



At Dockside

A Monthly Publication of The Ballena Bay Townhouse Association #1

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

President's Message

By Richard Bacigalupi

It is not over yet. As you sit back and absorb the results of November 4 we still need to conclude the election of the Ballena Bay Townhouse Association directors. Not to minimize the November 4th results but your vote on November 17th may have a greater impact on your day-to-day life. As explained in the October 13th letter it was necessary that ballot process be redone due to an error in the instructions. By now everyone should have received their new revised "salmon" colored ballot. The voting instructions included with revised ballot clearly state that there is **NO** cumulative voting per our by-laws. When submitting your ballot be sure that you **sign the white envelope in ink**. Ballots received without signatures cannot be counted. Your ballot can be mailed or presented at the November 17th annual meeting. If mailed or hand delivered to Massingham's office it needs to be received at their office by 5:00 PM on Monday, November 17th. Again, your vote is important. We need to satisfy the quorum requirement of 41 (51%) of the associations 80 members to have a valid election. If you have not received a revised ballot contact Lori Johnson, our property manager at Massingham, at (510) 780-8558 immediately.

If you have driven down 300 Tideway or Cola Ballena you will see the building work scheduled for 2008 underway. As with previous repairs a fair amount of siding and trim had to be replaced due to dry rot and age. This is not surprising given the age of the homes and construction at the time. Repairs over the last two years have included improvement in the flashing and use of composite material that will provide a longer life. It is the same for the new roof system that is being installed on the flat roofs on Cola Ballena.

The association faired well with the first rain of the season. There were only two roof leaks reported which were repaired after contacting Massingham. One leak was on a unit on Cola Ballena which will receive a new roof for a permanent fix. Everyone is reminded to call Massingham as soon as a leak is discovered. Roof repair materials can be applied while it is raining.

The last storm is also a reminder to homeowners to prepare their home for the rain season, peculiarly the gutters and chimney caps. Make sure that your gutters and down spouts are clean and the water flow is not restricted. If the gutter backs up it will cause water to flow under the roof flashing resulting in a leak down inside the wall. Take time to go outside and check the condition of the cap over your fire place chimney. When the cap is missing rain water will run down inside the chimney and leak inside the room below. At a minimum it will rust out the metal fireplace. Maintenance and repair of the gutters and chimneys are homeowner's responsibility. While Massingham may respond to an emergency the homeowner will be charged for the service and is responsible for any resulting damage.

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



The board is taking steps to eliminate unauthorized cars parking in the association's designated areas. Installation of new parking signs had been completed for all but three locations. The new signs are in compliance with the new laws which will enable us to implement towing program. While the signs make reference, a towing program is **not** in place at this time. The program will be implemented in conjunction with a new parking policy for the association. The board discussed forming a committee made up of representatives from each street to develop the policy which will be distributed for membership comment prior to finalization. Part of the challenge is that parking is different for each street.

I look forward to seeing you at the November 13th meeting and the Annual Meeting the following week on Monday, November 17th. The November 13th meeting begins with the executive session at 7:00 PM followed by general meeting at 7:30 PM.

Treasurer Message
By Gary Flanigan

Due to the space limitations, the financial summary in the Dockside must be a very high-level analysis. The complete 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 October financials have not yet been provided. Assuming that they will be available, I will report on the October 31 numbers at the November 13th meeting. For the benefit of those who are satisfied with a briefer analysis, as of September 30, 2008 (net of interfund transactions):

Balance Sheet

Setting aside the interfund transfers:

<u>Current Assets</u>		<u>Current Liabilities</u>	
Cash & Short Term CD	\$90K	Prepaid Assessments	\$13K
Due Receivable	25K	Accounts Payable	5K
Misc. Prepays	6K		
Bad Debt Allowance	(3K)		
Total	\$118K	Total	\$15K

Income/Expense Statement

The income items over budget YTD are \$3K reflecting late fees and interest earned on reserve balances. Expenses are under budget YTD by \$20K primarily due to under spending in administration and landscaping expenses and, at lesser amounts, repairs and utilities. Much of the under spending reflects the timing of the receipt of invoices for services or are seasonal expenses that will occur over the remaining months of the year. The only expense items significantly over budget were Roof Repairs for \$1.1K.

