



# At Dockside

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

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

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## ***President's Message***

***By Gary Flanigan***

I'll keep this one short and simple. I'd like to wish, to all of the homeowners and residents in the BBTA, the very best this holiday season. I hope that families can be together, that everyone enjoys good health, and that we can all find a way to help out those less fortunate than ourselves. I can't think of a better way to end one year and begin another. - Cheers!

## ***Treasurer's Report***

***By David Twiss***

September 2015 BBTA Financials enclosed in this month's issue. As a reminder the outgoing Board recommended a \$20.00 monthly dues increase to continue to build our reserve fund and the incoming Board approved this increase effective with our January 2015 dues as documented in our recent disclosure package sent to all homeowners. I look forward to serving on the Board for the next 2 years as your Treasurer. - Happy Holidays

## ***Landscape Committee***

***By Dick Bacigalupi***

November saw the completion of the budgeted landscaping work in the area between 348 and 350 Tideway and at 415 and 435 Cola Ballena. The areas turned out great, dramatically improving their appearance. These projects completed the budgeted work for 2014. With winter upon us the landscaping goes dormant and new projects will start in the spring. The work over the next few months will concentrate on potential safety issues caused by the weather. In that regard the trimming of the Monterey pine by the bridge was well timed as the last storm may have blown it over.

How about the recent rains? Maybe the rain Gods will be kinder to us this year. Unfortunately it was not enough to eliminated the drought and we all need to continue to conserve. On the plus side, it has allowed us turn off the irrigation. If you see any water from the sprinklers let a member of the Landscape Committee know right away. An automatic valve may be leaking.

In closing, the Landscape Committee wants to wish everyone a Happy Holiday. If you plan to celebrate the season with a live tree be sure to keep it well watered. A dry tree is very flammable and care should be taken to prevent potential fires.

## ***Disaster Preparedness Meeting***

***By Scoop Flanigan***

Recently those of us on the Disaster Preparedness Committee met to discuss the organizational aspects of what to do after a major disaster. Two sentences as to why: 1) we are overdue for The Big One and 2) as it hasn't happened yet there is time to prepare.



NEW: There will be a module on the BBTA website called Disaster Preparedness. In it will be links for such things as a list of supplies for homeowners and also a link to the Alameda County Disaster Preparedness website, both good resources for what to have on hand and what to do in a major emergency.

Please note that while the association is allowing this material to be hosted on its web site, the association assumes no responsibility for providing emergency services.

I, along with several of my neighbors, have taken the Community Emergency Response Training courses that teach what individuals can do in an emergency. These deal with medical assistance, search and rescue, etc. I encourage all of you to take these courses. They are free of charge and are conveniently located close by on the old naval air base. In taking the classes, the one overriding message given by the presenters is that both the police and fire departments will be overwhelmed in a major disaster. How will this impact our neighborhood? Here's how we thought it best to address this.

**Block Wardens** We decided that eight households might be too large a group and that four would be more manageable, so the "block" we're talking about here would be the group of four homeowners sharing a headfloat. We need block wardens to take responsibility for four households and know: 1) the list of occupants of each townhome and 2) make sure the gas for those units is turned off.

**Skills** Who in our association is/was a doctor or nurse and would be willing to offer their assistance in an emergency?

**Personal Responsibility** 1) I need to know who will volunteer for block warden duties. Here is my contact info: [jgflanigan@gmail.com](mailto:jgflanigan@gmail.com) and 523-4734. I'll hold a subsequent meeting at my house (as an inducement, adult beverages will be served). At this meeting the committee will assign block warden volunteers to households, refine the list of emergency supplies, and drill down to other specifics and next steps.

We're at the beginning of a work-in-progress exercise. More details to follow.....

### *Waterside*

*By Rob Larsen*

We received spare tires and the parts to reconstruct existing perimeter tires for attachment to the new perimeter chains. Our diver will continue cleaning the tires as necessary. This is the time of the year for some large tidal changes; keep a look out for any ramp problems.

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

Please continue to inspect yours and your neighbors dock lines.

