



At Dockside

A Monthly Publication of The Ballena Bay Townhouse Association #1

Protecting property values and the quality of life in Ballena Bay – May 2015

President's Message

By Gary Flanigan

The drought is obviously with us to stay, at least for a while. And there is always the chance that these arid conditions may become the new “normal”. Since droughts are nothing new in California, we have all probably adjusted our behavior in some ways already, but it is likely more conservation will be needed.

Doing only full dishwasher loads, not rinsing plates before putting in the dishwasher, not letting the water run while brushing teeth, putting in drip water systems for plants, etc. are not new ideas. But we may have to accept the fact that green lawns are no longer a viable luxury, and golf courses may become brown as well.

The politics of water in California have always been intense (re-watch [Chinatown](#) as a refresher). Agriculture gets a lion's share of California's water, but hey, we do have to eat! Allocation of water is not an easy problem to solve, and likely as individuals we can't do too much to influence the outcome.

But as individuals, we can start taking small steps that, when taken by many in the population, can make a big difference. As the Chinese philosopher Laozi said, “a journey of a thousand miles begins with a single step”.

We can only do what we can do, but let's at least do that.

Landside Report

By Jeff Frankel

It's May and the BBTA 2015 construction program is well underway. If you have walked the 400 block of Cola Ballena you will see signs of this activity as we renew siding and paint on 16 homes (401 Cola Ballena through 435 Cola Ballena).

On the roofing side, we will be replacing many of the aging flat roofs on the 300 and 400 blocks of Tideway Drive. The roofing program will get underway about June 8.

If you have questions, call or email myself or our construction manager Skip Morgan:

Jeff Frankel – 510-769-6097 jfrankel@pacbell.net

Skip Morgan – 707-756-2622 skip@southwestcc.us

Landscape Committee Report

By Dick Bacigalupi

The Landscape Committee continues to work within an unprecedented situation to maintain the appearance of our neighborhood. To fully utilize our water allocation the irrigation systems have been set to come on twice a day on the two days we are allowed to water. Unfortunately the lawn areas are drying out with the continued lack of rain and the warm windy weather. To ensure that everything is being done the committee



met with our landscape company supervisor last week and toured the area. While we were using all the water we are allocated there were additional actions we could take to improve the situation;

1. Change sprinklers used for shrub irrigation to drip. This would concentrate the water delivered as well as prevent water damage on wooden fences.
2. Add mulch to dirt areas. This would prevent evaporation and improve appearance.
3. Remove small lawn areas between homes. This would reduce the amount of water required and reduce maintenance. Rebate programs will be explored to help offset some of the cost.

Admittedly each of these actions will not have a significant impact but they will help us to save our shrubs and trees. They are expensive to replace and, if lost, would have a long- term impact on the appearance of our homes.

During the recent tour of the area it was discovered that some homeowner have pruned trees near their driveways. While this may have resolved the individual's immediate problem, it damaged the tree's appearance and, in one case, eliminated shade that in turn caused the sun to stress plants that were recently planted. Homeowners are asked to contact a member of the Landscape Committee if you would like a tree trimmed. The association uses professionals to ensure that pruning does not detract from the appearance or damages the tree's health.

I want to thank the homeowners who have notified the committee of water leaks. This has allowed repairs to be made promptly. Given our limited water supply everyone is asked to continue to report problems. In addition, our landscape company will be doing a complete system audit to ensure that all the valves are working and there are no leaks or sprinkler heads aimed incorrectly.

In closing, do not be surprised if you see workmen on our banks. The landscape company will be doing the annual cleanup and pruning of the banks over the next couple of months. Ivy and/or ice plant will be cut back from the wall to prevent damage.

Waterside Report ***By Rob Larsen***

The Waterside Committee will start an active search for the wave maze replacement. If in your travels you have seen or know of any wave enunciator that you might think would be an improvement to our existing system, please share it with us. All help welcome.

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.

