



At Dockside

A Monthly Publication of The Ballena Bay Townhouse Association #1

Protecting property values and the quality of life in Ballena Bay – March 2014

President's Message by Gary Flanigan

With all of the bad news we are bombarded with, it would be easy to become pessimistic. The earth may become a sauna, the icecaps may melt and the sea level may rise up (literally in our case) to our doorsteps.

But then every few months I look out to our “backyard” and see a pinniped looking back at me. I can't remember whether the seals or the sea lions have visible ears, and thus can't specifically identify which it is. But it is great to see these guys, and doing so provides some reassurance that all may not yet be lost.

We live in a very special place.

Landscape Committee by Pat Faustman

Spring is almost here. Our trees are in bloom and the lawns are starting to look bright green. The rains from the last few weeks have helped all of our landscaping.

The tree crew was here on February 12 to correctively prune and remove the fire blight infected tissue of the pear trees on Tideway. This was followed by a soil injection with an insecticide to prevent insect infestations. They also did a subsurface fertilization to increase health and vigor of the trees. We also applied a trunk spray of Agri-fos on the magnolia trees to protect them from root disease.

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

Landside Report by Jeff Frankel

Planning for the 2014 construction cycle kicked off in January with the issuance of an RFP for a new construction manager which was sent to six Bay Area firms. From the six candidate companies, two responsive proposals were received and reference checked. After meeting with both candidates a finalist candidate, Southwestern Construction Consultants, was selected. Three board members then interviewed Skip Morgan, one of SCC's principals, and at the February 18th Board meeting SCC was selected to be our Construction Manager for the 2014 program.

In 2014, the 12 homes from 441 to 465 Cola Ballena will receive siding work and new paint. The roofing program will resume after a one-year hiatus on the 300-block of Tideway Drive. Siding and roof inspections are scheduled for Tuesday, March 25th, with bid packages for siding work, painting and roofs going out for competitive bidding in April.



Treasurer's Report by Ann Kenyon

Preliminary year-end financials for BBTA are attached. Some fine-tuning of accounts is still being worked on in order to generate the final report, as noted.

Neighborhood Events by Sue Cherrie

BALLENA BAY SPRING GARAGE SALE WILL RETURN! Sue Cherrie will be coordinating a community-wide Garage Sale. Tentative date is Saturday, May 17 (other dates considered by contacting Sue). If you would like to help plan it, please contact Sue (phone and email on last page). If you are interested in participating, let Sue know too!

Communications Report by Lu Abel

From an Alameda Police release:

Alameda is experiencing a rash of residential and vehicle burglaries. The suspects have been forcing entry into residences, as well as entering homes and cars through unlocked doors. The burglaries have occurred during the early evening and night time hours. Here are a few tips to help deter burglars:

- DOORS are the primary method of entry for burglars, install a dead bolt and use it [for us, be sure to keep your courtyard door closed].
- WINDOWS are the second most common method used; make sure they are properly secured. [Note – for horizontally sliding doors and windows such as we have in our homes, cut a stick or dowel so it can be dropped into the track in which the door or window slides to prevent it from being slid open. This should be in addition to the actual latch on the window or door.
- EXTERIOR LIGHTING should be utilized. Sensor-activated lighting can alert you of someone on your property. [Install a CFL (one of those twisty-tube fluorescent lights) in your exterior light and you can leave it on all night for just a penny or two of electricity].
- LANDSCAPE should be trimmed and cut away from windows. This will reduce concealment opportunities.
- ALARM/CAMERA - consider an alarm or camera system that is monitored.
- Remove all valuables from inside your vehicle or lock them in the trunk.
- BE VIGILANT. Please call 911 if you observe anything out of the ordinary.

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



Waterside by Lu Abel (from Dick Bacigalupi and Rob Larsen)

The Ballena Boulevard section of the wave maze has a new perimeter chain. Our new diver is cleaning the interior tires so we may reattach them to each other and to the piling rings. Dick and Rob have a dozen tires that need the angle iron replaced and 4 tires added to the perimeter.

When the cleaning and lashing of the interior tires are done, we will be starting on the Tideway section. We received spare parts from Topper yesterday which will be utilized on both sections of the maze. We want to thank Isabella Fharney-Foster for graciously living with that work float at her dock for so very long.

