



At Dockside

A Monthly Publication of The Ballena Bay Townhouse Association #1

Protecting property values and the quality of life in Ballena Bay – July 2008

President's Message

By Richard Bacigalupi

The main agenda item for the July 10th meeting will be the tallying of the votes for approval of the restated by-laws and the related amendments. Mail in ballots must be received by Massingham no later than the close of business July 9, 2008. **Be sure to sign the white envelope.** Unsigned envelopes will not be counted. If you are unable to attend the meeting be sure to mail your ballot within the designated deadline. A homeowner can also deliver their ballot to Lori Johnson, the election inspector, at the beginning of the July 10th meeting. A homeowner can only hand deliver their own ballot. A hand delivered ballot should be in the white envelope (signed by the homeowner) with the yellow envelope inside.

The June meeting was very informative. In addition to the day-to-day reporting regarding the association, homeowners shared valuable information. Roger Pollard reported that the landing repair at 400-402 was completed and is investigating warranty issues regarding the roofs on 1209-1223 Ballena Blvd. and repair done at 400-422 Tideway. Ethan Authrey, the Area Manager for Tree Sculpture, introduced the new landscape company and took questions. He received positive comments from members on the improvements seen in the short time Tree Sculpture has been working.

The topic of earthquake home retro fit and safety was discussed when Andy Hall shared the proposal he received from B. Meyer (a local engineering company) for strengthening his house foundation (see B. Meyer & Co Proposal attached). Andy noted that many homes have the same situation and suggested if a homeowner is interested that they contact the company. An Earthquake Team for earthquake preparedness and safety was also discussed. Elise Hall, who has had firsthand experience in this area from the Oakland hills fire, volunteered to chair and Brad Jones and Terry Klaus offered their assistance. The formation of the team is included on this month's meeting agenda.

In a warning to others, a homeowner on Cola Ballena stated that there was a home break in while she was home. While she frightened the intruder away, it was a very scary situation. She expressed that part of the problem was that she initially thought the noise was from a workman. To avoid this in the future our construction manager has been instructed to notify homeowners whenever authorized workmen will be present. Everyone is also asked to inform your neighbors when you plan to have workers at their home. Unfortunately, while we live in a very trusting community we cannot control the individuals traveling through.

The next meeting is July 10th. To give time to count votes the general meeting will begin at 7:00 PM with the executive session following.

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. For the benefit of those who are satisfied with a briefer analysis:

Balance Sheet

Setting aside the interfund transfers:

<u>Current Assets</u>		<u>Current Liabilities</u>	
Cash	\$84K	Prepaid Assessments	\$14K
Dues Receivable	19K	Accounts Payable	3K
Misc. Prepays	16K		
Bad Debt Allowance	(3K)		
Misc. Receivable	1K		
Total	\$117K	Total	\$17K

Income/Expense Statement

The income items over budget YTD by \$2.5K, split evenly between late fees and interest income. Expenses were under budget YTD by \$16K. This is largely due to work we have authorized but have not yet been billed for. The only expense item significantly over budget is roof repairs at \$2K.

Waterside

Terry Klaus - Chairman

June was rather quiet on the waterside but the contractor was on-site to sleeve a rotted head-float piling on the 449-455 Cola Ballena dock cluster. Additionally, our construction manager reported the metal runners and wheels were finally placed on order and we are awaiting receipt of them to move forward on installation. These will be fitted on the older Brock dock clusters. Once complete this will close all open maintenance issues.

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.

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

Architectural and Landside

By Jay Cherrie

Those of you who have submitted requests for review by the Architecture Committee recently may have noticed some confusion in the process. First, an apology to anyone caught up in the uncertainty and thank you very much for your patience. Massingham has advised the Board that our committee practices do not seem to be completely in line with prevailing statute. Not surprisingly, our CC&Rs also are a little stale so we have some contradictions between our covenants and the recommended practice. For

For letters to the Board or to report needed repairs, use this contact information:
Massingham & Associates Management, 2247 National Avenue Hayward, CA 94545



example, our rules call for an application fee and a response within 30 days of submission to the management company. The committee review must now have more formality to it, meaning committee members must be appointed by the Board and committee meetings must be conducted with prior notice and open to all homeowners.

The good news: our Architecture Committee Charter is OK and has been formally approved by the Board. As we sort through the rules, law and other matters, we'll need to ask for a bit more patience until it all gets worked out. In the meantime, here is the process and what you can expect when submitting a request to modify your home:

- All requests should continue to be on the current form and have the required signatures as well as plan drawings or other materials which give the most and best information possible about the change you intend to make.
- Your initial submission should be sent to Massingham rather than given to a Board member. They will log it and date/time stamp it.
- You will probably receive a 'denial' letter from this initial submission. This is not a rejection of the request, but rather a way to bridge the gap between our 30 day rule and the legal requirement to provide notice for and conduct a public committee meeting.

