



At Dockside

A Monthly Publication of The Ballena Bay Townhouse Association #1

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

President's Message by Gary Flanigan

A number of months back, I had a modest idea. Many of us travel quite a bit, and many of us have travel books from completed trips. I hate the idea of using these things once and then having them gather dust on the shelf. So I always try to loan books to friends who are going to places where I still have a travel guide. In the case of newish books, the info on restaurants, entertainment venues and such is still relatively current. Even in the case of a somewhat dated book, such things as the best snorkeling beach or the best Mayan ruins are likely still accurate.

So I had the notion of collecting books throughout the neighborhood as a mini lending library. Dick Bacigalupi suggested that this was a good candidate for an online database, which it surely is. (I'm sure glad I got that MBA in IT). Jeff Frankel, the BBTA Web Maestro, said that if I could define a simple structure and get the info on my books to him as an Excel file or a Word table, he would set it up and import the data.

And there it has sat for the past six or so months. For some reason, since retiring, my days are pretty full. Kind of a variation of "If you want something done, ask a busy person".

Now that I have announced this little project, I will have no choice but to have it ready for prime time by the next Dockside. I hope there is some interest in this.

Ballena Bay Community Garage Sale by Sue Cherrie

Thank you to all who participated in this year's Community Garage Sale, whether by selling or buying their neighbors' treasures. We had a great turnout by our homes and the neighbors. By all accounts it was a success. Thanks again!

Community Picnic

The annual BBTA BBQ/picnic will be held in October. Stay tuned for details like exact date and location. Those wishing to volunteer to help should contact John Finston, who is chairing the committee this year.

Treasurer's Report by Ann Kenyon

As mentioned in prior months, Massingham continues to have issues in their financial reporting. All the issues have not been resolved as of this date and further adjustments need to be made. Hopefully I will be able to provide accurate reports next month.



Landscape Committee by Pat Faustman

No report this month.

Landside Report by Jeff Frankel

We have bids back from all of the candidate contractors and will receive recommendations for contractor selection from our construction manager over the weekend. The Board will review these recommendations and select contractors at the Tuesday meeting.

Waterside by Lu Abel and Rob Larsen

No report this month.

Zinsco and Federal Pacific Breaker Panels by Jeff Frankel

A neighbor who is doing some work on his home that requires relocation of his electrical sub panel, was told by the Alameda building inspector that replacement of the panel with a more modern one is recommended (but not required) due to possible safety issues.

Many of the homes in our neighborhood came equipped with Zinsco or Federal Pacific main electrical panels (where the meter is) and sub panels (in the house or garage where the bulk of the breakers are). According to the website linked below these panels have reputations for failures of various sorts including arcing leading to panel failures and breakers that will not disconnect at their nominal trip current.

<http://www.ismypanelsafe.com>

In publishing this article, the board does not take a position on the replacement of these panels but wants to make you aware that the possibility of electrical problems may exist with these panels and breakers. If you have any concerns about your panels or breakers, the Association recommends that you consult a competent professional to inspect them.

Recognizing a drowning person from Lu Abel

We live in Ballena Bay because we love the water. For many of us (or our children or grandchildren) being *in* the water is part of our enjoyment of the water. But in the water can be dangerous. People can drown.

Before you can help someone who is drowning, you have to recognize that they are drowning. Easy, right? They splash the water and yell for help, right? WRONG. Possibly *dead* wrong.

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



I found the following article, reprinted from gCaptain on-line magazine, fascinating – and important to share with everyone who boats or otherwise enjoys the water, whether in a pool, at the beach, or in a boat:

The new captain of a crewed sportfisherman jumped from the cockpit, fully dressed, and sprinted through the water. A former lifeguard, he kept his eyes on his victim as he headed straight for the owners who were swimming between their anchored boat and the beach. “I think he thinks you’re drowning,” the husband said to his wife. They had been splashing each other and she had screamed but now they were just standing, neck-deep on the sand bar. “We’re fine, what is he doing?” she asked, a little annoyed. “We’re fine!” the husband yelled, waving him off, but his captain kept swimming hard. “Move!” he barked as he sprinted between the stunned owners. Directly behind them, not ten feet away, their nine-year-old daughter was drowning. Safely above the surface in the arms of the captain, she burst into tears, “Daddy!”

How did this captain know, from fifty feet away, what the father couldn’t recognize from just ten? Drowning is not the violent, splashing, call for help that most people expect. The captain was trained to recognize drowning by experts and years of experience. The father, on the other hand, had learned what drowning looks like by watching television. If you spend time on or near the

water (hint: that’s all of us) then you should make sure that you and your crew knows what to look for whenever people enter the water. Until she cried a tearful, “Daddy,” she hadn’t made a sound. Drowning is almost always a deceptively quiet event. The waving, splashing, and yelling that dramatic conditioning (television) prepares us to look for, is rarely seen in real life.

