



At Dockside

A Monthly Publication of The Ballena Bay Townhouse Association #1

Protecting property values and the quality of life in Ballena Bay – August 2013

President's Message by Dick Bacigalupi

The July HOA meeting focused on general association matters. No major actions were taken. The annual repairs for the units scheduled for 2013 have already begun at 400 and 402 Tideway. The board is currently in the process of finding a project manager for our roof repairs and replacements. It was decided that until a project manager is in place we would hold off on roof replacements (the former one unexpectedly quit). We have found it is critical to have a project manager in place to oversee our roofing projects. In addition to assisting in obtaining the best pricing we have the assurance of high quality work. This decision will not place any homeowners at risk as the roofs that were identified with greatest need had been replaced over the last few years. Budgeted funds have been reserved for repairs in the event work on a specific unit is required. Homeowners should call Massingham if there is any sign of a leak.

While no new burglaries have been reported, a couple of potential criminal activities have been observed on the 300 block of Tideway. One was where people were seen walking across the garages and gates. The other is increased car activity in parking lot at the end of Tideway after dark. This has resulted in a lot of trash from drinking and a high probability of illegal drug activity.

Jeff Frankel and David Twiss have been working with the homeowners on Tideway to ensure that all of their security lighting is on from dusk to dawn.

After repeated calls to the police we are starting to see increased patrols in the area. Thanks to the homeowner who has taken the initiative to make this happen. The board is also in the process of placing new updated signs stating the area is private property and is closed after dark. David Twiss and Jennifer Flanigan also held a meeting with the neighboring apartment manager to explore what action we can take together. To help this situation everyone is encouraged to do the following;

1. Lock the windows facing the street where there is access over the garage. It may be an inconvenience on a warm day but it prevents an easy entry for an intruder.
2. Make sure your exterior lighting is working and is on at night.
3. Call the Alameda police whenever you see anything suspicious. This includes people and vehicles. The more frequent the calls the more attention the area will receive.
4. Do not leave anything of value that can be seen in your vehicle. Avoid an open invitation to a break in. Once they learn there is nothing to steal they will go elsewhere.



5. Communicate. Let the board and your neighbors know when there has been a crime or a suspicious event. The more everyone is aware the more everyone can be on the lookout.

I do not mean be a bearer of bad news or write a monthly crime log. Unfortunately a situation is developing in our community we all need to address. While the situation may be the similar to other areas in Alameda, I know we can resolve it by everyone getting involved and working together.

Waterside by Rob Larsen

We have the weather and the divers, so the cleaning and repairs have started on the Ballena Blvd. wave maze. It truly is a job that is never finished. The new solar powered navigational light will be reinstalled within the next couple of days. Just a reminder, there must be access on the head floats to all areas. If you are keeping a kayak, rowboat or dingy on them, you must allow enough room to safely walk around them.

The waterside committee is still looking for volunteers for weekend work on the wave maze and dock repairs. We have a lot of work we try to do ourselves within the community.

If you see anything regarding the waterside that needs some attention, please call or email. Please continue to inspect your and your neighbors dock lines.

Landscape Committee by Pat Faustman

On June 20, 2013, I read an article in the Wall Street Journal about impatiens being hit by blight. We had planted our impatiens two to three weeks earlier. The article described the impatiens as the go to plant for nearly foolproof flowers. This is the reason we have used them for many years for our spring, summer and early fall color. As many of you may have noticed, the flowers in many areas are doing poorly because of this blight, and the landscapers are taking them out. We will try to find a flower to replace the impatiens, or see if they come up with a blight cure.

We have taken out or trimmed back the plants that were growing up to the homes on the 400 block of Tideway to give the construction crew access to the structures.

If you have any questions or concerns about landscaping, please contact the landscaping committee: Pat Faustman, Patty Corrigan, Patti Klaus, Kathy Walker and Isabella Foster.

Treasurer's Report by Ann Kenyon

Please see the attached financial statements.



Communications Report by Lu Abel

Are you a ham radio operator? Jen Flanigan is investigating CERT – a Community Emergency Response Team for our neighborhood in case of a large-scale disaster such as a major earthquake. Cell phones, landline telephones and (most certainly) the Internet will all be down; ham radio operators may be the only means of communication with the outside world. So please email Jen at jgflanigan@gmail.com and identify yourself to her. Your community thanks you in advance.

