



At Dockside

A Monthly Publication of The Ballena Bay Townhouse Association #1

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

President's Message

By Gary Flannigan

Our Little Town

As many of us have read, the west side of Alameda has seen a number of nighttime break-ins, and even the sexual assault on a young girl. Most or all of these happened when the intruder was able to enter through an unlocked door or open window. While the police have arrested a person they believe committed these crimes that may be small comfort to the victims.

The Bay Area is growing rapidly, with the tech boom in SF spilling over into Oakland and the rest of the East Bay due to housing costs. In addition, there will eventually be new housing on the old Naval Air Station property. All of this means that our little town is becoming more crowded and urbanized. One only has to compare the ease of parking on Park Street 5 years ago to today's experience to get a quick sense of the change.

While these changes bring some good things, such as better places to shop and dine, there is obviously also a down side. Gone are the days when we could afford to leave our doors unlocked or the windows open at night. Perhaps it was never prudent to do so.

In any event, I suggest that we all re-examine our basic security measures for our homes. Even if we don't want to hire a security service or install a series of cameras and alarms, we can at least take the smallest measures available, which cost nothing more than time.

Landscape Committee Report

By Dick Bacigalupi

Maintaining our landscape with the severe water shortage continues to be the committee's primary focus. Based on the latest EBMUD reports we were able to increase the watering in certain areas. While a recent tour of the common area noted this has helped, many of our shrubs and trees continue to show stress. Adding to this appearance, the pear and certain others trees remained dormant and just recently leafed out. This was caused by the mild winter last year that did not provide a sufficient cold period for their normal growth. With the current draught condition we have postponed the new planting planned for the area between 1211 and 1213 Ballena Blvd. We have received the proposal and will do the work in the fall.

Planning for next year, a meeting was held with our landscape company tree arborist. Walking the area it was noted that some of our smaller trees were at the end of their life cycle and should be replaced. We have requested a proposal for replacement that can be included in next year's budget. It was also good to see the trees that were planted the last couple of years are doing well in spite of the drought. They have shown good growth with the fertilizer program and will be trimmed for structure.

We need to continue to be vigilant in conserving water. The latest report on the upcoming El Nino stated that southern California is to get the bulk of the rain and northern California maybe below "normal". I am sure we will get many more "expert" predictions. As such, everyone is asked to be on the lookout for any water leaks. Notify David Boone, our property manger, or a committee member if you see a leak. Thanks to those homeowners who have alerted us of past problems.



Communications Report

By Mili Delbecq

This is a busy time of year for your Homeowner's Association; the Annual Picnic and the annual election of HOA Board members as well as the Annual meeting are all on the horizon.

Election of members of the Board of Directors: You will notice that there is a Nomination Form for the Board of Directors in this package. Don't be intimidated by the form, it is really quite an easy process and you don't need to submit a picture unless you have a recent one you like. (I don't!)

I would like to encourage everyone to think about volunteering to be on the ballot. Our homes are probably our largest asset and decisions by the Board impact the maintenance and many other aspects of our everyday lives including parking and the use of our docks. However one does not need to be an expert in any of these fields to be on the Board, just a little common sense is all that is required. Experts in HOA management are available when needed. From my own experience I have found that being on the Board has been very rewarding. I would especially like to encourage owners who have moved here in the last few years to volunteer. New ideas are always welcome and it is an opportunity to learn about how the HOA works and to make new friends. The form needs to be returned by September 15th to Massingham or any member of the Board.

THE PICNIC IS COMING!! September 26th!! **SAVE THE DATE**

Meet Patti and Terry Klaus

Now I know that most of you who have lived at Ballena Bay for a long time already know Terry and Patti, but those who have moved here in the last few years probably do not. Terry and Patti moved here in 1974 and acquired Brigadoon in 1976, the beautiful 65 foot schooner you may have seen docked at 401 Cola Ballena. Brigadoon has a colorful past, having been owned by both a rock band, Quicksilver Messenger Service, and Sterling Hayden. She is the flagship of the St. Francis and Master Mariners and has been the subject of many magazine articles. If you would like to know more about her, check her out on Google.

Terry is a true "sailor" with a love for schooners. He started out in his teens as a crew member taking schooners up and down the coast, followed by a stint in the Coast Guard, then started working for Crowley Maritime and eventually retiring from a Worldwide Maritime shipping line.. He has served on our HOA Board several times and is a past Commodore of the St. Francis Yacht Club (2004).

Terry and Patti were among the first to raise children at Ballena, Lindsey and Erik. Lindsey is following in her father's footsteps and owns her own maritime business and still lives in Alameda, Erik is a Sergeant on the Alameda police force. Patti is well known to parents of children who have attended grade school in Alameda, having served as principal for several grade schools until her retirement.

