



# 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 – October 2013**

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## *Neighborhood Crime Watch Presentation*

There have been several incidents in BBTA, especially on Tideway, in the last few months. David Twiss has arranged for an Alameda Police representative to give a presentation on how to report suspicious activity, increasing your home's security, and what they can do to help us at the beginning of the regular Board meeting at 7:30 on Tuesday, October 15<sup>th</sup>. See attached flyer.

## *President's Message by Dick Bacigalupi*

The major point of business at the September meeting was the election of directors for the upcoming year. Directors serve for two years, but their terms are staggered. Three of the seven directors will complete their two years terms this October. Directors are forbidden by our CC&Rs to run for re-election. In response to the association's "Call for Candidates" Gary Flanigan and John Finston were the only individuals who submitted Nomination Forms. As allowed under our governing documents Gary and John were declared elected to the board by default, eliminating the need and cost of a ballot process. The new board is allowed to fill the remaining director position by appointment. If you are interested in serving as a director contact David Boone at Massingham immediately. With the experience of the four continuing directors and the addition of Gary and John we will have a strong board. The new board's term will begin immediately following the October 15<sup>th</sup> meeting.

Everyone is asked to be considerate of your neighbors when working on projects that make noise. One benefit of having our boat outside the back door is the convenience in doing the ongoing maintenance. When performing the tasks that create noise please be considerate enough not to schedule them early in the morning or in the evening so not to disturb your neighbors sleeping or enjoying their decks. The noise travels over the water and is easily heard throughout the neighborhood. Care should also be taken to avoid environmental issues when working near the water.

This will be my final message as President as my term ends at the October meeting. I want to thank all the homeowners for the support you have given the board this past year. A special thanks goes to my fellow directors. It has been a very enjoyable and productive year. On a limited budget Pat Faustman and her Landscape Committee has improved the appearance and maintenance of our common area. On the Landside, Jeff Frankel has brought the repair and maintenance of our homes up to a higher standard and on schedule. Through Jennifer Flanigan and her Architectural Committee homeowner requests were promptly reviewed enabling homeowners to timely complete their projects. As Treasurer, Ann Kenyon was behind the scene reviewing our financials and correcting errors as they occurred. Rob Larsen on the waterside made dock repairs and worked with divers to keep the wave maze afloat. Lu Abel needs to be commended in pursuing his fellow directors ensuring the Dockside was informative and distributed monthly. My personal thanks to all of you for all the time you gave our community. You made my job easy.



***Waterside Report by Rob Larsen***

We had the weather but not the divers. The company that has been sending divers to us for the cleaning and repairs for the wave maze are without divers. We have contacted Topper Industries for evaluation and possible repairs. The waterside committee will try to maintain the current performance level of the wave maze. If you have any anchor chain that you would like to donate for wave maze repair, please call me at (510)522-4020.

A ramp that separated from its landing on Cola Ballena has been repaired by Sykes Construction.

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.

***Landscape Committee by Pat Faustman***

Our landscapers will begin putting bark around all of the trees where the impatiens were taken out. This will be done in the next few weeks.

We had a meeting with our arborist last week to get his recommendations on trimming and tree health for Fall and Spring. He will be micro injecting the Holly Oaks on Cola Ballena with iron, manganese, phosphorus and potassium to help encourage stronger tree health and help the trees come out of their stressed condition. The holly oaks should be treated in the Fall. We will be injecting the Pear trees on Tideway in February with a merit injection to the root zones that take up the systemic insecticide. This treatment will prevent the aphids from becoming established. The pears will be trimmed as soon as they start to get the new leaf growth. Finally, we will be taking down the Monterey Pine between 441 and 435 Cola Ballena that has been dead for years. We had not previously taken it because a pair of Great Blue Herons were nesting in the tree. The birds have not been back in a few years, so we will use the opportunity to take it down.

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.

***Communications Report by Lu Abel***

We received no new ads for the Virtual Garage Sale this month. Diane didn't make it clear, but if you want your advertisement to be re-run, please email her or me.



*Treasurer's Report by Ann Kenyon*

No report.

