



# 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 – June 2008**

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## *President's Message*

*By Richard Bacigalupi*

The last meeting focused on homeowner questions and comments regarding the Restated By-laws and proposed amendments. Richard Fong, our attorney, was on hand and responded to questions and comments. During this time it was revealed that a homeowner had sent their comments to various homeowners via email. Mr. Fong was asked to prepare a written response to the email so that his comments could be shared with homeowners who did not attend the meeting. A copy of his letter was included with your ballot. In response to homeowner input at the meeting two proposed amendments were added to the ballot: extending a director's term from one to two years and increasing the board from five to seven members. There were no changes to the draft of the Restated By-laws distributed with the March Dockside. I want to thank all the homeowners for their participation during this process.

The ballot for you to vote was mailed on June 3<sup>rd</sup>. Contact Lori Johnson at Massingham if you have not yet received your ballot. It is composed of two parts. First, vote to approve the Restated By-laws and second, to individually vote to approve each of the eight amendments. Six of amendments were recommended by our attorney to bring our By-laws in line with newer associations. They are the same as those that were distributed last October and in the April Dockside. The remaining two amendments were suggestions from homeowners as mentioned above. You are asked to vote to approve each amendment. The Restated By-laws and each amendment must receive a vote in favor by the majority (41) of the homeowners to be approved.

It is important that you carefully follow the voting instructions, especially signing the exterior envelope (below the return address), so your vote is valid. Ballots can be mailed or hand delivered but must be received at Massingham and Associate's office at 2247 National Avenue, Hayward, CA 94545 by July 9, 2008. Ballots will be counted and the results announced at the July 10, 2008 meeting. Please do not forget to vote as your vote is important. This has been a long process but with its completion we will have taken the first step in updating our association's governing documents.

At the last meeting the board approved Tree Sculpture as our new landscape company. The quote process was a success as we now have a much more responsive company who will provide an expanded service at a lower cost. Seven quotes were obtained with the landscape committee having onsite interviews with the top contenders. I want to thank the Landscape Committee for their time and diligence in improving an important part of our community. Pat Faustman's comments in the Landscape section describe the work Tree Sculpture has already done to date.

The next meeting is June 12th. The closed executive session will begin at 7:00 PM with the general meeting starting at 7:30 PM. I look forward to seeing you.



**Treasurer Message**

*By Gary Flanigan*

Recognizing that a financial summary in the Dockside must because of space limitations, be a very high-level analysis, the BBTA Balance Sheet and Income Statements are now available on the Massingham Website. This allows those with sufficient interest to examine the financial state of the association in greater detail. To access the financial documents, select (from the left side of the page) Financial Info, and then Treasurer’s Report. The May financials have not yet been provided. Certainly I will report on May 31 numbers at the 6/12 meeting. For the benefit of those who are satisfied with a briefer analysis, as of April 30, 2008 (net of interfund transactions):

**Balance Sheet**

Setting aside the interfund transfers:

<u>Current Assets</u>		<u>Current Liabilities</u>	
Cash	\$81K	Prepaid Assessments	\$16K
Dues Receivable	17K	Accounts Payable	3.5K
Misc. Prepays	17K		
Bad Debt Allowance	(3.5K)		
Total	\$111.5K	Total	\$19.5K

**Income/Expense Statement**

The income items over budget YTD totaled \$2K. Expenses were under budget YTD by \$9.5K. The only expense items significantly over budget are:

Roof Repairs	\$2K
Refuse Disposal	\$2K

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 which are typically done in the drier months.

**Waterside**

*Terry Klaus - Chairman*

This month’s column is rather brief, but I would like to comment on some ongoing maintenance.

The landing repair at 400/402 Tideway is now complete. The quote to repair the head-float piling on the 449-455 Cola Ballena dock cluster has been approved and we are awaiting a report



from our construction manager as to when the work will be started. Additionally, we are expecting an update the status of the wheels and metal runners to retrofit on various docks.

With the recent high winds the wave maze continues to perform well. Our thanks to Gerald Stone for rescuing the yellow tire float that escaped when a shackle came lose. The waterside committee has since replaced it with a more secure attachment.