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Massingham & Associates Management, 2247 National Avenue Hayward, CA 94545



Capital Reserves

Cash available for capital expenditures as of the end of September was approximately \$194K which does not reflect payment of the building repair and paint and roof replacements planned for 2008. Projecting the payment for this work and the dues received over the remainder of the year Capital Reserve funds available are projected to be approximately \$54K at the end of the year. These funds are available for emergencies and, if not used, will be carried over to help finance capital projects in 2009.

Landscape

By Pat Faustman

The planting at the entrance on Ballena Blvd. is almost complete. We need to put the mulch topper in the planters to finish the job. To keep the cost of the job down, we used one-gallon plants that will fill in over the next year or two. There is a small area in the front of each planter for a little seasonal color. We also planted trumpet vines along the chain link fences at the entrance. The vines will be a nice backdrop to the planters and spruce up the old chain link fences. The vines were donated by a few members of the committee.

We met with the landscape committees from Cola Ballena HOA and Porta Ballena HOA about re-landscaping the median triangle at Ballena Blvd. and Cola Ballena. The junipers seem to be coming back to life, so before we spend the money to remove them and re-plant, we have decided to get a bid to trim out the dead wood and see how they look in the spring.

We are working on a budget for next year for the trees. We have trees that need to be removed or trimmed for human safety and the health of the trees.

As always, if you have any questions or concerns, please call, your landscape committee: Pat Faustman, Pat Corrigan, Isabella Foster, Patty Klaus, Kathy Walker, Beverly Partridge, Erik Coker

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.



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

Annual Meeting and closure of election of BOD Directors November 17 16, 2008
7:30 PM Ballena Bay Yacht Club

Board Meeting to elect Officers December 11, 2008

BALLENA BAY TOWNHOUSE ASSOCIATION # 1
EXECUTIVE SESSION BOARD OF DIRECTORS MEETING, November 13, 2008, 7:00pm
BOARD OF DIRECTORS REGULAR MEETING, November 13, 2008, 7:30pm
Ballena Bay Yacht Club 1124 Ballena Blvd, Alameda, CA 94501

AGENDA

- I. Call to Order
- II. Homeowner's Open Forum and Invited Guests
- III. Management Reports - Manager's Report, Property Review Report, To Do List, and Annual Plan
- IV. Review of Financial Statement for October 2008
- V. Items Requiring Board Review and/or Approval
 - A. Architectural Committee Report
 - a) 451 Cola Ballena – Enclose Carport
 - b) 447 Cola Ballena – Home Repairs
 - c) 459 Cola Ballena – Expansion Over Garage
 - d) 308 Tideway – Dock Extension
 - e) 310 Tideway – Window Replacement
 - f) 340 Tideway – Fence Replacement
 - g) 408 Tideway – Home Improvements
 - B. Landscaping Committee Report
 - a) Cleanup of Common Area Between 334 and 340 Tideway
 - b) Tree Sculpture Photinea Installation Proposal
 - c) Tree Sculpture Ivy Irrigation Repair Proposal
 - d) Tree Sculpture Landscape Maintenance Contract for 2009
 - e) Landscaping Policy
 - f) Tree Sculpture Monterey Pine Removal
 - C. Waterside Committee Report
 - D. Safety Committee Report
 - E. Other
 - a) EBMUD Aggregation Request
 - b) 2009 Draft Operating Budget
 - c) Records Inspection Policy
 - d) Parking Policy
 - e) All Day Towing Contract Proposal
 - f) 1227 Ballena Blvd – Deck Repair
 - g) Wrought Iron Ramp Railing
 - h) Roofs and Buildings Repairs
 - i) Website Cost Increase
 - j) Advanced Construction Technology Lock Replacement Proposal
 - k) Authorization to Record Notice of Delinquent Assessment
 - l) Approval of Regular/Executive Session Board Meeting Minutes
- VI. Next Meeting Date & Location – December 11, 2008, Ballena Bay Yacht Club 1124 Ballena Blvd, Alameda.
- VII. 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. September 11, 2008

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

MINUTES

Board Members Present:

Jay Cherrie
Eric Coker
Terry Klaus
Dick Bacigalupi
Gary Flanigan

Board Members Absent:

Others Present:

Lori Johnson, Massingham & Assoc.

