



At Dockside

A Monthly Publication of The Ballena Bay Townhouse Association #1

Protecting property values and the quality of life in Ballena Bay – ~~December 2013~~ January 2014

President's Message by Gary Flanigan

It is often said that democracy is messy, but that it works better than the alternatives. There is some truth in that, and it manifests itself here in the BBTA. All of the folks on the Board and the various committees are unpaid volunteers. Most all work jobs or have other obligations. Some have health issues. In these ways we are like everyone else in our little community of 80 homes. So sometimes, due to heavy personal workloads, communication between homeowners or between the Board and the rest of the community isn't always perfect. Having been on the Board a number of times, I can honestly say that almost all Board members are diligent and act in good faith in trying to help manage the affairs of the Association. That can include identifying the need for new rules (or abolishing old ones no longer serving a purpose), working to manage the financial workings of our joint world, and interacting with contractors to direct the maintenance to best advantage.

There are also some semi-official activities that folks can participate in that help make the neighborhood a friendlier and more cohesive place. Two such activities that come to mind are the annual BBQ and the New Year's Day dingy around the island event. These were more prominent in the past than they are now, and many of us can recall some really fun events. In 2013 we didn't have the BBQ and at the start of 2014 we didn't have the Dingy Thingy. That is a pity, because both of these events have demonstrated great potential for fun and can serve to bring the community together. Both of these events require considerable planning and preparation, and both require committees staffed with people willing to put in some time and effort to make it all work.

I've been involved with both of these events numerous times, and when it is all over, everyone involved seems pleased to have worked to make it happen. I'd like to suggest that those in the community who haven't done this before (or recently) consider volunteering to participate on or chair one of these committees. There are folks who have done this in the past who can advise and pass on lessons learned from the experience of putting these events on, so no one will need to start the planning process from scratch.

It really does make a difference to the quality of life here -- and not just on the day of the event.

Thanks.

Landscape Committee by Pat Faustman

No report this month. Waiting for Spring when we, like our plants, can bloom again.



Waterside Report by Lu Abel

Dick Bacigalupi and Rob Larsen are continuing to pursue maintenance of the wave maze. The wave maze is critical to keeping rough seas and waves from entering our “canal,” especially during the winter when the majority of storms occur.

Most maintenance activities require the services of a diver. Progress had slowed during the last few months when our regular diver became less and less available and finally resigned. With help from one of our homeowners we have found another diver interested in the work. We’re giving him a try right now.

The wave maze appears to floating fairly well but critical repairs required. We must complete replacing the perimeter chain and attach the perimeter tires that have come loose. There are also some portions of the maze that have sunk and many of the inner tires need to be tied together and attached to the pilings.

Any wave suppression system has a limited life and we are near the end of the current wave maze’s life. We are exploring both the cost of replacing the wave maze and alternatives to it. Our contractor suggested a “dock” system similar to one that he installed in San Diego that may work. Last October Dick visited it and took pictures which the Waterside Committee will evaluate. Until the decision is made to replace the existing system it is critical it is maintained to extend its life.

Treasurer’s Report by Ann Kenyon

No report this month, still awaiting corrected financials from Massingham.

Landside Report by Jeff Frankel

No report this month.

Historic Ship Rebuilt, Relunched by Lu Abel

Here’s a simple question: Name the oldest US-flagged ship still afloat. If the answer didn’t leap to mind, you’ll do a head-slap at the answer: The fabled USS Constitution, launched in 1797 and still a commissioned ship of the US Navy (a picture of her sailing under her own sails in 1997 for the first time in nearly a century while the Blue Angels flew overhead in salute still brings tears to my eyes)



Here's a tougher question: Name the second oldest US-flagged ship still afloat. It's the Charles W. Morgan, a traditional square-rigged whaleship built in 1841. The Morgan somehow survived into the 20th century and was rescued from being broken up on the eve of WW II. She was donated to the Mystic Seaport Museum in Mystic, Connecticut, the only survivor of more than 2,700 US-flagged whaleships that plied the world's oceans in the nineteenth century.