With the tendency to be down on your docks during the summer months, please take note of any issues that may need to be addressed. Report any concerns is to our Community Manager, Lori Johnson, at [lorij@massingham.com](mailto:lorij@massingham.com).

Please enjoy the pleasant days ahead and remember to observe a 3 MPH safe/No Wake speed when transiting the channel.

### ***Landscape***

*By Pat Faustman*

Our new landscape company, Tree Sculpture, started Wednesday, May 21st. They have already aerated and fertilized the lawns, picked up the clippings as they mowed the lawns, got our sprinklers working and planted the color circles. They seem very eager to please, and are proud of their work. They have started pruning the plants in a manner which retains natural shape to promote a better look and healthier plants. We will not see overnight miracles; we have many old plants and two years of bad landscape maintenance. Please be patient, and we hope you will see the improvement. Feel free to direct comments or suggestions to the Landscape Committee (Pat Faustman, Patti Klaus, Pat Corrigan, Beverly Partridge, and Isabella Foster).

### ***Community Directory***

*By Dick Bacigalupi*

I want to thank everyone who provided information to update the community directory. The deadline for changes was extended to allow everyone time to notify us of any changes. The final edits are being done and the new directory should be out by the end of this month.

### ***Ballena Bay Community Garage Sale***

The community garage sale was held on Saturday, May 17<sup>th</sup>. Thanks to Sue Cherrie for planning the event and placing the advertising for the second year. There was good traffic with the advertising and signage. Four homes participated, three from BBTA and one from the neighboring association. Because of the low number of homes participating it was suggested that the event be held every two years. This would give homeowners more time to accumulate their “treasures” to sale. The signs were saved and can be reused to reduce future expenses.



**BALLENA BAY TOWNHOUSE ASSOCIATION # 1**  
**BOARD OF DIRECTORS REGULAR MEETING**

Held at the Ballena Bay Yacht Club 1124 Ballena Blvd. Alameda, CA 94501

**MINUTES**  
**MARCH 13, 2008**

**I) ROLL CALL/CALL TO ORDER:**

- 1.1 Board Members Present: Dick Bacigalupi, Gary Flanagan, Jay Cherrie, and Erik Coker
- 1.2 Excused: Terry Klaus
- 1.3 Also Present: Ric Perez of Massingham and Associates, and Roger Pollard of Pollard Unlimited
- 1.4 Various Homeowners

**II) OPEN FORUM:**

- 2.1 Owner Jeff Frankel suggested Jose Garay be added to the list of potential bidders for new landscaping services consideration.
- 2.2 ***MSC-to accept the ACC recommendation to approve a window change (with slight modification-standard size window as opposed to the current larger window) for owner of 455 Cola Ballena.***
- 2.3 ***MSC-to accept the ACC recommendation to approve a front door change for owner of 1215 Ballena Blvd. D. Bacigalupi recused himself from the vote.***
- 2.4 R. Pollard provided two bids for dock repairs (pilings) explaining the methodology and materials proposed. Management suggested that the Board consider investigating how many pilings need repair. D. Bacigalupi to check with the Waterside Committee. A timeline of @ May was proposed unless repairs were needed sooner.
- 2.5 The bid(s) for the dock landing repairs has not been received as yet. If any landings become unsafe R. Pollard to shore them up.
- 2.6 R. Pollard reported the completion of the current phase of siding replacement.
- 2.7 R. Pollard reported that a drain had been replaced on the roof at 409 Cola Ballena, and the arbor at 308 Tideway. J. Cherrie to accept and store in his garage 6 (six) gallons of different touch up paint.
- 2.8 J. Cherrie reported problems with obtaining data from the HOA (hosted by Associa) website.
- 2.9 ***MSC-to approve the executive session and regular meeting minutes of February 14, 2008 as submitted.***
- 2.10 Landscape Committee-Pat Faustman to send additional details (wish list) for addition to specification to be used in soliciting landscape services. Current service provider (Cagwin and Dorward) to be invited to participate in the bidding process. Management to assist in developing timelines for RFPs, walk-thrus, etc. P. Faustman to provide work/removal requests for special work due the HOA for banked hours (for no-show on site) by the landscaper (C&D).
- 2.11 Financial Review-Report given by the Treasurer (G. Flanagan).
- 2.12 ***MSC-to approve the February 2008 financial reports as reviewed but unaudited.***
- 2.13 ***MSC-to approve the regular monthly budgeted reserve contribution.***
- 2.14 D. Bacigalupi reported that the Board approved final draft version of the By Laws had been delivered to the members with the most recent publication of the Dockside (newsletter). It was announced that voting (by the membership) on the proposed changes will occur in or @ May-June 2008.
- 2.15 Comments were made regarding earthquake insurance solicited bids.

