



# At Dockside

*A Monthly Publication of The Ballena Bay Townhouse Association #1*

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

## *Remembering Gerald Stone*

Our friend and neighbor at 326 Tideway Gerald Stone passed away at home last week at age 70. Gerald was the oldest son of Archie and Ida Stone who were long-time BBTA owners. Gerald was born on May 16<sup>th</sup>, 1944 in Huntington, NY on his father's 22nd birthday while his father was serving Foggia, Italy managing an airfield for the Army Air Corps during WW2. Gerald is survived by his two brothers Archie Stone Jr. (Tony) and Thomas Stone. No announcement of arrangements has been made as of this writing.



*Gerald Seymour Stone 1944 – 2014*

## *Coastal Cleanup Day by Lu Abel*

Every year, concerned citizens gather to help keep our coastlines clean. Not just in Alameda. Not just in California. Not even just in the United States. Coastal Cleanup is a world-wide event! The Ballena Isle Marina and the Ballena Bay Yacht Club have been leaders in Alameda's efforts.

This year's Coastal Cleanup Day is scheduled for 9AM to noon on Saturday, September 20<sup>th</sup>. Sign-in and job assignments will be done at the marina parking lot that is beyond the office building beyond the Pier 29 restaurant.

We are a waterfront community, so I expect we have a very strong interest in clean shorelines and clean oceans. Please consider joining the cleanup on the 20<sup>th</sup>! If you'd like more information, feel free to contact me – I am helping coordinate the efforts.



***BBTA Community Picnic by John Finston***

Save the date! We'll be holding a BBTA community picnic on Saturday, October 11! Come on by and enjoy an afternoon with your neighbors

Preparations for our BBTA Picnic are in full swing. A save the date invited was sent out to all residents at the beginning of the summer and a final electronic E-vite will be sent out next week. Please respond to the invitation if you plan on attending so that we can make appropriate plans for food, refreshments beer and wine. Residents will be asked to make a modest \$10 per person contribution to cover the cost of food and refreshments. Children under 12 are free.

The Picnic will be held in the parking areas on Ballena Blvd from 2~5 PM. Tables and chairs will be set up and we will have burgers and hot dogs being grilled by our experienced neighbors. If you would like to volunteer to staff a grill or assist with serving food, please contact John Finston at 510 384 5359, [jfinston@gmail.com](mailto:jfinston@gmail.com), or respond to the E-vite that you will be receiving. .

***President's Message by Gary Flanigan***

No report this month.

***Treasurer's Report by Ann Kenyon***

July financials are attached.

***Landscape Committee by Pat Faustman***

We have cut back on our water usage, but are trying to water enough to keep our plants alive and a little green in the lawns. However, we have noticed that our trees, shrubs and lawns are looking stressed due to the dry winter and spring.

The landscapers have starting using the wood chips from the trees we trimmed in August for mulch in the large common areas on Tideway.

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***

The 2014 roofing program is complete except for several punch-list items. Siding work is underway for the buildings from 441 to 465 Cola Ballena. These homes will then be painted in the new colors.

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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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Roof inspections to determine roofing priority for the 2015 program are about halfway complete with the rest of the roofs to be inspected next week.

***Waterside by Rob Larsen***

We have our diver back in the water working on the Tideway section of the wave maze. This section had many structural failures. If you have seen the work float with all the tires on it, these are mostly from this section of the maze. Along with the general chore of cleaning, we will install new perimeter chain where required and reattach new and used floatation tires to it. The Waterside Committee (Dick Bacigalupi and me) with the help from our diver are trying to untangle tire sections that have twisted around and over themselves. Once this task has been accomplished we will solidify the perimeter chain.

The Ballena Blvd section of the maze has been cleaned and its perimeter chain has been made new. This section will need regimented cleaning and chain inspection for its remaining life span.

If you see anything regarding the waterside that needs some attention, please call or email.

Please continue to inspect your and your neighbors dock lines.

***The Marina Loan, a Historical Perspective by Jeff Frankel***

By 2002, the Association's old concrete docks were breaking up and could not be economically repaired any longer. The canal was silted in many places and the original wave maze was at the end of its life. In 2003 and 2004, the association rebuilt the marina, dredged the canal and installed a new wave-maze. This work was financed through a combination of a special assessment of \$2,100 per home and a loan for \$1,200,000 through Trans-Pacific Bank.

The loan called for 143 monthly payments of \$11,500 plus one payment at the end in May of 2016 \$11,846. This payment schedule was based upon making every payment exactly on the 15<sup>th</sup> of the month and that this variable rate loan would remain at its floor interest rate of 5.5%.

The interest actually charged on the loan is variable based on the Treasury note index called the 1 year constant maturity rate + 1.75% with a floor of 5.5% and a ceiling of 10.5%.