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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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**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
<b>Emergencies:</b>	
Business Hours 9:00 am – 5:00 pm	(925) 405-4900
Non Business Hours	(925) 405-4900

**BOARD MEMBERS**

President/Landside	Gary Flanigan, garyflanigan@gmail.com 510.523.4734
VP/Landscape	Dick Baciaglupi, <a href="mailto:dickbacigalupi@hotmail.com">dickbacigalupi@hotmail.com</a> 521 2426
Secretary	John Finston, jfinston@gmail.com 510.428.1368
Treasurer/Community Preparedness	David Twiss, djtca1usa@gmail.com 925 417 0145
Communications	Mili Delbecq, <a href="mailto:mdelbecq@comcast.net">mdelbecq@comcast.net</a> 510 769 1019
Waterside	Rob Larsen, <a href="mailto:relarsen@comcast.net">relarsen@comcast.net</a> 510 5224020
Architectural	Sue Cherrie, suecherrie@hotmail.com 510.864.1709

**CALENDAR**

BBTA Executive Session 7:00 PM Ballena Bay Yacht Club	December 16, 2014
BBTA Board of Directors Meeting 7:30 PM Ballena Bay Yacht Club	December 16, 2014
BBTA Executive Session 7:00 PM Ballena Bay Yacht Club	January 20, 2015
BBTA Board of Directors Meeting 7:30 PM Ballena Bay Yacht Club	January 20,2015

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**Ballena Bay Townhouse Association  
Income and Expenses Compared to Operating Budget  
For the Period Ending YTD 09-30-14**

Income & Expenses:	Actuals	Budget	Favorable/ (Unfavorable) Variance	Comments
<b>Total Income</b>	<b>\$495,333</b>	<b>\$501,300</b>	<b>(\$5,967)</b>	Reversal of late fees charged in prior year.
<b>Expenses:</b>				
Administrative Expense:				
Bank Loan	\$103,189	\$103,050	(\$139)	
Bad Debt Expense	\$0	\$7,500	\$7,500	Bad Debt Expense booked at end of year by CPAs.
All Other Administrative Expense	\$4,989	\$6,451	\$1,462	
Total Administrative Expense	\$108,178	\$117,001	\$8,823	
Insurance	\$33,284	\$33,750	\$466	
Utilities (Electric and Water)	\$10,435	\$10,500	\$65	Tree maintenance is under budget due to timing of work and seasonal plantings are under budget due to drought issues.
Landscaping & Irrigation	\$28,255	\$42,592	\$14,337	
Repair & Maintenance	\$9,648	\$15,525	\$5,877	Roof repairs less than anticipated.
Professional Services:				
Audit & Tax Services	\$1,390	\$1,125	(\$265)	
Legal Services	\$5,596	\$13,875	\$8,279	Timing of billings for collections and less work needed from general counsel.
Management Fees & Misc. Services	\$22,021	\$22,396	\$375	
Taxes	(\$16)	\$413	\$429	
Reserve Funding	\$244,125	\$244,125	\$0	
<b>Total Expense</b>	<b>\$462,916</b>	<b>\$501,302</b>	<b>\$38,386</b>	
<b>Total Net Income</b>	<b>\$32,417</b>	<b>(\$2)</b>	<b>\$32,419</b>	

**Cash Accounts:**

Operating Funds	\$175,205
Reserve Funds	\$368,653
<b>Total Cash Accounts</b>	<b>\$543,858</b>

**Other Noteworthy Items:**

Members Receivable

**\$93,312**

**Delinquent dues assessments from homeowners as of September 30, 2014. Total cost to each homeowner represents an average of \$1,166.**