Now that both Terry and Patti are retired, they spend several months a year in Mexico.

New Residents: If you see them out walking a small white dog, introduce yourself.

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



Ahoy Kayakers! Where are you? We know you are out there!

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.

Coastal Cleanup – Save the Date! Coastal Cleanup Day is an annual event. This year it will be held on Saturday, September 19th, 9AM to noon. As usual, the marina will be the center of efforts for our part of Alameda. We had great participation from BBTA homeowners last year and we are hoping for a repeat this year. Please save the date and join your neighbors! If you'd like more information, feel free to contact me – I am helping coordinate the efforts. Submitted by Lu Abel

Treasurer's Report by David Twiss

Monthly financials YTD summary up to and including 06-30-15 are attached. As of this reporting period your association is \$28,570 under budget. Please see the attached report.

**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/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

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CALENDAR

BBTA Executive Session 7:00 PM Ballena Bay Yacht Club	August 18, 2015
BBTA Board of Directors Meeting 7:30 PM Ballena Bay Yacht Club	August 18, 2015
Due Date for Board Nominations	September 15, 2015
BBTA Executive Session 7:00 PM Ballena Bay Yacht Club	September 15, 2015
BBTA Board of Directors Meeting 7:30 PM Ballena Bay Yacht Club	September 15, 2015
Coastal Cleanup, 9am – noon	September 19, 2015
ANNUAL PICNIC	September 26, 2015



BALLENA BAY TOWNHOUSE ASSOCIATION NO. 1

c/o Associa Northern California
1855 Gateway Blvd, Suite 300 - Concord, CA 94520
925.405.4900 Phone / 925.405.4747 Fax
David.Boone@associa.us

TO: Ballena Bay Townhouse Association Homeowners
FROM: David Boone, Community Manager
DATE: August 14, 2015
RE: 2015 Election - Call for Candidates

CANDIDATE FOR DIRECTOR - NOMINATION FORM

All members meeting the below Qualifications for Director Positions are invited to become candidates for one of three (3) Board of Director seats that will be up for election for a two (2) year term.

If you would like to nominate yourself or another Member as a candidate for the Board of Directors for Ballena Bay Townhouse Association No. 1 (“Association”), please **complete this form and return it to** Inspector of Election David Boone, Community Manager, Ballena Bay Townhouse Association No. 1, c/o Associa Northern California, 1855 Gateway Boulevard, Suite 300, Concord CA 94520 by **5:00pm September 15, 2015**.

Nomination Forms will also be accepted no later than 8:00 pm at the September 15, 2015 Board Meeting.

In order to ensure that the candidate’s name is placed on the ballot that will be mailed to the Members, the Association must receive your completed Nomination Form no later than September 15, 2015, which is the close of the nominations period.

The Board reserves the right to extend the deadline for the return of Candidate for Director – Nomination Forms.

CANDIDATE’S INFORMATION
(For Association’s Use & Records)

Please also provide the additional contact information requested below, in case the Association needs to contact you concerning this nomination or other related matter.

Name	
Address	
Home Phone	
Work Phone	
Cell Phone	
Email	

The candidate’s contact information will **not** be provided to the other Association Members in the Candidate’s Statement or by any other means.

CANDIDATE’S BIOGRAPHY

- 1) Please submit a Candidate’s Biography (on a separate sheet of paper as Exhibit A and attached it to this Nomination Form). The text of the biography will be included in the election package and mailed to the membership.
- 2) The biography is a brief description of your skills and qualifications and should be limited to information about yourself (e.g., Current occupation/employer, significant career experience, elected experience, education, family).
- 3) The biography is limited to one side of an 8 ½ “ X 11” sheet of paper .
- 4) The biography may not advocate a campaign position. Campaigning may be done by all candidates separately from the election package mailed to the membership.
- 5) The biography will be rejected if it contains obscene, profane, libelous, or defamatory language.
- 6) Photographs (**OPTIONAL**) - Each candidate may submit one original self-portrait. If mailed, the photograph may be submitted digitally on a CD, or as a lab-processed print.
 - a. Photos:
 - i. must be limited to the head and shoulders;
 - ii. must be against a light-colored background (not white);
 - iii. may be color or black-and-white;
 - iv. must be no more than five years old; and;
 - v. must not show the uniform or insignia of any organization that advocates or teaches racial or religious intolerance.
 - b. Digital photo must be a resolution of at least 300 dpi and not digitally touched-up or altered.
 - c. Print photo must be a smooth, no gloss, lab-processed print (not one printed from a home computer).
 - d. Should be no smaller than 4 x 5 inches and no larger than 8 x 10 inches.

Please attach a separate page with your biography to this Nomination Form.