The CMT has generally been good to us and the loan has remained at 5.5% during its entire life except for a 27-month period from August 2005 to October 2007. During that period the average rate on our loan was approximately 6.46%. This period of above the floor interest resulted in about \$12,000 in additional interest being accrued over the absolute minimum that the loan could have cost us.



Since November of 2007, the loan has remained at 5.5% and should stay there for the remaining 20-months. Per a recently obtained projected amortization schedule, the last payment in May of 2016 will be a little less than \$4,500 and not the ~\$24K implied by the original note plus additional interest accrued during the 2005, 2006 and 2007. This is likely due to the Association having made an additional payment sometime in the last 10 years.

This loan has turned out to be a cost-effective way to pay for the marina and allowed the association to have its new marina and finance other maintenance out of cash flow without any additional special assessments.

**Security Lighting by Jeff Frankel**

The end of summer brings shorter days and longer nights. So here is your annual reminder to make sure that your street side and courtyard security lighting is working and that your timers are set for winter operation. A good rule of thumb for timer setting might be ON at 5pm and OFF at 6am before the end of Daylight Savings. Better yet, install photocell controls to eliminate the maintenance issues associated with timers.

You may also want to consider replacing incandescent or CFL bulbs with LED bulbs. High quality LED bulbs from Philips are now available for under \$10 at Home Depot and LEDs lead the way in terms of overall costs, low frequency of maintenance and reliability (bulb changes should be 5-6 years apart). Here’s a quick comparison of products available at Home Depot – likely you can do better on line. I’ve footnoted the exact products compared.

	<b>Incandescent (1)</b>	<b>CFL (2)</b>	<b>LED (3)</b>
Purchase Cost	\$1.09	\$1.74	\$8.00
Life	2,000	10,000	25,000
Purchase Cost/hour	\$0.0005	\$0.0002	\$0.0003
Watts Consumed	60	14	10.5
Light output	780 Lumens	896 Lumens	800 Lumens
Electricity cost/kWh	\$0.12	\$0.12	\$0.12
Operational Cost/Hour	\$0.0072	\$0.0016	\$0.0013
Total cost per hour	\$0.0077	\$0.0017	\$0.0016
Burn hours/year (12*365)	4,380	4,380	4,380
<b>Cost / Year</b>	<b>\$33.92</b>	<b>\$7.59</b>	<b>\$6.92</b>
<b>Change Bulb Every</b>	<b>6 months</b>	<b>2 years</b>	<b>6 Years</b>

- (1) 60-Watt GE Incandescent A19 Double Life Soft White Light Bulb (6-Pack) Home Depot
- (2) EcoSmart 60W Equivalent Soft White (2700K) Twister CFL Light Bulb (4-Pack) Home Depot
- (3) Philips SlimStyle 60W Equivalent Soft White (2700K) A19 LED Light Bulb (4-Pack) Home Depot

If you have questions about any of this, please call Jeff Frankel @ 769-6097.



**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	510.769.6097
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	September 16, 2014
BBTA Board of Directors Meeting 7:30 PM Ballena Bay Yacht Club	September 16, 2014
BBTA Executive Committee 7:00 PM Ballena Bay Yacht Club	October 21, 2014
BBTA Board of Directors Meeting 7:30 PM Ballena Bay Yacht Club	October 21, 2014

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[davidb@massingham.com](mailto:davidb@massingham.com)

**Ballena Bay Townhouse Association  
Income and Expenses Compared to Operating Budget  
For the Period Ending YTD 07-31-14**

Income & Expenses:	Actuals	Budget	Favorable/ (Unfavorable) Variance	Comments
<b>Total Income</b>	<b>\$384,231</b>	<b>\$389,900</b>	<b>(\$5,669)</b>	Reversal of late fees charged in prior year.
<b>Expenses:</b>				
Administrative Expense:				
Bank Loan	\$80,289	\$80,150	(\$139)	
Bad Debt Expense	\$0	\$5,833	\$5,833	Bad Debt Expense booked at end of year by CPAs.
All Other Administrative Expense	\$3,718	\$5,017	\$1,299	
Total Administrative Expense	\$84,007	\$91,000	\$6,993	
Insurance	\$26,225	\$26,250	\$25	
Utilities (Electric and Water)	\$6,574	\$8,167	\$1,593	Tree maintenance and seasonal plantings are under budget & monthly contract amount not paid in July.
Landscaping & Irrigation	\$18,618	\$33,127	\$14,509	
Repair & Maintenance	\$9,648	\$12,075	\$2,427	
Professional Services:				
Audit & Tax Services	\$1,390	\$875	(\$515)	Payment for year end 2013 services.
Legal Services	\$4,758	\$10,792	\$6,034	General Counsel services less than anticipated.
Management Fees & Misc. Services	\$17,127	\$17,419	\$292	
Taxes	(\$16)	\$321	\$337	
Reserve Funding	\$189,875	\$189,875	\$0	
<b>Total Expense</b>	<b>\$358,206</b>	<b>\$389,901</b>	<b>\$31,695</b>	
<b>Total Net Income</b>	<b>\$26,025</b>	<b>(\$1)</b>	<b>\$26,026</b>	