The Instinctive Drowning Response – so named by Francesco A. Pia, Ph.D., is what people do to avoid actual or perceived suffocation in the water. And it does not look like most people expect. There is very little splashing, no waving, and no yelling or calls for help of any kind. To get an idea of just how quiet and undramatic from the surface drowning can be, consider this: It is the number two cause of accidental death in children, age 15 and under (just behind vehicle accidents) – of the approximately 750 children who will drown next year, about 375 of them will do so within 25 yards of a parent or other adult. **In ten percent of those drownings, the adult will actually watch them do it, having no idea it is happening** (source: CDC). Drowning does not look like drowning – Dr. Pia, in an article in the Coast Guard’s On Scene Magazine, described the instinctive drowning response like this:

1. Except in rare circumstances, drowning people are physiologically unable to call out for help. The respiratory system was designed for breathing. Speech is the secondary or overlaid function. Breathing must be fulfilled, before speech occurs.
2. Drowning people’s mouths alternately sink below and reappear above the surface of the water. The mouths of drowning people are not above the surface of the water long enough for them to exhale, inhale, and call out for help. When the drowning people’s mouths are



above the surface, they exhale and inhale quickly as their mouths start to sink below the surface of the water.

3. Drowning people cannot wave for help. Nature instinctively forces them to extend their arms laterally and press down on the water's surface. Pressing down on the surface of the water, permits drowning people to leverage their bodies so they can lift their mouths out of the water to breathe.
4. Throughout the Instinctive Drowning Response, drowning people cannot voluntarily control their arm movements. **Physiologically, drowning people who are struggling on the surface of the water cannot stop drowning and perform voluntary movements such as waving for help, moving toward a rescuer, or reaching out for a piece of rescue equipment.**
5. From beginning to end of the Instinctive Drowning Response people's bodies remain upright in the water, with no evidence of a supporting kick. Unless rescued by a trained lifeguard, these drowning people can only struggle on the surface of the water from 20 to 60 seconds before submersion occurs.

This doesn't mean that a person that is yelling for help and thrashing isn't in real trouble – they are experiencing aquatic distress. Not always present before the instinctive drowning response, aquatic distress doesn't last long – but unlike true drowning, these victims can still assist in their own rescue. They can grab lifelines, throw rings, etc.

Look for these other signs of drowning when persons are in the water:

- Head low in the water, mouth at water level
- Head tilted back with mouth open
- Eyes glassy and empty, unable to focus
- Eyes closed
- Hair over forehead or eyes
- Not using legs – Vertical
- Hyperventilating or gasping
- Trying to swim in a particular direction but not making headway
- Trying to roll over on the back
- Ladder climb, rarely out of the water.

So if a crew member falls overboard and every looks O.K. – don't be too sure. Sometimes the most common indication that someone is drowning is that they don't look like they're drowning. They may just look like they are treading water and looking up at the deck. One way to be sure? Ask them: "Are you all right?" If they can answer at all – they probably are. If they return a blank



stare – you may have less than 30 seconds to get to them. And parents: children playing in the water make noise. When they get quiet, get to them and find out why.

**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	June 17, 2014
BBTA Board of Directors Meeting 7:30 PM Ballena Bay Yacht Club	June 17, 2014
BBTA Executive Committee 7:00 PM Ballena Bay Yacht Club	July 15, 2014
BBTA Board of Directors Meeting 7:30 PM Ballena Bay Yacht Club	July 15, 2014

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BALLENA BAY TOWNHOUSE ASSOCIATION NO. 1

Board of Directors Executive Session

7:00 P.M. June 17, 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, Delinquency and Foreclosure 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. June 17, 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 May 20, 2014 Regular & Executive Session Minutes
 - B. Review of Financial Statements for period ending April 2014
 - C. Sign New Signature Cards
 - D. Approve Transfer from Reserves to Operating
 - E. Approve Collection Actions
 - F. Write Off Bad Debt
 - 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
6. **Adjourn** 8:40 p.m.
7. **Next Meeting Date & Location** – July 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

April 15, 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 7:36 P.M. by President Gary Flanigan.

Homeowner Forum: An open forum was held and one owner had questions about the insurance disclosure and what material is used for siding repairs. One owner also had questions about homeowners doing exterior repairs.

Minutes: After careful review it was **MSC** to approve the regular and Executive Session Minutes of March 18, 2014 with corrections.

Financial Statements: Approval of the January - April 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.

Collections: After careful review it was **MSC** to approve the following collection actions:

- APN 074-1312-023 - RESOLVED, the Board of Directors ("Board") for Metro Walk West Corporation authorizes and instructs ATC Assessment Collection Group, LLC to record a Notice of Delinquent Assessment ("Lien") for the full amount of unpaid assessments, late charges, interest and collections fees and costs.
- APN 074-1312-008 - RESOLVED, the Board of Directors ("Board") for Metro Walk West Corporation authorizes and instructs ATC Assessment Collection Group, LLC to record a Notice of Delinquent Assessment ("Lien") for the full amount of unpaid assessments, late charges, interest and collections fees and costs.

Roofing and Siding Project: Jeff Frankel was not present to report to the Board.

Parking Issues: The Board discussed what was necessary to implement the approved parking policy.

Ballena Bay Townhouse Association No. 1

Board of Directors Meeting Minutes

April 15, 2014

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Architectural Committee: Sue Cherrie reported that there were no Architectural Applications this month.

Landside Committee: Jeff Frankel was not present to 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 docks and wave maze.

Neighborhood Communication Committee: Sue Cherrie reported on the upcoming community picnic and garage sale with dates of Saturday May 17th for the garage sale and June 21st for the community picnic.

Community Preparedness: Gary Flanigan reported that he and Jennifer had taken a Ham Radio Course, passed their tests and received their licenses.

Adjournment/Next Meeting: With no further business before it the Board adjourned at 8:28 p.m. The next regular Board of Directors meeting was set for May 20, 2014 at 7:30 p.m. at the Ballena Bay Yacht Club.



Director Signature



Date