Landside Report by Jeff Frankel

Covered in Dick's report

A Solar Year in Ballena Bay by Jeff Frankel

First a disclaimer. As many of you know I have recently gone to work for a local solar installer and I want you to know that this is not an advertisement or a pitch for your business in any way. The intent of this article is to share with you our personal experience one year after installing solar panels on our house.

Last August, the association adopted rules governing the installation of solar energy systems in Ballena Bay . You are likely aware that between last July and today, Patty and I as well as nine other homeowners have installed solar panels here in Ballena Bay.

On average, these systems generate about 9,000 kWh per year of electricity offsetting most of the cost of electricity for us and our fellow homeowners. These systems are grid-tied which means that there are no batteries to store energy locally. Instead, the grid (Alameda Power) is used as both a source of energy and a reservoir for excess generated energy. When the sun is shining in the daytime and production from solar panels exceeds (sometimes far exceeds) consumption, that energy is pushed back to the grid and your meter runs backwards - accumulating credit against consumption in the process. At night when the sun is not shining, power is drawn from the grid normally.

Patty's and my experience has been beyond our expectations. When we originally went solar, we sized the system to offset 100% of our historical (\$128/month) usage. At the time, we were using mostly incandescent lights and had a 25 year old washer and drier.

Once we got the system (which included a way to watch consumption and production in real time on the web) we became very aware of our energy consumption patterns and began to think about how to save electricity. In the process, we substituted LED bulbs for most of our incandescent



bulbs and bought an Energy-Star rated washer. We also purchased a couple of smart outlet strips that sense when a computer is off and shuts down printers and other peripherals automatically.

With these changes and a little attention paid to turning off lights, the result has been a 33% decrease in electric energy usage and with a solar production of 9,000 kWh per year, this means a surplus of about 3,000 kWh. [A kilowatt hour is a unit of electrical consumption; it's what your electric meter reads and what your AMP bill states – Ed]

About a month ago, it became clear that it was time to retire our 23-year old, SUV which got only 16 MPG. At \$3.50 per gallon and driving 8,000 miles per year, fuel was costing us about \$1,750 annually.

With a 3,000kWh electric surplus on our hands, we decided to follow the lead of a couple of our fellow homeowners and buy a Nissan Leaf, an all-electric car (there are 3 in the neighborhood now).

The Leaf has an EPA rating for combined city and highway driving of 2.8 miles per kWh. In local driving, I'm getting more like 4.2. At that rate, our electric surplus should provide enough fuel for 12,000 miles of annual driving.

The bottom line for us is that our solar panels are not only providing us with all the electricity we need for \$5.38 per month (Alameda Power's minimum charge), it also is providing the lion's share of our automobile fuel.

In the capacity of neighbor, fellow homeowner and solar enthusiast, I invite your questions and discussion about energy savings, electric cars and the like.

If you want to see what our system is doing right now, point your browser to:
<http://71.146.133.185/Footprints.html>



**Property Manager Contact Information
Massingham & Associates Management (Management Company)
1855 Gateway Blvd, Suite 300, Concord, CA 94520**

David Boone (Property Manager) davidb@massingham.com
Joseph Schmalenbach (Community Assistant) josephs@massingham.com (925) 405-4722
Office (925) 405-4900
FAX (925) 405-4747
Emergencies:
Business Hours 9:00 am – 5:00 pm (925) 405-4900
Non Business Hours (925) 405-4900

Board Members:

President	Dick Bacigalupi	dickbacigalupi@hotmail.com	510.521.2426
Vice-President/ Landside	Jeff Frankel	jfrankel@pacbell.net	510.769.6096
Secretary/ Architectural	Jennifer Flanigan	jgflanigan@gmail.com	
Treasurer	Ann Kenyon	kenyon2@pacbell.net	
Landscape	Pat Faustman	pgfaustman@gmail.com	
Communications	Lu Abel	luabel@ymail.com	
Waterside	Rob Larsen	relarsen@comcast.net	

CALENDAR

BBTA Executive Committee August 20, 2013
7:00 PM Ballena Bay Yacht Club

BBTA Board of Directors Meeting August 20, 2013
7:30 PM Ballena Bay Yacht Club

BBTA Executive Committee September 17, 2013
7:00 PM Ballena Bay Yacht Club

BBTA Board of Directors Meeting September 17, 2013
7:30 PM Ballena Bay Yacht Club

For letters to the Board or to report needed repairs, use this contact information:
Massingham & Associates Management, 1855 Gateway Blvd, Suite 300, Concord, CA 94520
davidb@massingham.com

