



At Dockside

A Monthly Publication of The Ballena Bay Townhouse Association #1

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

Ballena Bay Community Garage Sale this Weekend! By Sue Cherrie

The Community Garage Sale will be this Saturday, May 17th, from 8AM to 1PM. We've advertised it, put up posters, etc. There will be a small fee charged to participants to cover these expenses. Please let me know if you'll be participating by calling me at 864-1709 or emailing me at suecherrie@hotmail.com

President's Message by Gary Flanigan

This Saturday is the BBTA Garage Sale. Many people think that the goal of those participating is to sell things and make some money. But the real goal is to get stuff out of the garage/house. As the comedian George Carlin pointed out some years ago, we all have too much stuff. I've noticed lately that when I borrow something (e.g. a cooler) the owner is in no hurry to get it back. Better it be in my garage than his!

Jennifer and I are participating this Saturday. We have decided that we really don't need 45 coffee mugs, and that the 30th book on baking doesn't always bring something new to the party. Please help your neighbors by walking the 'hood and giving some very valuable stuff a new home.

Landscape Committee by Pat Faustman

The weather turned quite warm for a few days, and then the big winds hit us. All of this dries out our landscaping. So, the lawns and plants were looking a little parched for a few days. We have been working on getting the water times adjusted and the sprinklers in good working order for the summer. 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

The 2013 year-end Review Report and final Financial Statements prepared by the auditors will be published and mailed to all homeowners by Massingham within the next week or two. Shortly after that we should receive year to date 2014 financial statements from Massingham that have the 2013 adjustments incorporated in them. At that point we should be able to start providing monthly financial statements in the Dockside again.

As mentioned last month, Massingham implemented many changes in their financial systems and it has not gone smoothly. Hopefully this will be corrected soon.



Landside Report by Jeff Frankel

The 2014 landside construction program is underway. Skip Morgan of Southwest Construction Consultants is our Construction Manager for this year's work which will include roofing on the 300 block of Tideway and siding/paint at 441-465 Cola Ballena. Pre-Construction inspections were completed in April. Bid packages were sent out on April 25 to 7 companies for possible siding and paint bids and to 4 roofing companies for roofing bids.. The current schedule is below. We will keep you updated as we progress.

Date	Event	Complete
April 24	Review final draft of bid packages	√
April 25	Bid Packages sent to candidate bidders	√
May 14	Post bid walk notices 300-337TW, 441-465CB	√
May 21	Bid Walk for perspective bidders	
June 10 @ 5pm	Bidding period closes	
June 13	CM provides recommendations to Board	
June 17	Board Meeting, selection of Contractors	
June 18	CM notifies successful candidates	
June 18-20	Contract signature loops as needed	
July-September	Construction	

Waterside by Rob Larsen and Lu Abel

No report. Some minor maintenance was performed on the wave maze this month.



**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 7:00 PM Ballena Bay Yacht Club	May 20, 2014
BBTA Board of Directors Meeting 7:30 PM Ballena Bay Yacht Club	May 20, 2014
BBTA Executive Committee 7:00 PM Ballena Bay Yacht Club	June 17, 2014
BBTA Board of Directors Meeting 7:30 PM Ballena Bay Yacht Club	June 17, 2014

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 Executive Session

7:00 P.M. May 20, 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. May 20, 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 April 15, 2014 Regular & Executive Session minutes
 - B. Review of Financial Statements for period ending April 2014
 - C. Approve Collection Actions
 - D. Write Off Bad Debt
 - E. Review Roofing and Siding Project
 - F. Review Parking Issues and Policy
 - G. Architectural Committee Report
 - H. Review Landscaping Committee Report
 - I. Review Landside Committee Report
 - J. Review Waterside Committee Report
 - K. Review Neighborhood Communications Committee Report – Garage Sale and Picnic
 - L. Review Community Preparedness Committee Report
6. **Adjourn** 8:40 p.m.
7. **Next Meeting Date & Location** – June 17, 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

March 18, 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.

Call to Order: The Board of Directors Meeting was called to order at 7:35 P.M. by Vice President Jeff Frankel.

Homeowner Forum: An open forum was held and one owner inquired as to the status of lighting upgrades on Tideway Drive. One owner also brought concerns about the 17 police calls and 1 arrest on the 300 block of Tideway Drive.

Minutes: After careful review it was **MSC** to approve the regular and Executive Session Minutes of February 18, 2014 as presented.

Financial Statements: Approval of the October - December Financial Statements were tabled to allow more time so that corrections could be made by Massingham's accounting department. Treasurer Ann Kenyon and Manager David Boone are working together to make the corrections.

Reserve Study: After careful review it was **MSC** to accept the Reserve Study as prepared by Richard Avelar and Associates.

CC&Rs – Security Sign Amendment: 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. At the February meeting the Board determined to extend the balloting period until the March meeting. 49 ballots were received of which 48 were valid. Inspector of Elections David Boone counted the ballots assisted by owner David Twiss. There were 45 yes and 3 no votes. The amendment passed and will be a part of the CC&Rs once it is recorded with the Alameda County.

Insurance: They Board determined that more time was needed to allow the review of competing bids for insurance. The Board authorized Jeff Frankel and John Finston to review those polices and make the final decision on behalf of the Board.

Float Policy and Agreement: Further discussion on this was **tabled** until a meeting in the future.

Ballena Bay Townhouse Association No. 1

Board of Directors Meeting Minutes

March 18, 2014

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Roofing and Siding Project: After careful review of the proposal it was **MSC** to approve spending \$3,000.00 to have Ronald J Loar, P. E. create a new standard design for the 44 boat landings.

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 months.

Architectural Committee: After review and recommendation by the Architectural Committee it was MSC to approve the request from 400 Tideway Drive Replace and extend the existing awning over the inner atrium. The owner will be notified that the rotted siding under the awning is the owner's responsibility to replace and must be done to code.

Landside Committee: Jeff Frankel gave his report to the Board.

Landscape Committee: Committee Chair Pat Faustman gave a report to the Board about the current status of the landscaping.

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.

Neighborhood Communication Committee: The Board discussed the upcoming community picnic and garage sale and set tentative dates of Saturday May 17th for the garage sale and June 21st for the community picnic.

Community Preparedness: Gary Flanigan was on vacation and thus unable to update the Board as to what has been happening with the Community Preparedness Committee.

Adjournment/Next Meeting: With no further business before it the Board adjourned at 9:06 p.m. The next regular Board of Directors meeting was set for April 15 at 7:30 p.m. at the Ballena Bay Yacht Club.

Director Signature

Date