To put the Morgan's age in perspective, she was almost a half-century old when the Balclutha, the square-rigged star of the San Francisco Maritime Museum, was launched!

Whaling was not some romantic life afloat. It was hard, dirty work (not only the dangerous task of catching whales, but the dirty, smelly task of boiling down their blubber for the whale oil that fired lamps before oil wells extracted kerosene from the ground).

Whaling voyages lasted two, even three years, so captains' wives and families often accompanied them. The captain's cabin on the Morgan is a family suite; five captains' wives accompanied their husbands on the Morgan. One even served as the ship's navigator!

Age does take its toll, though, even on a stoutly built wooden square rigger. The Seaport spent five years and \$7.5 million in restoring and rebuilding the CW Morgan for another century of life. As the CW Morgan was relaunched, she was rechristened – by Sarah Bullard, the great-great-great-granddaughter of Charles W. Morgan!

The Morgan made 37 voyages separate voyages in her life of whaling. When the Morgan's rigging is restored she will be fit to sail again and the Seaport is planning a "38th Voyage" for the Morgan, sending her to multiple seaports on the East Coast. My hope is that she will be in Boston on July 4, 2014, when the Constitution will sail again. Wouldn't that be fascinating – the two oldest ships still afloat, one a warship and one just a hard working whaleship – sailing side-by-side up Boston Harbor?

Mystic Seaport is one of the premier maritime museums in the United States. If you're ever in the Northeast – Connecticut, Providence, Boston, even New York – and have a spare day, a visit to the Mystic Seaport Museum will fascinate any lover of the sea and history.



The Morgan is relaunched



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



**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	Gary Flanigan	garyflanigan@gmail.com	510.521.2426
VP/Landside	Jeff Frankel	jfrankel@pacbell.net	510.769.6096
Secretary	Sue Cherrie	suecherrie@hotmail.com	510.864.1709
Treasurer	Ann Kenyon	kenyon2@pacbell.net	510.521.6376
Landscape	Pat Faustman	pgfaustman@gmail.com	510.864.0665
Communications/Waterside	Lu Abel	luabel@ymail.com	510.814.1810
Director	John Finston	jfinston@gmail.com	510.428.1368

CALENDAR

BBTA Executive Committee January 21, 2014
6:30 PM Ballena Bay Yacht Club

BBTA Board of Directors Meeting January 21, 2014
7:30 PM Ballena Bay Yacht Club

BBTA Executive Committee February 18, 2014
7:00 PM Ballena Bay Yacht Club

BBTA Board of Directors Meeting February 18, 2014
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 NO. 1

Board of Directors Meeting

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

MINUTES

October 15, 2013

Board Members (2012-2013 Board)

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., the owners present on the sign in sheet and Officer Emilia Mrak of the Alameda police department.

Alameda Police Department Crime Watch Presentation: Officer Emilia Mrak of the Alameda Police Department was on hand to give a presentation on Alameda's Crime watch Program. She presented information on police beats and patrols, Neighborhood Watch, protocols, crime mapping and the Citizen Police Academy.

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

Homeowner Forum: An open forum was held. One owner brought that the end of Tideway Drive has been cleaned up significantly. The Board has removed the large concrete blocks and posted signs. A garbage can has been added and the Board will paint the chain. The one remaining problem was drug dealing and strategies for lighting and reporting were discussed. They asked about the proposed light pole. Director Jen Flanigan brought that a letter had been written to the Ballena Bay Apartments asking for half of the \$7,000.00 cost since security would be enhanced for both neighborhoods.

Minutes: After careful review it was **MSC** to approve the minutes of the regular sessions of August 20, 2013 and September 17, 2013 as presented, the Executive Session minutes of September 4, 2013 as presented and September 17, 2013 with corrections.

Financial Statements: Approval of the September Financial Statements was tabled until corrections could be made by Massingham's accounting department.

2014 Budget: This was tabled to allow the new Board an opportunity to have input on the new budget.

Float Policy and Agreement: Further discussion on this was **tabled** to allow the new Board to work on the policy.