Our new diver is excellent work at reasonable prices. His name is Lowell Harrison and if you are in need of a diver, he can be reached at harrisonlowell@gmail.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	510.523.4734
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 March 18, 2014
7:00 PM Ballena Bay Yacht Club

BBTA Board of Directors Meeting March 18, 2014
7:30 PM Ballena Bay Yacht Club

BBTA Executive Committee April 15, 2014
7:00 PM Ballena Bay Yacht Club

BBTA Board of Directors Meeting April 15, 2014
7:30 PM Ballena Bay Yacht Club

For letters to the Board or to report needed repairs, use this contact information:
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**Ballena Bay Townhouse Association
Income and Expenses Compared to Operating Budget
For the Period Ending YTD 12-31-13**

Note: The financial information below is preliminary and is still in the process of being finalized before review by CPA's. This report is provided to give homeowners a sense of year end results prior to final adjustments.

Income & Expenses:	Actuals	Budget	Favorable/ (Unfavorable) Variance	Comments
Total Income	\$678,260	\$662,500	\$15,760	Income from Late Fees = \$9.9k over budget & \$5k Reimbursable Assessments received.
Expenses:				
Administrative Expense:				
Bank Loan	\$137,400	\$137,400	\$0	
Bad Debt Expense	\$0	\$20,000	\$20,000	Bad Debt Expense booked at end of year by CPAs.
All Other Administrative Expense	\$6,339	\$9,082	\$2,743	
Total Administrative Expense	\$143,739	\$166,482	\$22,743	
Insurance	\$26,899	\$42,500	\$15,601	Accrual adjustments are needed.
Utilities (Electric and Water)	\$18,447	\$11,700	(\$6,747)	Still reviewing possible adjustments.
Landscaping & Irrigation	\$41,305	\$53,800	\$12,495	Tree work, seasonal plantings & irrigation repairs less than budgeted.
Repair & Maintenance	(\$40,350)	\$17,100	\$57,450	Reflects reserve items paid by operating account. Adjustment needed as total should not be less than -0-.
Professional Services:				
Audit & Tax Services	\$1,390	\$1,500	\$110	
Legal Services	\$26,297	\$15,000	(\$11,297)	Collection fees for past due accounts more than anticipated.
Management Fees & Misc. Services	\$28,668	\$28,368	(\$300)	
Taxes	\$38	\$550	\$512	
Reserve Funding	\$325,500	\$325,500	\$0	
Total Expense	\$571,933	\$662,500	\$90,567	
Total Net Income	\$106,327	\$0	\$106,327	Net Income will change after adjustments indicated above are made (particularly the Repair & Maintenance adjustment).

Cash Accounts:

Operating Funds	\$137,385
Reserve Funds	\$223,275
Total Cash Accounts	\$360,660

Other Noteworthy Items:

Members Receivable	\$92,456
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Delinquent dues assessments from homeowners as of December 31, 2013. Total cost to each homeowner represents an average of \$1,156.

BALLENA BAY TOWNHOUSE ASSOCIATION NO. 1

Board of Directors Executive Session

7:00 P.M. March 18, 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. March 18, 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 February 18, 2014 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** – April 15, 2014, Ballena Bay Yacht Club, 1150 Ballena Blvd, Alameda.

BALLENA BAY TOWNHOUSE ASSOCIATION NO. 1

Board of Directors Meeting

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

MINUTES January 21, 2014

Board Members

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, **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.

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

Homeowner Forum: An open forum was not held as no owners were present.

Minutes: After careful review it was **MSC** to approve the regular minutes of November 19, 2013 with corrections and Executive Session Minutes of November 19, 2013 as presented.

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

Sign Rules, Policies and CC&Rs: At the November meeting the Board approved the language amending the section of the CC&Rs to allow security signs. A ballot was sent out to all owners for their approval but the Board determined to extend the voting period to allow more ballots to be turned in.

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

Parking Issues: The Board discussed what was necessary to implement the approved parking policy. Each member of the Board present will work on the details of the implementation over the next month.

Architectural Committee: There were no Architectural Applications this month to approve.

Landside Committee: Jeff Frankel was not present to give his report to the Board.

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

Waterside Committee: Waterside liaison Lu Abel reported on the status of the wave maze. The committee is continuing to research a better design for the wave maze that is effective but more durable.

Ballena Bay Townhouse Association No. 1

Board of Directors Meeting Minutes

January 21, 2014

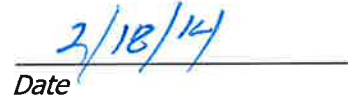
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Neighborhood Communication Committee: The Board discussed the upcoming community picnic and garage sale.

Adjournment/Next Meeting: With no further business before it the Board adjourned at 8:16 p.m. The next regular Board of Directors meeting was set for February 18 at 7:30 p.m. at the Ballena Bay Yacht Club.



Director Signature



Date