



# 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 – November 2013**

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## *Communications Report by Lu Abel*

Allow me to go first this month. October saw the election (by acclamation, since there were only two candidates for three open Board positions) of two new directors, Gary Flanigan and John Finston. The Board then appointed Sue Cherrie to the third Director's position. Welcome aboard, Gary, John, and Sue! Meanwhile, outgoing Directors will continue to serve our community. For example, Rob Larsen and Dick Bacigalupi will continue to head up our Waterside Committee.

## *President's Message by Gary Flanigan*

The new Board of Directors was installed at the October BBTA meeting. The Board consists of Ann Kenyon, Jeff Frankel, Lu Abel, and Pat Faustman, all of whom are in the second year of their term. New board members include Sue Cherrie, John Finston and me. The officers elected by the Board are:

Gary Flanigan	President
Jeff Frankel	Vice President
Ann Kenyon	Treasurer
Sue Cherrie	Secretary

The Board approved a budget at the meeting that does not include a dues increase. While the realities of inflation make this something we can't do every year, we project that we can continue maintenance and capital spending this year without an increase. Typically the Board takes at least a month to review and approve a budget. This year, thanks to much upfront work by Ann and Jeff, we were able to review the proposed budget and spending projections and approve it right away. Thanks for the work, Ann and Jeff.

I look forward to serving on the Board this year, and hope that our work will help to maintain and even improve the quality of life in this very special community.

## *Treasurer's Report by Ann Kenyon*

Please see attached financials as reported by Massingham. Comments indicate where corrections have not yet been made by Massingham.

## *Landside Report by Jeff Frankel*

No report this month, will catch everyone up next month.



***Landscape Committee by Pat Faustman***

Our landscapers have finished putting bark around all of the trees where the impatiens were taken out. I am very happy we did not put in the fall color flowers. With the warm weather and the lack of rain, the flowers would not be doing well.

The Monterey Pine between 441 and 435 Cola Ballena that was to be taken down this month fell on its own in the very strong winds we had. With that happening, we are going to take down the Monterey Pine at the bridge that is not dead, but diseased.

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.

***Waterside by Rob Larsen***

We continue to work with the divers who are maintaining the wave maze and cleaning tires, but we have not been getting a lot of time with them.

Once they have a section of the perimeter clean we are installing new chain and then reattach the perimeter tires that have come loose.

The wave maze is ten years old and the strapping is beginning to fail. We asked Topper, the maze construction company, to take a look. They suggested that we not spend too much money on rebuilding it, but start thinking about a new design.

Dick Bacigalupi was in southern California this weekend and took pictures of a new design Topper had installed. The thought is to build something like this and hang some tire curtains from it. We are attempting to get more information and will keep everyone informed.

The same high winds that brought trees down a week ago had a few boats stretching and breaking dock lines. We urge residents to keep inspect their docklines for fatigue or chafe to make sure they're ready for this winter.

***Happy Birthday GPS by Lu Abel***

2013 is GPS's birthday. Actually, a few birthdays for GPS.

Shortly after Sputnik was launched, scientists realized that you could get positional information from satellites. That led to several efforts by the US military to design a high-accuracy, world-wide satellite positioning system. Fortunately for us, clear heads prevailed at the Department of



Defense and these efforts were told to work with each other and come up with an optimal design. That design – which became today’s GPS – was produced in 1973. So happy 40<sup>th</sup> birthday, theoretical GPS.

But then satellites had to be designed, built and launched. Many of them. Initial Operation Capability (“it’s working, but no guarantees”) for GPS was in 1993. So happy 20<sup>th</sup> birthday, operational GPS!

Since then we’ve seen Selective Availability (deliberately introduced inaccuracies in the civilian GPS signal turned off). Beyond that, we’ve seen WAAS – a way of correcting out errors due to atmospheric conditions – created and go operational, giving GPS/WAAS an accuracy of one meter! In 2003. So happy 10<sup>th</sup> birthday, high precision GPS!

We adopt new technologies so quickly and easily it’s sometimes to remember the “old days.” So ask yourself – what did I use to navigate my car 10 years ago?? Or my boat 20 years ago??