We'll also be going through a process to seek committee member volunteers and then officially appoint them to the committee in a Board meeting. Those of you who are interested, including those who previously were at our one and only Architecture meeting this year, should indicate your interest in writing to Massingham.

A lot of this may seem like more bureaucracy than is needed and it is certainly more formal than our practice has been in the recent past. The Board has been advised, though, that these changes are needed to avoid possible conflict with statute and to provide the best level of transparency regarding the deliberations and actions of the Board. Thank you in advance for your tolerance and support as we continue to refine the procedures for Architecture.

Landscape

By Pat Faustman

It appears that the maintenance of our lawns has improved. Also, the new landscaper, Tree Sculpture, has started the work of clearing the common areas from the fence to the water. This work should be complete in the next few weeks. This work will be done on a bi-annual basis to keep these areas under control.

The landscape committee is working on a plan to submit to the Board for landscaping the entrance on Ballena Blvd. We would like to have all of this complete in time to plant in the fall.

Other

Do you have an article for the Dockside? We welcome your submissions. Please forward in electronic format to dickbacigalupi@hotmail.com. If you would like to receive the Dockside via email please contact Lori Johnson at Massingham & Associates. lorij@massingham.com.



Classifieds

FREE HOT TUB – Call Beverly at 865-2574

Got something to sell? Forward your ad to dickbacigalupi@hotmail.com

BBTA Board & Property Management Contact Information:

Property Manager

Massingham & Associates Management (Management Company)

2247 National Avenue, Hayward, CA 94545

Lori Johnson (Property Manager) (510) 780-8558 lorij@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 Second Thursday of Each Month
7:30 PM Ballena Bay Yacht Club

24th Annual Part Street July 26 – 27, 2008
Art & Wine Faire

Community Social / Picnic TBA

Fleet Week October 10 – 12, 2008

Annual Meeting TBA

BALLENA BAY TOWNHOUSE ASSOCIATION # 1

Executive Session immediately followed by

BOARD OF DIRECTORS REGULAR MEETING

Ballena Bay Yacht Club 1124 Ballena Blvd, Alameda, CA 94501

July 10, 2008, 7:00pm

AGENDA

I. Call to Order

II. Bylaws Balloting

The Bylaws Ballots will be counted (during the Board Meeting) and results announced before adjournment of the Board Meeting. The Inspector of Elections, Lori Johnson, of Massingham & Associates, will need two (2) homeowner volunteers to assist with the counting of the ballots and to verify and certify the accuracy of the results of the Bylaws ballot count.

III. Homeowner's Open Forum and Invited Guests

Invited Guest, Roger Pollard, Construction Manager – Mr. Pollard will give an update of the ongoing repair projects in the Association.

IV. Management Reports

A. Manager's Report

B. Property Review Report

C. To Do List

D. Annual Plan

V. Review of Financial Statement for June 2008

VI. Items Requiring Board Review

A. Architectural Committee

- a) **Report** – A verbal report will be given by the Board Member guide and advisor to the Architectural Committee. Any action by this Committee will be through an Agenda item listed below, if any.
- b) **Architectural Application - 459 Cola Ballena Emergency Deck Repair** – Board will ratify the emergency deck repair Architectural Application approval for 459 Cola Ballena.
- c) **Architectural Application – 447 Cola Ballena** – The Board will discuss this Architectural Application to "Expand upstairs bedroom, build out under entry balcony to support existing structure which is settling [and to] enclose carport area and add second story rooms."
- d) **City Approval of Architectural Changes** – The management company will report on the City of Alameda requiring HOA approval prior to issuing a homeowner a permit for the requested Architectural Changes.

