual budget information please contact Ric Perez. While compliance to the new laws require a much larger report from years past, the benefit is that homeowners are more informed.

A homeowner had given the Board information regarding earthquake risk and insurance coverage that was discussed. As the association does not currently have earthquake coverage (or funds budgeted) Ric Perez was asked to obtain quotes from our current broker with consideration of the information provided. The insurance coverage available and cost will be shared when it is received.

At the beginning of the meeting Board was given a petition from a group of homeowners contesting the validity of the past election of directors. The Board requested Ric Fong, the association's legal counsel, to review the petition and prepare a response to the membership. Members should have received Mr. Fong's response mid November. If you did not receive a copy please contact Ric Perez. This is a legal matter and the Board the will follow the recommendation of our legal counsel to ensure that the association follows the proper due process.

There are a few other items that should be mentioned.

1. Vehicle Break-In – There was a car broken into on Ballena Blvd last month. We had this problem earlier in the year and it appears to be starting again. In this instance it occurred in a carport. Everyone should take preventive steps to keep your vehicles locked and the property as lighted as possible. If you see anything strange or suspect be sure to call the Alameda police.
2. Access to Board Minutes – An inquiry was made as where past board minutes can be found. A part of their service Massingham is to maintain copies of past board meeting

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Massingham & Associates Management, 2247 National Avenue Hayward, CA 94545  
[ricp@massingham.com](mailto:ricp@massingham.com)



minutes that can be accessed via their website. Now saying this, it has been noted that the site is not updated. Massingham has been requested to correct this situation. Prior to moving to Massingham minutes were maintained on the BBTA website. With the change to Massingham use of this site is being evaluated.

- 3. 'Round-The-Island' -- At this time there has been no volunteers to host the event. Unless volunteers step forward the New Year Day event will be canceled. This event has historically been organized and supported by homeowners who volunteer their homes to host one of the stops. While as homeowners many of us have volunteered our homes and/or been willing participants, it is not an association sponsored event. If someone is interested please let the Board know and we do what we can to help.

It has been an interesting start for the new board. While the effort to invalidate the election and mention of a recall has been distracting, please know that the Board is focusing on fulfilling our responsibilities as directors of the association. I believe that the messages from the individual directors that follow demonstrate that everyone is working toward addressing the association's needs. I look forward to seeing you at the December 13<sup>th</sup> meeting. If you cannot attend, on behalf of the Board, I want to wish you and your family a Happy Holiday and the Best for 2008.

**Treasurer Message**

By Gary Flanigan

BBTA Treasurer's Report  
October 31, 2007

Balance Sheet (Setting aside the interfund transfers):

Current Assets		Current Liabilities	
Cash	\$78K	Prepaid Assessments	\$10K
Dues Receivable	12K	Accounts Payable	<u>    K</u>
Misc Prepays	<u>  11K</u>		
Total	\$101K	Total	\$10K

**Income/Expense Statement**

The income items over budget YTD by \$3,400 (almost all late fees). Expenses over budget YTD by \$15,600. The expense items over significantly over budget:

Legal - Consultations	\$ 13,300
Reserve Study	\$ 4,400
Landscaping	\$ 20,600
Roof Repairs	\$ 1,500
Wave Maze Repair	\$ 2,700



There are a number of expense items under budget, primarily due to timing issues-e.g. insurance premiums not yet due. This also includes seasonal expenses, such repairs that are typically done in the drier months.

#### Comment on the Budget

We decided to keep the dues essentially unchanged (relative to the dues and special assessment of last year combined) because we believe that this is the correct level for the dues for the long haul (adjusted for inflation). We have done an analysis of the monthly cost per household of all of the associations expenses, whether related to operating or reserve expenses. The cost comes out very close to \$600. We have set the dues at \$605.

However, we still need to deal with the under funded reserves-essentially the wear & tear and reduction in useful life of our assets for which we have put aside nothing to repair when the time comes. We believe that the dues are at a correct level, and funding the reserves should be done via a special assessment.

#### Special Assessment Process

We have developed several 30-year cash flow projections, each of which leads to a fully funded reserve over time. The first funds the reserves over time, but leaves the marina loan in place. The second funds the reserves over time and also pays off the marina loan. The cash flows for two scenarios have been submitted to our accountant who has prepared a Funding Study for each alternative.

We plan to circulate for a vote these two proposals. If one should get 41 votes (a majority of all the homeowners) it would be considered approved by the homeowners. If neither proposal achieves this majority, we will then submit the one which received the most votes as a simple yes or no proposal to the community.

While this process will take several months, we feel that it provides the homeowners with the most flexible way to express their preferences.

#### ***Waterside***

*By Terry Klaus*

So far we have experienced a mild winter and with respect to docks and landings, there have been only minor repair issues. As I write, Topper Industries is finishing the upgrades to the wave maze which includes added perimeter floatation and larger pile-guide tires that was prior approved by the Board. While the system was floating well following some maintenance cleaning, the need to move forward on this upgrade was debated. The committee advised the upgrade should provide added protection against the future occurrences of debris and silt accumulation and minimize the need for management and future Boards to deal with such



occurrences. Much knowledge was gained along the way regarding probable causes. For now, the topic may be discussed in future articles.