**Cash Accounts:**

Operating Funds	\$281,225
Reserve Funds	\$264,318
<b>Total Cash Accounts</b>	<b>\$545,543</b>

**Other Noteworthy Items:**

Members Receivable	<b>\$91,146</b>
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**Delinquent dues assessments from homeowners as of July 31, 2014. Total cost to each homeowner represents an average of \$1,139.**

# BALLENA BAY TOWNHOUSE ASSOCIATION NO. 1

## Board of Directors Executive Session

7:00 P.M. September 16, 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. September 16, 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 August 19, 2014 Regular & Executive Sessions and August 5, 2014 Special Executive Session minutes.
  - B. Review of Financial Statements for period ending July 2014
  - C. Approve Collection Actions
  - D. Close Nominations
  - E. Election By Acclamation (if applicable)
  - F. Election of Officers
  - G. Review Reserve Study Proposals
  - H. Review Roofing, Siding and Painting 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
  - O. Review Community Preparedness Committee Report
6. **Adjourn** 8:40 p.m.
7. **Next Meeting Date & Location** – October 14, 2014, Ballena Bay Yacht Club, 1150 Ballena Blvd, Alameda.



# BALLENA BAY TOWNHOUSE ASSOCIATION NO. 1

## Board of Directors Meeting

7:00 P.M. Ballena Bay Yacht Club, 1150 Ballena Blvd, Alameda, CA

### MINUTES July 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 7:37 P.M. by President Gary Flanigan.

**Homeowner Forum:** An open forum was held and one owner commented on the upcoming new paint colors. One owner brought questions and concerns about increased Reserve Funds. There was also a question of an orange bucket that a Ballena Bay owner placed on a water hazard outside of Ballena Bay's property and whether this holds any liability for the Association. One owner thanked the Board for this year's choice of a Construction Manager and thanked Board President Gary Flanigan for his article in the Dockside. And one owner had questions about a proposed light installation and also thanked the Board for doing a good job.

**Minutes:** After careful review it was **MSC** to approve the regular and Executive Session Minutes of June 17, 2014 and the regular minutes of June 25, 2014 as presented.

**Financial Statements:** Approval of the May Financial Statements was tabled because Treasurer Ann Kenyon was not present.

**Roofing and Siding Project:** Jeff Frankel reported to the Board on the status of the 2014 Roofing, Siding and Siding and Painting project. The paint schedule was moved to August to facilitate the paint color change decision. Jeff also discussed with the Board the need for change order approval between meetings to keep the project on track. It was **MSC** to authorize Gary Flanigan and Jeff Frankel to approve change orders up to \$60,000.00 and to inform the Board of these authorizations.

The Board also thoroughly discussed different options for painting and the language to be included on the ballot stating that while the Board will do it's best to honor all owners desired choices for colors the Board reserves the right to make a determination as to what is best for the Association as a whole should some issue not be covered by the details of determining colors laid out in the rules and ballot package.

The Board discussed the best way to encourage owners to vote and will determine a location for 4' x 4' color mockups. 1' x 1' mockups may also be created so each block has a mockup. It was MSC to proceed with the balloting for painting. Jeff will draft the ballot contingent on no objections by the Board.

**Ballena Bay Townhouse Association No. 1**

Board of Directors Meeting Minutes

July 15, 2014

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**Parking and Community Preparedness:** Gary Flaniogan reported that Parking Policy and Community Preparedness will take a back seat temporarily to accommodate paint selection.

**Architectural Committee:** Sue Cherrie reported that there were no Architectural Applications at this time in committee,

**Landside Committee:** Jeff Frankel covered Landside projects when he addressed the Board earlier.

**Landscape Committee:** Committee Chair Pat Faustman reported to the Board that EBMUD had requested that the Association cut back on water use.

**Waterside Committee:** Waterside Liaison Lu Abel reported nothing new concerning the docks or the wave maze.

**Neighborhood Communication Committee:** John Finston reported on the progress of the picnic.

**Adjournment/Next Meeting:** With no further business before it the Board adjourned at 8:44 p.m. The next regular Board of Directors meeting was set for August 19, 2014 at 7:30 p.m. at the Ballena Bay Yacht Club.

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*Director Signature*

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*Date*