Communications ***By Mili Delbecq***

In the last few years we have had several houses change hands and as a consequence it is harder to recognize our neighbors when we pass on the street and to get acquainted. I hope to interview several of these in the next few months as well as a number of people who have been here much longer so that

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Massingham & Associates Management, 1855 Gateway Blvd, Suite 300, Concord, CA 94520
davidb@massingham.com



newcomers will have a chance to learn a little more of our history and we can all work toward a sense of real community.

New Neighbors:

Please welcome Julian and Trish Ryde , along with their 19 month daughter, Juliette to our community. They moved into 413 Cola Ballena about a month ago. Julien is from the U.K. and Trish is a native Californian. They met while they were both in graduate programs at Cambridge, he in a Ph.D. program and she a Master's program. Since then they have lived in several locations including a stretch in Australia. He is a research scientist in the field of robotics and Trish was in the digital marketing area before becoming a full time mother.

When asked how they happened to choose to buy at Ballena Bay, Trish said they fell in love with the place as soon as they walked in the door. It is easy to understand why: they wind surf, do stand up paddle boarding and bike. If you see them on the water, wave – if you see a young couple with a beautiful little girl in the neighborhood, that is probably Julian, Trish and Juliette Ryde.

Celebrity Boat:

Brigadoon, formerly Joanne, is featured in the latest edition of *Wooden Boat*. You have probably seen her from the bridge; she is docked at 401 Cola Ballena and is owned by Terry Klaus. For more about Brigadoon see next months issue of Dockside.

Ahoy Kayakers!

Donna Milgram at 402 Tideway has offered to organize a neighborhood kayak group. Those interested should contact Donna at divadonnam@yahoo.com. Donna: thanks much for volunteering to get this going.

Bridge Anyone?

If you play Bridge and would like to play more often or ever played and would like to play again, please give me a call at 510 769 1019 or email me so that we can talk about exploring the possibility. It doesn't matter if you are rusty, there are a few of us who play and we are interested in finding others who would like to substitute or play at least once a month in the afternoon or evening. We use a mix of Goren and Five Card Major rules along with imagination to bid, but it is friendly so mistakes don't really matter. Male or female does not matter. Don't hesitate to call, Mili Delbecq at the above number or email me at milidelbecq@gmail.com, it is not a commitment to do anything at this point.

News and Notices

If you have news or notices that may be of interest to our community of homeowners, please send them to me at milidelbecq@gmail.com for publishing in the Dockside.



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/Landside Gary Flanigan, garyflanigan@gmail.com 510.523.4734
VP/Landscape Dick Baciaglupi, dickbacigalupi@hotmail.com 521 2426
Secretary John Finston, jfinston@gmail.com 510.428.1368
Treasurer/Community Preparedness David Twiss, djtca1usa@gmail.com 925 525 2835
Communications Mili Delbecq, mdelbecq@comcast.net 510 769 1019
Waterside Rob Larsen, relarsen@comcast.net 510 5224020
Architectural Sue Cherrie, suecherrie@hotmail.com 510.864.1709

CALENDAR

BBTA Executive Session May 19, 2015
7:00 PM Ballena Bay Yacht Club

BBTA Board of Directors Meeting May 19, 2015

BBTA Executive Session June 16, 2015
7:00 PM Ballena Bay Yacht Club

BBTA Board of Directors Meeting June 16, 2015
7:30 PM Ballena Bay Yacht Club

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BALLENA BAY TOWNHOUSE ASSOCIATION NO. 1

Board of Directors Executive Session

7:00 P.M. May 19, 2015
Ballena Bay Yacht Club
1150 Ballena Blvd, Alameda, CA 94501

AGENDA

1. Call to Order

2. Items Requiring Board Action

- A. Review Contracts - Management
- 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. May 19, 2015

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 21, 2015 Regular and Executive Session minutes.
 - B. Review of Financial Statements for periods ending March 31, 2015
 - C. Approve Collection Actions
 - D. Write Off Bad Debt
 - E. Review Roofing, Siding and Painting Project
 - F. Review Landside Committee Report – Road Sealing
 - G. Review Parking Issues and Policy
 - H. Architectural Committee Report
 - I. Review Landscaping Committee Report
 - J. Review Waterside Committee Report – Float Agreements, Proposed Lift Rules
 - K. Review Neighborhood Communications Committee Report
 - L. Review Community Preparedness Committee Report
6. **Adjourn** 8:40 p.m.
7. **Next Meeting Date & Location** – June 16, 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

March 17, 2015

Board Members

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 **M**otion was made, **S**econded and **C**arried *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 7:31 P.M. by President Gary Flanigan.