Please advise Massingham of any waterside concerns you may have so they may be addressed as soon as possible.

### ***Architectural and Landside***

*By Jay Cherrie*

Before moving on to some news and updates, here is an invitation and request. I'm looking for a few volunteers to serve on the Architectural Committee for our Association. Audrey Kramer is our first volunteer (thanks!). Who else would like to join the fun? We have a request in the queue so there will be important work to do immediately. Please contact me at [justjayc@hotmail.com](mailto:justjayc@hotmail.com) or at 510-864-1709 if you would be interested in this helping out.

You've probably noticed a lot of activity regarding the upkeep of our 'physical plant' lately, particularly if you live on Cola Ballena where units 421 – 455 have had their much-needed siding work completed and are in the process of, or about to begin the process of, being painted. Also, roofing repairs have been completed on 1203, 1223 – 1233 Ballena Blvd. as well. (My next door neighbor's work looks great!) Unfortunately, the full slate of roof repairs was reduced somewhat by the failure of Indian Summer to arrive on its usual schedule. Each step of the roofing process requires time before the next part can begin, which in turn requires dry weather and temperatures above a certain level. The forces of nature (fog, rain, etc.) did not allow for the necessary amount of time so there are some units that must have their repairs deferred until 2008. We'll be working on a schedule for the upcoming year and will share that information as soon as possible to those who are still awaiting the roof workmen.

On the road, there are a number of streetlights that are not working and their repair has been requested:

- Between 348 & 346 Tideway
- Between 406 & 408 Tideway
- Between 326 & 328 Tideway
- In front of 334 Tideway

Also in roadway news, those of you at the 'circle end' of Tideway may have noticed the Ballena Isle apartments painting numbers on parking spaces. The three spaces that are on our property have had the numbers removed so they will not be assigned to apartment owners. These spaces, along with others in the complex, are awaiting new signage to clearly indicate to others that the parking there is restricted to our homeowners. Stay tuned for progress on this front.

Finally, thanks for your patience and for your support in the funding of the repairs to the buildings and Association's infrastructure. Although we have much yet to do, it is good to see the work in progress.



## *Landscape*

*By Erik Coker*

On 11/28 the committee met with the landscape company and spent over 3 hours walking through the neighborhood addressing the following issues.

- Debris left around and in foliage after weekly work complete and overly watered lawns.
- Marked old and dead plants with Orange paint which are to be removed in near future. We are working on replacements
- Reviewed quotes for clean up in common areas. 415-421 was requested to be approved ASAP due to need to complete before painting begins on homes. 455-459 Cola and 314-320 Tideway are also on the list recommended to be approved.
- Reviewed quote for tree trimming. 465 Cola Eucalyptus were prioritized and sent to board for urgent approval. Various other trees at 310,324,332 & 334 either have disease and/or in need of trimming. We are awaiting for the remainder of quotes to arrive to make recommendations to the Board

Our committee consists of Bev Partridge, Kathy Walker, Isabella Foster, Pat Corrigan, Pat Faustman, Patti Klaus and I. Please be patient with us and feel free to let any of us know any issues you would like addressed. You can e-mail me direct at [erikc@cokerpump.com](mailto:erikc@cokerpump.com) and I will forward on.

## *Classifieds*

Got something to sell? Advertise it here for free!  
Forward your ad to [dickbacigalupi@hotmail.com](mailto:dickbacigalupi@hotmail.com)

## *Editorials & Homeowner Submissions*

Do you have an article for the Dockside? We welcome your submissions. Please forward in electronic format to [dickbacigalupi@hotmail.com](mailto:dickbacigalupi@hotmail.com). If you would like to receive the Dockside via email please contact Ric Perez at Massingham & Associates. [ricp@massingham.com](mailto:ricp@massingham.com)



**BBTA Board & Property Management Contact Information:**

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***Property Manager***

**Massingham & Associates Management** (Management Company)

2247 National Avenue, Hayward, CA 94545

Ric Perez (Property Manager) (510) 780-8587, ext. 308 ricp@massingham.com

Office (510) 780-8587

FAX (510) 780-7535

**Emergencies:**

Business Hours 8:30 am – 5:30 pm (510) 315-7316, ext. 350

Non Business Hours (510) 780-8587

***BBTA Board 2007/2008***

Richard Bacigalupi	President	Communication & Legal
Jay Cherrie	1st Vice President	Architectural & Landside
Terry Klaus	2nd Vice President	Waterside
Gary Flanigan	Treasurer	
Erik Coker	Secretary	Landscape

**CALENDAR**

BBTA Board of Directors Meeting 7:30 PM Ballena Bay Yacht Club	Second Thursday of Each Month
Special Meeting Count Votes for By-Law Restatement	Re-Scheduled TBA
BBTA 'Round the Island	Cancelled at this time
Community Garage Sale	TBA
Community Social / Picnic	TBA
Annual Meeting	TBA

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