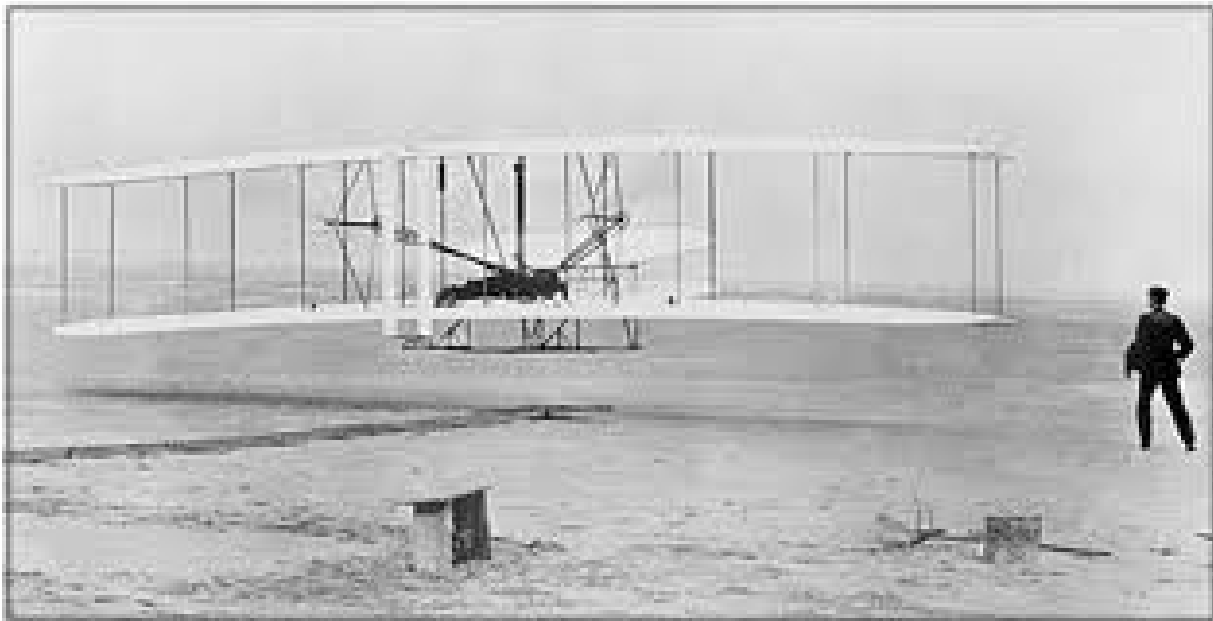
*Landside Report by Jeff Frankel*

The siding work on the 400 block of Tideway is now complete. Lupe's painting is on-site and by the time you read this painting will be well underway.

Once 2013 work is complete, the Association will look for a new construction manager to oversee our 2014 projects (our former manager unexpectedly resigned earlier this year, delaying some of the work we had hoped to accomplish this year).

Next year and for one or two years thereafter the Association will shift its siding and painting focus to Cola Ballena. Roofing work will resume on the 300 block of Tideway in 2014.

*The Coast Guard and the First Flight by Lu Abel*



This is one of the most famous photographs of the 20<sup>th</sup> century. Taken on December 17, 1903, it shows the first flight of the Wright Brother's airplane at Kitty Hawk. There's Orville at the controls and Wilbur running alongside the wingtip.



But wait – if Orville and Wilbur are both in the photo, who took it? A member of the Kill Devil Hills Life Saving Station, an element of the US Life Saving Service which a decade later merged with the Revenue Cutter Service to become the US Coast Guard!

As America and its commerce grew during the 19<sup>th</sup> century, so did shipwrecks. Many wrecks were the result of ships being driven onto the shore by storms. The government established a series of shore-side stations where muscular Life Saving Service members rowed heavy lifeboats through the raging surf and out to distressed vessels to save those aboard.

But it was a lonely and boring life. The Outer Banks of North Carolina were not crisscrossed with roads and tourists the way they are now. What to do when off duty? Members of the Kill Devil Hills station became curious about a pair of young inventors messing first with gliders and finally with a “flying machine” a half mile away (the Wrights spent several winters in Kitty Hawk experimenting with gliders before adding power to one). So a friendship grew, with off-duty men helping the brothers. The Wrights eventually even erected a flagpole visible to the life saving station and ran up a red flag when they could use help.

And thus it was on 17 December 1903, when the brothers ran up the red flag and three members of the station came down to help Wilbur and Orville. Orville gave surfman John T Daniels his camera who moments later snapped the famous photo above.

Do you believe in fate? JT Daniels died four and a half decades later in 1948 – one day after Wilbur died.



Members of the Kill Devil Hills Life Saving Station pose in their formal uniforms



**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](mailto: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/ Jeff Frankel jfrankel@pacbell.net 510.769.6097  
Landside  
Secretary/ Jennifer Flanigan jgflanigan@gmail.com  
Architectural  
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 October 15, 2013  
7:00 PM Ballena Bay Yacht Club  
  
BBTA Board of Directors Meeting October 15, 2013  
7:30 PM Ballena Bay Yacht Club  
  
BBTA Executive Committee November 19, 2013  
7:00 PM Ballena Bay Yacht Club  
  
BBTA Board of Directors Meeting November 19, 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](mailto:davidb@massingham.com)