Homeowner Forum: An open forum was held with two owners present. One owner brought their concerns about the condition of their garage roof and their dissatisfaction with the work continuing to be postponed. Another owner also expressed concern over deferring roofing, siding and painting work.

Landside Committee Chair Jeff Frankel addressed the owners with the procedure used by the Association to have roofs inspected, evaluated and priorities then set. The board then further explained the history of extensive maintenance being unnecessarily deferred many years before and the necessity now to prioritize capital expenditures because the level of reserve funding would not allow all the repairs to be done at once.

They then discussed how the Association relied on the advice of professionals such as their construction manager to determine what work could be done each year with the available reserve funds and the determination to continue on the present course of action.

The board did take into consideration the comments of the owners and determined to use any extra reserve funds within reason to do extra work this year. They stated they were also open to seeing if there was enough support by owners for a special assessment so that all the roof, siding and painting work could be done at once.

Minutes: After careful review it was **MSC** to approve the regular and Executive Session minutes of January 31, 2015 with corrections.

Financial Statements and Year End Review: It was **MSC** to table acceptance of the Financial Statement for the period ending January 31, 2015 to allow more time for review by the Board. Acceptance of the Year End Review as prepared by Levy, Erlanger & Company was also **tabled** for the same reason.

BALLENA BAY TOWNHOUSE ASSOCIATION NO. 1

Board of Directors Meeting Minutes

March 17, 2015

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Collections: After careful consideration it was **MSC** to approve a proposed payment plan from account 179-2210. The plan would have an initial payment of \$2,500.00 due in March 2015 with monthly payments thereafter of \$3,020.00 beginning in April. This plan would bring the Association whole before the end of 2015. This decision is consistent with past actions of the Board.

Bad Debt: After careful discussion it was **MSC** to write off the outstanding balances of accounts 179-2207, 179-2197, and 181-6837 as bad debt. These accounts were all for one set of owners and was necessitated by a ruling of the Bankruptcy Court that essentially eliminated nearly all of the debt owed to the Association. The Board noted that writing off the debt did not preclude collection of this debt in the future should that become possible.

Insurance Renewal: The Board discussed the renewal of the Association's insurance policy. After review of the Farmers renewal quote and a quote from LaBarre Oksnee Insurance Agency it was determined to have three Directors look over the comparison sheet and compare coverage, limits and prices with last year.

Landside Committee: Landside Committee Chair Jeff Frankel reported on the current status of planned repairs for 2015. After comparison of the submitted proposals it was **MSC** to approve CAM Construction as **the Association's contractor for this year's** pre-paint and painting project. It was also **MSC to approve Sorenson Roofing as this year's roofing contractor.**

Landscape Committee: Landscape Committee Chair Dick Bacigalupi reported to the Board on the status of landscaping in Ballena Bay. He also reported on a plan for the best use of irrigation water in light of this **year's** drought.

Waterside Committee: Waterside Committee Chair Rob Larsen reported on the wave maze maintenance. The Board discussed options for its eventual replacement.

Neighborhood Communications Committee: President Gary Flanigan reported that he, his wife Jennifer along with Robert and **Ann Kenyon would lead the organization of this year's community picnic.**

Community Preparedness: Gary Flanigan reported that there was nothing new in regards to the state of community preparedness.

Adjournment/Next Meeting: With no further business before it the Board adjourned at 9:08 p.m. The next regular Board of Directors meeting was set for April 21, 2015 at 7:30 p.m. at the Ballena Bay Yacht Club.

Director Signature

Date