# BALLENA BAY TOWNHOUSE ASSOCIATION NO. 1

## Board of Directors Executive Session

7:00 P.M. December 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. December 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 November 18, 2014 Regular and Executive Session minutes.
  - B. Review of Financial Statements for period ending October 31, 2014
  - C. Approve Collection Actions
  - D. Write Off Bad Debt
  - E. Review Roofing, Siding and Painting Project
  - F. Review Parking Issues and Policy
  - G. Architectural Committee Report
  - H. Review Landscaping Committee Report
  - I. Review Landside Committee Report – Road Sealing
  - J. Review Waterside Committee Report
  - K. Review Neighborhood Communications Committee Report
  - L. Review Community Preparedness Committee Report
6. **Adjourn** 8:40 p.m.
7. **Next Meeting Date & Location** – January 20, 2015, 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 October 21, 2014

#### Board Members before Election

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

#### Board Members after Election

Gary Flanigan	President	Term expires 2015
Dick Bacigalupi	Vice President	Term expires 2016
David Twiss	Treasurer	Term expires 2016
John Finston	Secretary	Term expires 2015
Sue Cherrie	Director	Term expires 2015
Mili Delbecq	Director	Term expires 2016
Rob Larsen	Director	Term expires 2016

**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 7:40 P.M. by President Gary Flanigan.

**Homeowner Forum:** One owner had general questions about the overall delinquencies and the association.

**To the Out Going Board:** President Gary Flannigan thanked Jeff Frankel, Ann Kenyon, Pat Faustman and Lu Abel for their valuable work on the board. The new board then took over. Present were Gary Flanigan, John Finston, Sue Cherrie, Dick Bacigalupi and Rob Larsen.

**Election of Officers and Committee Heads:** The new Board determined that Gary Flanigan would serve as President, Dick Bacigalupi would serve as Vice President, David Twiss would be the Treasurer and John Finston would be the Secretary. New Committee positions would be as follows: Sue Cherrie, Architectural Committee; Gary Flanigan/Jeff Frankel, Landside Committee; Dick Bacigalupi, Landscape Committee; Rob Larsen, Waterside; Mili Delbecq, Neighborhood Communications and David Twiss/Jenifer Flanigan, Community Preparedness.

**Minutes:** After careful review it was **MSC** to approve the minutes of September 16, 2014 with corrections and the Executive Session minutes of September 16, 2014 as presented.

**Financial Statements:** Treasurer Ann Kenyon discussed various expenses in the 2015 budget. Ann felt that with these adjustments only a small increase in assessments would be needed this year. Ann also reported that the September financials look good. She also said she will turn over all materials and data to the new treasurer.

**Ballena Bay Townhouse Association No. 1**

Board of Directors Meeting Minutes

October 21, 2014

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**Collections:** After careful consideration it was **MSC** to authorize and direct ATC Assessment Collection Group, LLC as agent for Ballena Bay Townhouse Association No. 1 to proceed forward with the posting, publishing and actual sale of the property listed under account #151-0939.

**2015 Budget:** Following Ann Kenyon's recommendations it was **MSC** to approve a 2015 Annual Budget of \$681,600.00 and an annual reserve contribution of \$325,500.00.

**Roofing and Siding Project:** Jeff Frankel reported to the Board that the 2014 roofing, siding and painting project was nearly complete.

**Landside Committee:** Landside Committee Chair Jeff Frankel also reported to the Board that the roadway sealing cooperative project was moving forward with an expected project date of spring.

**Architectural Committee:** Architectural Committee Chair Sue Cherrie discussed the architectural application of 463 Cola Ballena to remodel their home. It was **MSC** to approve the application with the conditions set forth by the Architectural Committee. An approval letter outlining the specific conditions will be sent to the owners.

**Landscape Committee:** Landscape Committee Chair Pat Faustman was not present to report to the Board.

**Waterside Committee:** Rob Larsen reported that the diving work is proceeding. The cleaning aids floatation and about the current work being done on the wave maze.

**Neighborhood Communication Committee:** Committee Chair John Finston reported to the Board.

**Community Preparedness: Committee Chair** Gary Flanigan reported that there was not much new with Community Preparedness.

**Adjournment/Next Meeting:** With no further business before it the Board adjourned at 8:26 p.m. The next regular Board of Directors meeting was set for November 18, 2014 at 7:30 p.m. at the Ballena Bay Yacht Club.

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*Director Signature*

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*Date*