**Ballena Bay Townhouse Association**  
**Income and Expenses Compared to Operating Budget**  
**As of August 31, 2013**

Income & Expenses:	Actuals	Budget	Favorable/ (Unfavorable) Variance	Comments
<b>Total Income</b>	<b>\$455,079</b>	<b>\$441,667</b>	<b>\$13,412</b>	Income from Late Fees = \$7.7k over budget & \$5k Reimbursable Assessment for dock repairs received.
<b>Expenses:</b>				
Administrative Expense:				
Bank Loan	\$91,613	\$91,600	(\$13)	
Bad Debt Expense	\$0	\$13,333	\$13,333	Bad Debt Expense booked at end of year by CPAs.
All Other Administrative Expense	\$4,287	\$6,055	\$1,768	
Total Administrative Expense	\$95,900	\$110,988	\$15,088	
Insurance	\$25,128	\$28,333	\$3,205	
Utilities (Electric and Water)	\$8,309	\$7,800	(\$509)	
Landscaping & Irrigation	\$24,734	\$35,867	\$11,133	Timing of when work is performed. Budget is straight-lined.
Repair & Maintenance	\$8,639	\$11,400	\$2,761	
Professional Services:				
Audit & Tax Services	\$1,390	\$1,000	(\$390)	Year end review work is completed in 1st Qtr. of year.
Legal Services	\$11,946	\$10,000	(\$1,946)	
Management Fees & Misc. Services	\$19,212	\$18,912	(\$300)	
Taxes	\$10	\$367	\$357	
Reserve Funding	\$189,875	\$217,000	\$27,125	Reserve funds not transferred from Operating account in August. Will be corrected in September.
Total Expense	<b>\$385,143</b>	<b>\$441,667</b>	<b>\$56,524</b>	
<b>Total Net Income</b>	<b>\$69,936</b>	<b>\$0</b>	<b>\$69,936</b>	

**Cash Accounts:**

Operating Funds	\$102,747
Reserve Funds	\$274,582
<b>Total Cash Accounts</b>	<b>\$377,329</b>

**Other Noteworthy Items:**

<b>Members Receivable</b>	<b>\$89,320</b>
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**Delinquent dues assessments from homeowners as of August 31, 2013. Total cost to each homeowner represents an average of \$1,117.**



# NEIGHBORHOOD WATCH INVITE

Ballena Bay Townhouse Association has organized a Neighborhood Watch meeting in collaboration with the Alameda Police Department.

**DATE: Tuesday, Oct. 15th, 2013**

**TIME: 7:30PM**

**LOCATION: Ballena Bay Yacht Club  
1150 Ballena Blvd, Alameda**



NEIGHBORHOOD WATCH is an opportunity to meet face-to-face with representatives of your police department. We will discuss and work to solve problems in your community and explore ways to keep the problems from starting.

Through this positive, pro-active program, you will learn facts about:

- Police beats/sectors
- Duties of beat officers
- Crime trends in your area
- How to react and report suspicious or criminal activity
- How to employ the use of social media to stay alert and informed about crimes in your area.
- Recommended preventative security measures such as; lighting , alarms and much more!

[www.alamedapd.org](http://www.alamedapd.org)  
[www.facebook.com/alamedapd](https://www.facebook.com/alamedapd)  
Twitter @alamedapd  
Receive community alerts:  
[www.nixle.com](http://www.nixle.com)

# BALLENA BAY TOWNHOUSE ASSOCIATION NO. 1

## Board of Directors Executive Session

7:00 P.M. October 15, 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. Personnel Issues
  
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. October 15, 2013

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

## AGENDA

1. **Call to Order** 7:30 p.m.
2. **Crime Watch Presentation** – Alameda Police Department 7:30 p.m.
3. **Homeowner's Open Forum** 7:45 p.m.
4. **Secretary's Report** 8:00 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.
5. **Treasurer's Report** 8:10 p.m.  
The law requires the board to review and accept the reconciled financial statements at least once per quarter.
6. **Management Report** 8:20 p.m.  
**Action Items**
  - A. Approval of August 20, 2013 Regular & Executive Session, September 4, 2013 Emergency Executive Session and September 17, 2013 Regular & Executive Session minutes
  - B. Review of Financial Statements for September 2013
  - C. Approve Collection Actions
  - D. Write Off Bad Debt
  - E. Review Change to Sign Rules, Policies and CC&Rs
  - F. Review Float Policy and Float Agreement
  - G. Review Roofing and Siding Project
  - H. Review Parking Issues and Policy
  - I. Architectural Committee Report
  - J. Review Landscaping Committee Report
  - K. Review Landside Committee Report
  - L. Review Waterside Committee Report
  - M. Review Neighborhood Communications Committee Report – Garage Sale and Picnic
  - N. Review Community Preparedness Committee Report
7. **Adjourn** 8:40 p.m.
8. **New Board Member Meeting** (immediately following the regular meeting)  
The newly elected Board will meet to elect officers and handle needed business.
  - A. Election of Officers and Committee Appointments
  - B. Review Collections and Delinquencies
  - C. Review Rules, Policies and CC&Rs
  - D. Review Architectural Issues
  - E. Review Landside Issues
  - F. Review Landscaping Issues
  - G. Review Waterside Issues
  - H. Review Parking Issues
9. **Adjourn**
10. **Next Meeting Date & Location** – November 19, 2013, Ballena Bay Yacht Club, 1150 Ballena Blvd, Alameda.