B. Landscaping Committee

- a) **Report** - A verbal report will be given by the Board Member guide and advisor for the Landscaping Committee. Any action by this Committee will be through an Agenda item listed below, if any.
- b) **Common Area Clean up between 334 and 340 Tideway** - City Approval of Architectural Changes – The management company will report on the City of Alameda requiring HOA approval prior to issuing a homeowner a permit for the requested Architectural Changes.
- c) **Cleanup of Common Area Between 334 and 340 Tideway** – The Board will discuss the clean up of Common Area Willow Tree Between 334 and 340 Tideway Drive. The Board will also review a letter from an affected homeowner and discuss the proposal for cleaning the vines, debris and animal nests in and around the tree, as well as thinning the tree to promote a healthy condition.
- d) **Common Area Waterside Fence Locks** – The Board will discuss the adding of combination locks to the waterside common area fences. It is proposed that all combination locks have all the same combination and that all homeowners, the landscaper, management company, fire and police

BALLENA BAY TOWNHOUSE ASSOCIATION # 1

Executive Session immediately followed by
BOARD OF DIRECTORS REGULAR MEETING

Ballena Bay Yacht Club 1124 Ballena Blvd, Alameda, CA 94501

July 10, 2008, 7:00pm

AGENDA (CONTINUED)

departments have the combination.

- e) **Trash Can Maintenance at End of Tideway** - Trash can is not being emptied and area has become an eyesore. The Board will discuss what may be done to keep the trash can emptied on a regular basis and keep the area tidy.

C. Waterside Committee

Report - A verbal report will be given by the Board Member guide and advisor to the Waterside Committee regarding repairs and work orders, if any. Any action by this Committee will be through an Agenda item listed below, if any.

D. Board's Report Regarding 06/24/08 Planning Meeting

- a) Based on the funds available, the Board will make a decision as to which roofs and buildings the Association can afford to complete in 2008. Roger Pollard is to be instructed to obtain quotes as soon as possible so work can begin. Consideration is being given to the roofs for 401-407 and 409-415 Cola Ballena, and paint and repairs for the remaining six (6) units at 300-314 Tideway.
- b) A Building Maintenance Plan is being prepared and the final version will be distributed to the membership soon.

- E. Proposed Safety Committee - The Board of Directors will be considering the formation of a Safety Committee, whose purpose will be to prepare an emergency drill group regarding earthquake preparedness for the Association. Terry Klaus, Board Director has expressed his interest in being the Board's liaison and advisor to the committee. Elise Hall has expressed her interest to be considered for heading up the Safety Committee. Brad Jones has expressed his interest in being a member of this committee. Any other homeowners wishing to be a member of this committee are encouraged to inform the Board at the Board Meeting or let Massingham & Associates know of their request to be on the committee.

- F. Construction/Repair Work and Related Security Issues - The Board will discuss remedies (in addition to the homeowner notification policy currently in place) for additional security measures before and when vendors are onsite to make repairs to units.

VII. Items Requiring Board Action - Approval of Executive and Regular Board Meeting Minutes from June 12, 2008

VIII. Next Meeting Date & Location - 08/14/08, Ballena Bay Yacht Club 1124 Ballena Blvd, Alameda, CA 94501

IX. Adjournment

PLEASE NOTE: The Board of Directors may adjourn into Executive Session at the beginning and/or end of the regular Board Meeting.

Executive sessions of the Board are private sessions which homeowners are not allowed to attend. Executive sessions are provided for by statute so that boards can address issues which involve privileged information or matters of a private nature. Civil Code §1363.05(b) These include Litigation, Formation of Contracts, Disciplinary Hearings, Personnel Issues, and Payment of Assessments.

Who May Attend Executive Session? Directors, managers, recording secretaries, association attorneys, members subject to disciplinary action as well as witnesses called by either side (but only for that portion of meeting involving them), and others invited by the board (such as vendors bidding on a project) may attend executive session meetings.

BALLENA BAY TOWNHOUSE ASSOCIATION #1

Board of Directors Meeting

7:00 P.M. May 8, 2008

Ballena Bay Yacht Club, 1124 Ballena Blvd., Alameda, CA

MINUTES

Board Members Present:

Dick Bacigalupi
Jay Cherrie
Eric Coker
Terry Klaus

Board Members Absent:

Gary Flanigan

Others Present:

Lori Johnson, Massingham & Assoc.
Richard Fong, Esq., Fong & Fong
Roger Pollard, Pollard Unlimited

Note: "MSC" = Motioned, Seconded and Carried

I. CALL TO ORDER

RESOLVED, the Board of Directors called the meeting to order at 7:35pm. MSC (4-0)

II. HOMEOWNERS OPEN FORUM

- A. The homeowners presented issues relating to parking, violations, ongoing repairs around the Association, and the proposed Bylaws.
- B. Lori Johnson, the new Massingham & Associates Manager, introduced herself.
- C. Roger Pollard gave an update of ongoing projects around the Association and answered Board and homeowner questions.
- D. Richard Fong gave an update of the revisions to the proposed Bylaws and answered Board and homeowner questions.