CANDIDATE’S DECLARATION

I declare under penalty of perjury under the laws of the State of California that I:

- 1. am a Member in good standing of the Association;
- 2. have not been declared “of unsound mind” by a Court;
- 3. have not been convicted of a felony.
- 4. want to run as a candidate for a position on the Board of Directors of Association;
- 5. (and/or my family and/or any business that I have any ownership in):

a) do not provide any goods and/or services to the Association or the Association’s manager;

OR

b) do provide the goods and/or services in the attached Exhibit B to either the Association or the Association’s manager. ***NOTE: If you do not provide an attachment Exhibit B, you are declaring that Item 5.a above is accurate.***

By: _____
Signature (Candidate must sign his/her name)

Date

Printed Name

**Ballena Bay Townhouse Association
Income and Expenses Compared to Operating Budget
YTD For the Period Ending 06-30-15**

Income & Expenses:	Actuals	Budget	Favorable/ (Unfavorable) Variance	Comments
Total Income	\$346,178	\$343,350	\$2,828	
Expenses:				
Administrative Expense:				
Bank Loan	\$68,700	\$68,700	\$0	
Bad Debt Expense	\$0	\$5,000	\$5,000	
All Other Administrative Expense	\$2,614	\$4,690	\$2,076	
Total Administrative Expense	\$71,314	\$78,390	\$7,076	
Community Events	\$1,074	\$0	(\$1,074)	Annual Picnic Event
Insurance	\$29,292	\$24,000	(\$5,292)	
Utilities (Electric and Water)	\$3,936	\$8,750	\$4,814	
Landscaping & Irrigation	\$20,589	\$27,970	\$7,381	
Repair & Maintenance	\$8,572	\$19,171	\$10,599	
Professional Services:				
Audit & Tax Services	\$1,390	\$750	(\$640)	
Legal Services	\$3,452	\$6,000	\$2,548	
Management Fees & Misc. Services	\$15,195	\$15,445	\$250	
Taxes	\$45	\$125	\$80	
Reserve Funding	\$162,750	\$162,750	\$0	
Total Expense	\$317,609	\$343,351	\$25,742	
Total Net Income	\$28,569	(\$1)	\$28,570	

Cash Accounts:

Operating Funds	\$287,867
Reserve Funds	\$218,185
Total Cash Accounts	\$506,053

Other Noteworthy Items:

Members Receivable	\$100,630	Reduced from the write off of bad debt, does not preclude collection of this debt in the future should that become possible
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Delinquent dues assessments from homeowners as of June 30, 2015. Total cost to each homeowner represents an average of \$1257.88

BALLENA BAY TOWNHOUSE ASSOCIATION NO. 1

Board of Directors Executive Session

7:00 P.M. August 18, 2015
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\(c\)\(2\)](#).

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BALLENA BAY TOWNHOUSE ASSOCIATION NO. 1

Board of Directors Meeting

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

MINUTES June 16, 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 Motion was made, **Seconded** and **Carried** *denotes absence

Also present was Jeannine Muser 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 with three owners present.

Minutes: After careful review it was **MSC** to approve the regular and Executive Session minutes of April 21, 2015 and the June 9, 2015 Executive Session minutes as presented.

Financial Statements and Year End Review: It was **MSC** to accept the Financial Statements for the periods ending March 31, 2015 and April 30, 2015 subject to budget adjustments.

Roofing, Siding and Painting Project: Jeff Frankel reported that the capital project for 2015 was on schedule.

Landside Maintenance: Approval of the Reserve Study proposal was tabled.

Parking: The Board discussed the implementation of the Parking Policy.

Architectural Applications: Architectural Committee Chair Sue Cherrie discussed with the Board the application of 332 Tideway to replace all second story windows and the application of 425 Cola Ballena to replace their garage door with a roll-up door that will be painted to match. It was MSC to approve both Architectural Applications.

Landscape Committee: Landscape Committee Chair Dick Bacigalupi reported on the state of the landscaping within Ballena Bay. After review it was MSC to approve spending up to \$1,300.00 to have Tree Sculpture Group replace the grass between 1211 and 1213 Ballena Boulevard with plants serviced by drip irrigation.

BALLENA BAY TOWNHOUSE ASSOCIATION NO. 1

Board of Directors Meeting Minutes

June 16, 2015

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Waterside Committee: Waterside Committee Chair Rob Larsen reported on the current status of the wave maze and docks.

Neighborhood Communications Committee: The Board discussed the possibility of a Welcoming Committee.

Community Preparedness: There was nothing new to report.

Adjournment/Next Meeting: With no further business before it the Board adjourned at 8:32 p.m. The next regular Board of Directors meeting was set for July 21, 2015 at 7:30 p.m. at the Ballena Bay Yacht Club.



Director Signature

7/21/15

Date