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

David Boone - Community Manager      davidb@massingham.com  
Joseph Schmalenbach (Mr. Boone's Assistant)      [josephs@massingham.com](mailto:josephs@massingham.com) (925) 405-4722  
Massingham 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	Gary Flanigan	<a href="mailto:garyflanigan@gmail.com">garyflanigan@gmail.com</a> , 510.523.4734
VP/Landside	Jeff Frankel	<a href="mailto:jfrankel@pacbell.net">jfrankel@pacbell.net</a> 510.769.6096
Secretary	Sue Cherrie	<a href="mailto:suecherrie@hotmail.com">suecherrie@hotmail.com</a> , 510.864.1709
Treasurer	Ann Kenyon	<a href="mailto:kenyon2@pacbell.net">kenyon2@pacbell.net</a> , 510.521.6376
Landscape	Pat Faustman	<a href="mailto:pgfaustman@gmail.com">pgfaustman@gmail.com</a> , 510.864.0665
Communications/Waterside	Lu Abel	<a href="mailto:luabel@ymail.com">luabel@ymail.com</a> , 510.814.1810
Director	John Finston	<a href="mailto:jfinston@gmail.com">jfinston@gmail.com</a> , 510.428.1368

**CALENDAR**

BBTA Executive Committee 7:00 PM Ballena Bay Yacht Club	November 19, 2013
BBTA Board of Directors Meeting 7:30 PM Ballena Bay Yacht Club	November 19, 2013
BBTA Executive Committee 7:00 PM Ballena Bay Yacht Club	December 17, 2013
BBTA Board of Directors Meeting 7:30 PM Ballena Bay Yacht Club	December 17, 2013

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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)

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

Income & Expenses:	Actuals	Budget	Favorable/ (Unfavorable) Variance	Comments
<b>Total Income</b>	<b>\$510,952</b>	<b>\$496,875</b>	<b>\$14,077</b>	Income from Late Fees = \$8.4k over budget & \$5k unbudgeted Reimbursable Assessments were received.
<b>Expenses:</b>				
Administrative Expense:				
Bank Loan	\$103,063	\$103,050	(\$13)	
Bad Debt Expense	\$0	\$15,000	\$15,000	Bad Debt Expense booked at end of year by CPAs.
All Other Administrative Expense	\$5,407	\$6,812	\$1,405	
Total Administrative Expense	<u>\$108,470</u>	<u>\$124,862</u>	<u>\$16,392</u>	
Insurance	\$25,634	\$31,875	\$6,241	
Utilities (Electric and Water)	\$12,349	\$9,650	(\$2,699)	\$3.8k paid in Sept. is not BBTA expense. In addition budget figure for 9 months should be \$8,775 rather than \$9,650. Massingham will correct in October.
Landscaping & Irrigation	\$29,770	\$40,350	\$10,580	Tree work, seasonal plantings & irrigation repairs less than budgeted.
Repair & Maintenance	\$10,239	\$12,825	\$2,586	
Professional Services:				
Audit & Tax Services	\$1,390	\$1,125	(\$265)	Year end review work is completed in 1st Qtr. of year.
Legal Services	\$11,946	\$11,250	(\$696)	
Management Fees & Misc. Services	\$23,940	\$21,276	(\$2,664)	Sept. & Oct. management fees paid in September.
Taxes	\$10	\$412	\$402	
Reserve Funding	\$189,875	\$244,125	\$54,250	Reserve funds not transferred from Operating account in August & September. Massingham will correct in October.
Total Expense	<b>\$413,623</b>	<b>\$497,750</b>	<b>\$84,127</b>	
<b>Total Net Income</b>	<u><b>\$97,329</b></u>	<u><b>(\$875)</b></u>	<u><b>\$98,204</b></u>	

**Cash Accounts:**

Operating Funds	\$97,343
Reserve Funds	\$274,586
<b>Total Cash Accounts</b>	<u><b>\$371,929</b></u>

**Other Noteworthy Items:**

Members Receivable

<b>\$91,104</b>
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<b>Delinquent dues assessments from homeowners as of September 30, 2013. Total cost to each homeowner represents an average of \$1,139.</b>
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# BALLENA BAY TOWNHOUSE ASSOCIATION NO. 1

## Board of Directors Meeting

7:30 P.M. November 19, 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 October 15, 2013 Regular & Executive Session minutes
  - B. Review of Financial Statements for September 2013
  - C. Approve Reserve Study
  - D. Approve Collection Actions
  - E. Write Off Bad Debt
  - F. Review Change to Sign Rules, Policies and CC&Rs
  - G. Review Float Policy and Float Agreement
  - H. Review Roofing and Siding Project
  - I. Review Parking Issues and Policy
  - J. Architectural Committee Report
  - 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. **Adjourn** 8:40 p.m.
7. **Next Meeting Date & Location** – December 17, 2013, Ballena Bay Yacht Club, 1150 Ballena Blvd, Alameda.

# BALLENA BAY TOWNHOUSE ASSOCIATION NO. 1

## Board of Directors Executive Session

7:00 P.M. November 19, 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\(c\)\(2\)](#).