III. COMMITTEE AND OFFICER REPORTS

- A. Architectural and Landside Committee – Chairperson, Jay Cherrie, made the following recommendations, with comments, to the Board:
 1. 330 Tideway – Application to modify their entry way – Recommend approval.
 2. 328 Tideway – Application to replace their window – Recommend approval.
 3. 342 Tideway – Application to replace and expand their deck – Recommend approval, with conditions.
 4. 459 Cola Ballena – Application to extend upper floor over garage roof area – Recommend denial for reconsideration in 30 days.
- B. Architectural Committee Charter ("ACC") – No report given.
- C. Landscape Committee – Chairperson, Pat Faustman, gave the Committee's recommendation to approve the Tree Sculpture contract proposal as the new landscaper.
- D. Waterside Committee – Chairperson, Terry Klaus, made the following recommendations, with comments, to the Board:

416 Tideway – Application to install/replace/repair the boat lift, with conditions listed in letter for homeowner to sign and return, and stating, in sum, if the boat lift damages common area, the homeowner is responsible for repair the damage at his expense.

IV. FINANCIAL REVIEW

Financials for April 2008

NOTED: The Board received the financials late and did not have time to adequately review them, but they will review them and present any questions at the next Board Meeting in July.

BALLENA BAY TOWNHOUSE ASSOCIATION #1

Board of Directors Meeting

7:00 P.M. May 8, 2008

Ballena Bay Yacht Club, 1124 Ballena Blvd., Alameda, CA

MINUTES (CONTINUED)

V. ITEMS REQUIRING BOARD REVIEW/ACTION

A. 330 Tideway – Modify Entry Way

RESOLVED, the Board of Directors approved the Architectural Application from 330 Tideway to modify their entry way, per the Architectural Committee's recommendations above. MSC (4-0)

B. 328 Tideway – Replace Window

RESOLVED, the Board of Directors approved the Architectural Application from 328 Tideway to replace their window, per the Architectural Committee's recommendations above. MSC (4-0)

C. 342 Tideway – Expand Deck

RESOLVED, the Board of Directors approved the Architectural Application from 342 Tideway to extend their deck, per the Architectural Committee's recommendations above. MSC (4-0)

D. 459 Cola Ballena – Extend Upper Level Over Garage Roof Area

RESOLVED, the Board of Directors denied the Architectural Application from 459 Cola Ballena to extend the upper level of their unit over the garage roof area, per the Architectural Committee's recommendations above. MSC (4-0)

E. Landscape Contract

RESOLVED, the Board of Directors approved the new landscaping contract with Tree Sculpture Group, per the Landscaping Committee's recommendations above. MSC (4-0)

F. 416 Tideway – Boat Lift

RESOLVED, the Board of Directors approved the Architectural Application from 416 Tideway to install/replace/repair the boat lift, with conditions listed in letter for homeowner to sign and return, and stating, in sum, if the boat lift damages common area, the homeowner is responsible for repair the damage at his expense; and per the Waterside Committee's recommendations above. MSC (4-0)

G. Board Meeting Minutes

RESOLVED, the Board of Directors approved the Board Meeting Minutes from April 10, 2008. MSC (4-0)

H. Executive Session Meeting Minutes

RESOLVED, the Board of Directors approved the Executive Session Meeting Minutes from April 30, 2008. MSC (4-0)

VI. NEXT MEETING DATE AND LOCATION

The Board set the next meeting date and location as June 12, 2008, at Ballena Bay Yacht Club, 1124 Ballena Blvd., Alameda, CA.

VII. ADJOURNMENT

RESOLVED, the Board of Directors approved adjourning the Board Meeting at 9:23pm. MSC (4-0)

Secretary

Date

B. MEYER & CO

2114 Encinal Avenue
Alameda, Ca. 94501
Tel: 510-522-1626

Lic. #512492

May 30, 2008

PROPOSAL

WE ARE PLEASED TO SUBMIT A BID FOR THE FOLLOWING WORK.