Note: "MSC" = Motioned, Seconded and Carried

I. CALL TO ORDER

RESOLVED, the Board of Directors called the meeting to order at 7:32pm. MSC (5-0)

II. HOMEOWNERS OPEN FORUM

The homeowners presented issues relating to landscaping and violations.

III. COMMITTEE AND OFFICER REPORTS

A. Architectural Committee

Architectural Application – 447 Cola Ballena for Home Repairs

RESOLVED, the Board tabled the Architectural Application for home repairs at 447 Cola Ballena, stating that it has neither been denied nor approved until they may further review the application. MSC (5-0)

B. Landside Committee – Chairperson, Jay Cherrie, had nothing to report on behalf of this committee.

C. Landscape Committee – Chairperson, Pat Faustman, summarized the ongoing landscaping work by Tree Sculpture.

D. Waterside Committee – Chairperson, Terry Klaus, summarized the ongoing work.

IV. FINANCIAL REVIEW

Financials for August 2008

The Board accepted the Financial Reports for August 2008 as presented in their Board Packets. MSC (5-0)

V. ITEMS REQUIRING BOARD REVIEW/ACTION

A. 2008/2009 Election Nominations

RESOLVED, the Board of Directors accepted the following nominee homeowners as candidates for the open positions on the Board of Directors: Pat Faustman, Louann Roth, Carolyn Kubota, Mike Brownlee, Jay Cherrie, Eric Coker, Jeff Frankel, Audrey Kramer, David Wiard, and Mary Gallup. MSC (3-0)

B. Repairs to 304-314 Tideway – Silicon Valley Builders Contract

RESOLVED, the Board of Directors approved the Silicon Valley Builders contract for \$40,448 regarding the repairs to 304-314 Tideway units. MSC (5-0)

C. Painting to 304-314 Tideway – Lupe's Painting Contract

RESOLVED, the Board of Directors approved the Lupe's Painting contract for \$9,900 regarding the painting of 304-314 Tideway units. MSC (5-0)

BALLENA BAY TOWNHOUSE ASSOCIATION #1

Board of Directors Meeting

7:00 P.M. September 11, 2008

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

MINUTES (CONTINUED)

D. Proforma Budget Disclosure Preparation

RESOLVED, the Board of Directors approved the proforma Budget Disclosure Preparation proposal from Massingham & Associates for \$475. MSC (5-0)

E. Authorization to Record Notice of Delinquent Assessment

RESOLVED, the Board of Directors approved the Authorization to Record Notice of Delinquent Assessment for APN 074-1312-008. MSC (5-0)

F. Authorization to Record Notice of Delinquent Assessment

RESOLVED, the Board of Directors approved the Authorization to Record Notice of Delinquent Assessment for APN 074-1312-025, with the condition that it will only be processed through the collection agency if their current pay-off check did not clear the bank by October 16, 2008. Should the check clear the bank prior to that date, the approval of this document will be null and void. MSC (5-0)

G. Board Meeting Minutes

RESOLVED, the Board of Directors approved the Board Meeting Minutes from July 10, 2008, with changes as indicated by Dick Bacigalupi. MSC (3-0, with two abstentions)

H. Board Meeting Minutes

RESOLVED, the Board of Directors approved the Board Meeting Minutes from August 14, 2008. MSC (4-0, with one abstention)

VI. NEXT MEETING DATE AND LOCATION

The Board set the next Regular Board Meeting date and location as October 9, 2008, and the Annual Membership Meeting as October 16, 2008, both to be held at Ballena Bay Yacht Club, 1124 Ballena Blvd., Alameda, CA.

VII. ADJOURNMENT

RESOLVED, the Board of Directors approved adjourning the Board Meeting at 8:26pm. MSC (5-0)

Secretary

Date

Not an Official Document