Ballena Bay Townhouse Association # 1 Board Regular Meeting Draft Minutes of March 13, 2008

- 2.16 Management was asked to get schedule of approved tree maintenance plan (TMP) awarded to Treeco commencement date.
- 2.17 Management was asked to have R. Pollard address deck/door leak at 412 Tideway.
- 2.18 Management was asked to have R. Pollard follow up on Woodhorse Construction warranty issue on previously performed work in the community.
- 2.19 Owner Jim Ehrlich advised the Board he would provide color names for the paint used (last) at his home. The paint was Fuller O'Brien.

III) **CLOSURE:**

- 3.1 ***MSC-to close the meeting at 8:45 pm. The motion carried unanimously.***

Certified as approved by the Secretary\_\_\_\_\_

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**Ballena Bay Townhouse Association #1**  
**BOARD OF DIRECTORS MEETING**  
**April 10, 2008**  
**MINUTES**

***HOMEOWNER CONCERNS:***

Several owners attended to speak about the governing document revision but Attorney Richard Fong did not attend as scheduled. The issue will be brought to the next regular meeting

***CALL TO ORDER:*** The meeting was called to order at 7:45 p.m. Board members present were Terry Klaus, Jay Cherrie and Gary Flanigan. Dick Bacigalupi and Erik Coker were excused Lisa Dial, CCAM from Massingham and Associates was also present.

***COMMITTEE REPORTS:***

***Architecture/Landslide:***

MSC to approve 1225 Ballena deck replacement.

***ACC:*** No action taken.

***Landscape:*** It was noted that three bids for landscape maintenance service have been received and the Board is waiting for three additional bids.

***Waterside:*** No action was taken.

***Financial Report:*** The financial report was provided by Treasurer Gary Flanigan.

***Action Items:***

- 4.1 – By Law Final Draft Rewrite Q&A – Attorney Fong did not show up so the Board will place this item on the next regular Board meeting agenda for review.
  - 4.2 – Update of Building Repair Projects Summary – Roger Pollard attended to present several bids for review.
  - 4.3 – Dock and Piling Repair Bids – Motion Seconded and unanimously carried to approve the repair bids from Silicon Valley Builders. Motion seconded and carried to approve a pile wrapper bid in the amount of \$1,000.
  - 4.4 – Approval of Board and Executive Session Minutes – Motion seconded and carried to approve the Board minutes of March 13, 2008, and Executive Session minutes of February 14, 2008 and March 13, 2008.
  - 4.5 – Landscape Management Contract – The Board would like additional bids to review before a final decision is reached.
  - 4.6 – Master Package Insurance Renewal – Motion seconded and carried to ratify the approval of the insurance package.
  - 4.7 – Earthquake Insurance Bid Request – no action was taken.
  - 4.8 – Homeowner Correspondence Request (308 Tideway) – The information was reviewed by the Board.
- The Board motioned seconded and carried to include the financials on the website. The board motioned seconded and carried to have Ric mail out violation letters as noted on site inspection reports.

***MSC to extend the architectural application for 330 Tideway to replace the concrete between his home and neighbors for 60 days.***

There being no further business to come before the Board of Directors, it was moved, seconded and unanimously carried to adjourn the meeting at 8:40 PM.

Prepared by Lisa Dial, CCAM ~ Massingham and Associates

Approved By: \_\_\_\_\_ Date: \_\_\_\_\_

Approved By: \_\_\_\_\_ Date: \_\_\_\_\_

Next Meeting: May 8, 2008

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