PROJECT

BALLENA BAY PILE REINFORCEMENT
BALLENA BAY
ALAMEDA, CA
BID DATE 5/30/2008

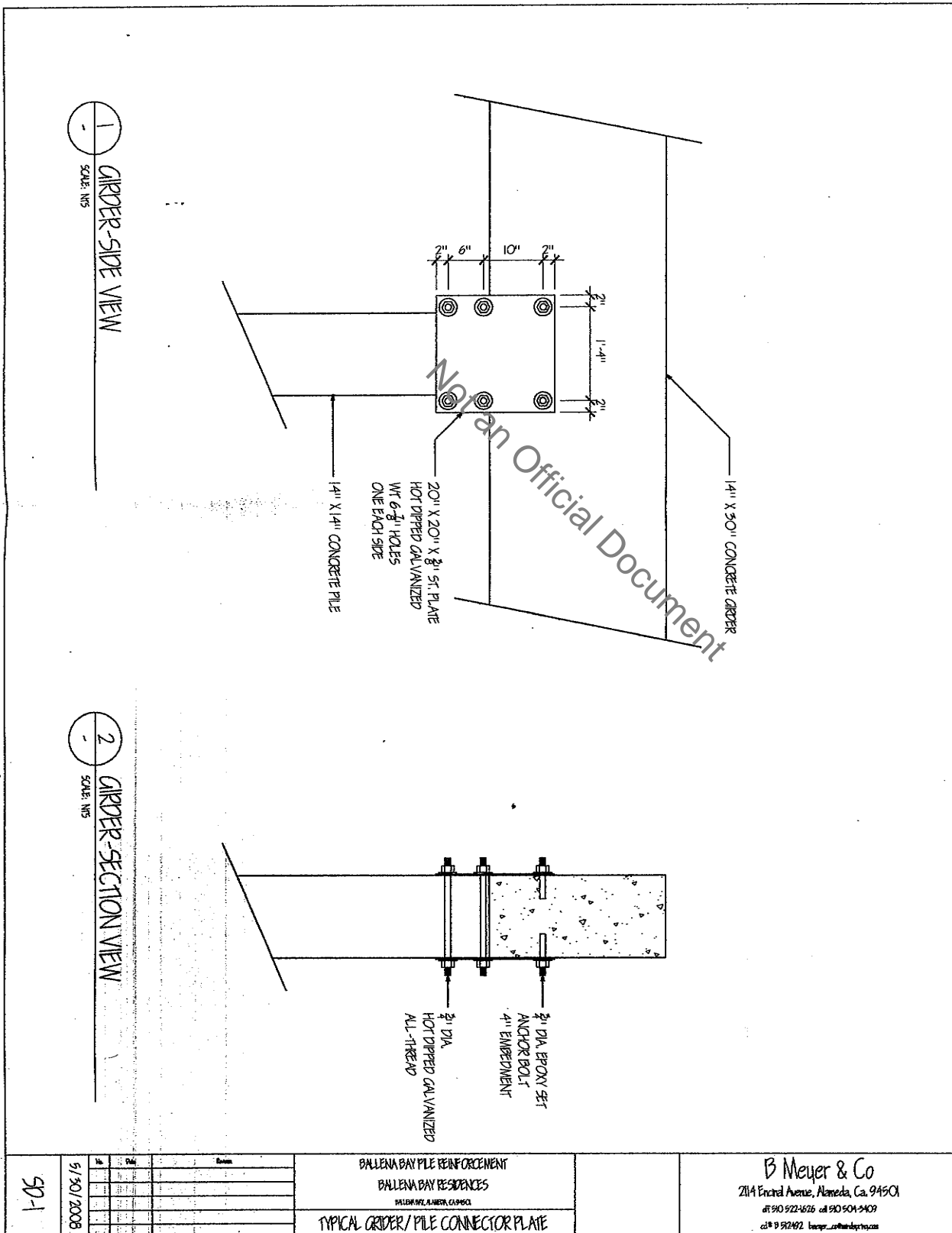
SCOPE OF WORK

1. INSTALL PILE/GIRDER CONNECTOR PLATES AS PER DRAWING DATED 5/30/2008

TOTAL PRICE

\$600.00/PILE

BRENDAN MEYER



1 GIRDER SIDE VIEW
SCALE: NTS

2 GIRDER SECTION VIEW
SCALE: NTS

Not an Official Document

14" X 30" CONCRETE GIRDER

20" X 20" X 3/8" ST PLATE
HOT DIPPED GALVANIZED
WT 6-3/4" HOLES
ONE EACH SIDE

14" X 14" CONCRETE PILE

3/8" DIA.
HOT DIPPED GALVANIZED
ALL-THREAD

3/8" DIA. BRONX SET
ANCHOR BOLT
4" EMBEDMENT

BALLENA BAY PILE REINFORCEMENT
BALLENA BAY RESIDENCES
MILLENWYLANER CASPOL

TYPICAL GIRDER / PILE CONNECTOR PLATE

B Meyer & Co
2114 Encinal Avenue, Alameda, Ca. 94501
dt 910 522-1626 cell 910 504-3409
c# 9 92492 bmepr...@bmepr.com

50-1	DATE	
	BY	
5/30/2008	APP	
	CHECK	
	SCALE	