Architectural Committee: At the recommendation of the Architectural Committee (after careful review) it was **MSC** to approve the architectural applications of 435 Cola Ballena to switch the location of the first floor sliding door and window.

Landside Committee: Jeff Frankel reported to the Board on the status of the remaining work to be done as part of the 2013 roofing, painting and siding project.

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Board of Directors Meeting Minutes

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Landscape Committee: Committee Chair Pat Faustman reported to the Board about the current status of the landscaping and what was needed.

Waterside Committee: Rob Larsen and Dick Bacigalupi reported on the status of the wave maze and the rapid pace with which tires that keep coming lose from the maze. The committee is continuing to research a better design for the wave maze that is effective but more durable. Dick also reported that Rob Larsen incurred damage to his dinghy as a result of it's use in maintain the wave maze. It was MSC to reimburse him for reasonable repairs to his dinghy.

Neighborhood Communication Committee: The Board discussed the upcoming community picnic and garage sale.

Community Preparedness Committee: Jen Flanigan brought the Board up to date on her CERT training.

Adjournment/Next Meeting: With no further business before it the Board adjourned at 9:05 p.m.

Note: Last month, the board announced that John Finston and Gary Flanigan were "elected by default" to the board. The determination of who would fill the one open position was left to the new Board. The Board determined that the new Board would take over immediately following the October meeting to ensure a smooth transition.

**MINUTES
October 15, 2013**

**Board Members
(2013-2014 Board)**

Gary Flanigan	President	Term expires 2015
Jeff Frankel	Vice President	Term expires 2014
Ann Kenyon	Treasurer	Term expires 2014
John Finston	Secretary	Term expires 2015
Pat Faustman	Director	Term expires 2014
Lu Abel	Director	Term expires 2014
Sue Cherrie	Director	Term expires 2015

*MSC = Means a Motion was made, **S**ecoded and **C**arried *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 9:05 P.M. by Vice President Jeff Frankel.

Appointment of Director: After careful discussion with different owners who expressed interest in being on the Board it was MSC to appoint Sue Cherrie to the remaining open position.

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Election of Officers and Committee Appointments: The Board determined that the Officers and Committees of the new Board of Directors would be as follows:

Board Officers

Gary Flanigan	President
Jeff Frankel	Vice President
Ann Kenyon	Treasurer
John Finston	Secretary
Pat Faustman	Director
Lu Abel	Director
Sue Cherrie	Director

Committees

Landside – Jeff Frankel

Waterside – Dick Bacigalupi and Rob Larsen with Lu Abel as the liaison to the Board

Landscape – Pat Faustman

Architectural – Sue Cherrie, Chair. Members Jenifer Flanigan and Jay Cherrie

Neighborhood Communication – Lu Abel

Community Preparedness – Jenifer Flanigan, Chair. Members Gary Flanigan and Dick Bacigalupi

2014 Budget: After careful consideration and discussion it was **MSC** to approve an overall budget of \$668,400.00 and a yearly reserve contribution of \$325,500.00. There will be no increase in monthly assessments with this budget.

Adjournment/Next Meeting: With no further business before it the Board adjourned at 9:31 p.m. The next regular Board of Directors meeting was set for November 19, 2013 at 7:30 p.m. at the Ballena Bay Yacht Club.

Director Signature

Date

BALLENA BAY TOWNHOUSE ASSOCIATION NO. 1

Board of Directors Executive Session

6:30 P.M. January 21, 2014
Ballena Bay Yacht Club
1150 Ballena Blvd, Alameda, CA 94501

AGENDA

1. **Call to Order**
2. **Items Requiring Board Action**
 - A. Review Contracts
 - B. Review and Approve Collection Actions
 - C. Review Legal Issues
 - D. Review Disciplinary Matters
 - 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. January 21, 2014

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 November 19, 2013 Regular & Executive Session minutes
 - B. Review of Financial Statements for period ending December 2013
 - C. Approve Reserve Study
 - D. Approve Collection Actions
 - E. Write Off Bad Debt
 - F. Count CC&R Amendment Ballots
 - 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** – February 18, 2014, Ballena Bay Yacht Club, 1150 Ballena Blvd, Alameda.