**Ballena Bay Townhouse Association
Income and Expenses Compared to Operating Budget
As of June 30, 2013**

Income & Expenses:	Actuals	Budget	Favorable/ (Unfavorable) Variance	Comments
Total Income	\$338,219	\$331,250	\$6,969	Income from Late Fees = \$6.1k over budget.
Expenses:				
Administrative Expense:				
Bank Loan	\$68,713	\$68,700	(\$13)	
Bad Debt Expense	\$0	\$10,000	\$10,000	Bad Debt Expense booked at end of year by CPAs.
All Other Administrative Expense	\$3,469	\$4,541	\$1,072	
Total Administrative Expense	\$72,182	\$83,241	\$11,059	
Insurance	\$21,301	\$21,250	(\$51)	
Utilities (Electric and Water)	\$3,724	\$5,850	\$2,126	Timing of billings.
Landscaping & Irrigation	\$20,558	\$26,900	\$6,342	Timing of when work is performed & billings received.
Repair & Maintenance	\$8,278	\$8,550	\$272	
Professional Services:				
Audit & Tax Services	\$1,390	\$750	(\$640)	Year end review work is completed in 1st Qtr. of year.
Legal Services	\$10,067	\$7,500	(\$2,567)	Legal fees for collections more than anticipated by \$2.9k.
Management Fees & Misc. Services	\$14,484	\$14,184	(\$300)	
Taxes	\$10	\$275	\$265	
Reserve Funding	\$81,375	\$162,750	\$81,375	See Note 1 below.
Total Expense	\$233,369	\$331,250	\$97,881	
Total Net Income	\$104,850	\$0	\$104,850	

Cash Accounts:

Operating Funds	\$148,422
Reserve Funds	\$183,383
Total Cash Accounts	\$331,805

Other Noteworthy Items:

Members Receivable	\$106,366
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Note 1: Massingham has switched to a new payment system. Because the budgeted reserves do not go through the regular invoice payment process the transfers to the reserve account were not made in April - June. Transfers to the Reserve Fund for months of April thru July will be made in July and will be correct going forward.

Delinquent dues assessments from homeowners as of June 30, 2013. Total cost to each homeowner represents an average of \$1,330.

BALLENA BAY TOWNHOUSE ASSOCIATION NO. 1

Board of Directors Meeting

7:30 P.M. August 20, 2013

Ballena Bay Yacht Club, 1150 Ballena Blvd, Alameda, CA 94501

AGENDA

1. **Call to Order** 7:30 p.m.
2. **Homeowner's Open Forum** 7:30 p.m.
3. **Secretary's Report** 7:45 p.m.
Once approved and signed by the secretary the regular meeting minutes will be available for homeowner's viewing and placed in the corporate record book.
4. **Treasurer's Report** 7:50 p.m.
The law requires the board to review and accept the reconciled financial statements at least once per quarter.
5. **Management Report** 8:00 p.m.
Action Items
 - A. Approval of July 16, 2013 Regular & Executive Session Minutes
 - B. Review of Financial Statements for July 2013
 - C. Review Strongroom Procedures and Timelines – New Check Approvers
 - D. Approve Collection Actions
 - E. Write Off Bad Debt
 - F. Discuss Requiring Owners to Submit Lease Agreements to the Board
 - G. Review Float Policy & Float Agreement
 - H. Review Roofing and Siding Project
 - I. Review Parking Issues and Policy
 - J. Architectural Committee Report – 435 Cola Ballena
 - K. Review Landscaping Committee Report
 - L. Review Landside Committee Report
 - M. Review Waterside Committee Report
 - N. Review Neighborhood Communications Committee Report – Garage Sale and Picnic
 - O. Review Community Preparedness Committee Report
6. **Next Meeting Date & Location** – September 17, 2013, Ballena Bay Yacht Club, 1150 Ballena Blvd, Alameda.
7. **Adjourn** 8:50 p.m.

BALLENA BAY TOWNHOUSE ASSOCIATION NO. 1

Board of Directors Executive Session

7:00 P.M. August 20, 2013
Ballena Bay Yacht Club
1150 Ballena Blvd, Alameda, CA 94501

AGENDA

1. **Call to Order**

2. **Items Requiring Board Action**
 - A. Review and Approve Collection Actions
 - B. Review Legal Issues
 - C. Review Contracts
 - D. Review Disciplinary Matters - Hearings
 - E. Discuss New Business

3. **Adjournment**

Executive sessions of the board of directors are provided by statute so boards can address issues involving privileged information and matters of a private nature. As a result, members do not have a right to attend executive sessions. As provided for in [Civil Code §1363.05\(b\)](#), boards may go into executive session for the following matters:

1. Legal Issues. This preserves [attorney-client privilege](#), litigation strategy and settlement strategies for current and potential litigation matters. The association's attorney does not need to be present either in person or by phone for the board to meet in executive session to discuss legal issues.
2. Formation of Contracts. Boards may consider matters relating to the [formation of contracts](#) with third parties.
3. Disciplinary Hearings. Boards should meet in executive session for all [disciplinary hearings](#). The accused member is entitled to attend the executive session for that portion of the meeting dealing with member's hearing.
4. Personnel Issues. Personnel matters which include, but are not limited to, hiring, firing, raises, disciplinary matters and performance reviews.
5. Payment of Assessments. Board may meet with members in executive session to discuss requests by delinquent members for [payment plans](#).
6. Foreclosure. The decision to initiate foreclosure shall be made only by the board of directors of the association and may not be delegated to an agent of the association. The board must approve the decision by a majority vote of the directors in executive session. [Civ. Code §1367.4\(c\)\(2\)](#).

BALLENA BAY TOWNHOUSE ASSOCIATION NO. 1

Board of Directors Meeting

7:30 P.M. Ballena Bay Yacht Club, 1150 Ballena Blvd, Alameda, CA

MINUTES June 18, 2013

Board Members

Dick Bacigalupi*	President	Term expires 2013
Jeff Frankel	Vice President	Term expires 2014
Ann Kenyon	Treasurer	Term expires 2014
Jennifer Flanigan	Secretary	Term expires 2013
Rob Larsen	Director	Term expires 2013
Pat Faustman*	Director	Term expires 2014
Lu Abel	Director	Term expires 2014

MSC = Means a **Motion** was made, **Seconded** and **Carried** *denotes absence

Also present was David Boone of Massingham & Associates Management, Inc. and the owners present on the sign in sheet.

Call to Order: The Board of Directors Meeting was called to order at 7:34 P.M. by Vice President Jeff Frankel.

Homeowner Forum: An open forum was held. One owner brought concerns about making sure all demands are being made concerning current sales. The Board explained that the Board is taking all possible actions to collect past due assessments.

Minutes: After careful review it was **MSC** to approve of the May 21, 2013 Regular Session minutes with corrections and Executive Session minutes as presented.

Financial Statements: The Board **tabled** the review of the Financial Statements for the period ending May 31, 2013 to allow questions by the Treasurer to be answered and corrections to be made.

Bad Debt: There were no accounts for the Board to consider writing off as bad debt at this meeting.

Submission of Lease Agreements: The Board discussed the benefit of possible fines for owners who do not submit lease agreement to the Board as required by the CC&Rs. Management presented a draft of a New Owner/Tenant Information form and Jeff Frankel asked that some of the language and if management could condense it to one page. He also stated that he would review it for conformation with the new CC&Rs.

Float Policy and Agreement: Discussion on this was **tabled** until the next meeting so that Waterside Chair could review the agreement.

Roofing and Siding Project: Committee Chair Jeff Frankel reported to the Board on the status of the 2013 roofing, siding and painting projects as well as the status of Construction managers Avelar and Associates. A bid for replacing some concrete driveway sections at 324 Tideway and 411 Cola Ballena was presented to the Board. These sections were lifting because of roots from association trees. After careful review it was **MSC** to approve spending \$4,800.00 to have Jiminez Concrete, Inc. replace these sections.

Architectural Committee: Three Architectural Applications were submitted to the Architectural Committee. 415 Cola Ballena applied to replace their garage door, 427 Cola Ballena applied to replace a sliding glass door and bedroom window. 412 Tideway submitted an application to install a boat hoist. The

Ballena Bay Townhouse Association No. 1

Board of Directors Meeting Minutes

June 18, 2013

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Architectural; Committee recommended approval of the applications from 415 and 427 and it was **MSC** to approve those two. The committee and the Board had some concerns about how the hoist would be installed and as such it was **MSC** to approve this application with language added to ensure that the hoist was not supported by the dock in any way and simply attached by rope.

Landscape Committee: Committee chair Pat Faustman was not present to give her report.

Waterside Committee: Rob Larsen and Dick Bacigalupi reported on the status of the wave maze and docks.

Adjournment/Next Meeting: With no further business before it the Board adjourned at 8:46 p.m. The next regular Board of Directors meeting was set for July 16, 2013 at 7:30 p.m. at the Ballena Bay Yacht Club.



Director Signature



Date