



# 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 – September 2015**

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

***By Dick Bacigalupi***

I am filling in for Gary this month as he is enjoying a long planned trip. It is unfortunate that he has missed the recent heat wave. Hopefully everyone was able to locate the long lost fan to cool off. I am sure he will be sorry he missed it. Joking aside, I hope everyone has enjoyed the beautiful evenings on your decks.

I do want to remind everyone to come to the upcoming BBTA Picnic on Saturday, September 26th. It is a time for everyone to see neighbors and meet new homeowners. Take the afternoon to reacquaint yourself with more of your fellow homeowners. It will be a fun time with good food all shared by a group that has a common interest. If you haven't already, RSVP to Gary or Jennifer Flanigan you plan to attend. Hope to see you there.

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

***By David Twiss***

Monthly financials YTD summary up to and including 07-31-15 are attached. As of this reporting period your association is \$33,847 under budget.

## ***Landscape Committee***

***By Dick Bacigalupi***

Like many of you, I was hoping for a quick end to the recent heat spell. Setting records for the highest temperatures is not something you want during the worst draught. So far the landscape has been holding up fairly well but the promised El Nino cannot come soon enough. Other than the normal weekly maintenance, there is nothing new to report for the month. As mentioned last month, all the major projects have been postponed until the fall when more water will be available. In the interim we need to continue to be vigilant in conserving water. If you see any water leaks or over watering notify David Boone, our property manager, or a committee member. Again, thanks to those homeowners who have alerted us of past problems.

## ***Waterside Report***

***By Rob Larsen***

Our diver is back on site for a couple of days to clean the Ballena section of the wave maze. We also had him in a couple of weeks ago to help interlace loose sections of the Tideway maze.

During September we had a few days of a 7 foot swing in the tides, we had no reports of trouble with docks or ramps. I know on the wave maze side we experienced high tide rollers being pushed down the channel by the high winds. These conditions cause our piling rings to moan rather

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



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loudly. Please help yourself and your neighbors to a quiet night's sleep and spray the rub marks on your pilings with a non-stick cooking spray. It really does stop the squeaks.

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***

**Elections:** If there are three or fewer nominations by the time of the Board Meeting on 9/15, the nominees will be elected at that time by acclamation. If there are more than three nominations, elections will be held after distribution of ballots. So if you are planning to volunteer, please do so quickly. If you need a nomination form, please contact a member of the Board.

**Coastal Cleanup Day:** 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 19<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 19<sup>th</sup>! If you'd like more information, feel free to contact me – I am helping coordinate the efforts. Submitted by Lu Abel.

**Neighbors:**

**Alan and Donna Levy of 1203 Ballena Boulevard**

You have probably seen Alan and Donna Levy out and about walking their beautiful labradoodle, Campy, since they moved here about three years ago from Southern California. They had been spending a great deal of time traveling from Woodland Hills to the Bay Area and Portland, Oregon to spend time with their three daughters who presented them with six grandchildren (4 girls and 2 boys) in less than six years. When they heard about 1203 going on the market, I think they snatched it up before it was ever listed and they have no regrets.

They love Alameda and have walked from one end of it to the other. In addition to walking, they enjoy cycling, yoga, kayaking, gardening and boating. In fact the newest member of their family is a recently purchased Nordic Tug called Bay Tripper.

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Alan is a retired commercial realtor, however was trained as an educator and served as a guidance counselor and taught junior high school history for 12 years before discovering that commercial realty was much more rewarding financially. Donna however is excited and engaged in growing her own company, Destira, Inc. She designs and manufactures apparel for the gymnastics industry. Two of her daughters, Jodi of Portland, OR, and Jen from San Carlos are business partners and Donna says “It is the best job ever” working with two of her girls. The company is headquartered in San Carlos and their sales office is in Portland, OR. Donna is able to work comfortably from either office which works perfectly for spending time with kids and grandkids in each location. Their third daughter, Amanda, is in management with [Change.org](http://Change.org) and lives in Tiburon.

Donna and Alan are interesting and active. When you see them, don’t miss the opportunity to say hello and get to know Campy as well.

**David and Jill MacAfee of 409 Cola Ballena**

They are not exactly new residents, having lived here for about five years; however you may not have had a chance to get to know them. Jill and David became acquainted through boating interests; Jill had grown up with small sailboats and David with powerboats. Today they have a 32 foot Columbia sailboat, Plumb Crazy. Old timers may remember that Plumb Crazy, fresh off the assembly line, called Ballena Bay her home, but does anyone remember who owned her?

In addition to sailing, David is an avid biker and Jill is a hiking enthusiast, although at the moment Jill is recovering from knee replacement surgery. She hopes to be back at work soon as a clinical laboratory scientist (medical technologist). Her specialty is managing freestanding start up laboratories. David works for Algo-Logic in the field of customized computer chips.

Their children, Scott who finished his applied physics degree recently at U.C. Santa Cruz and daughter, Elizabeth who lives in Norway while she works on her Master’s in Environmental Health, are no longer at home. However the house is not empty; once the owners of Great Danes they now have six indoor cats, mostly rescue kitties. It was not their intent to have six, and they did not arrive all at once; but apparently it takes a lot of kitties to make up for two Great Danes.

Say hello to Jill and David at our upcoming picnic.

**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

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**Emergencies:**

Business Hours 9:00 am – 5:00 pm (925) 405-4900  
Non Business Hours (925) 405-4900

**Board Members**

President	Gary Flanigan, <a href="mailto:garyflanigan@gmail.com">garyflanigan@gmail.com</a> 510.523.4734
VP/Landscape	Dick Baciaglupi, <a href="mailto:dickbacigalupi@hotmail.com">dickbacigalupi@hotmail.com</a> 521 2426
Secretary	John Finston, <a href="mailto:jfinston@gmail.com">jfinston@gmail.com</a> 510.428.1368
Treasurer/Community Preparedness	David Twiss, <a href="mailto:djtca1usa@gmail.com">djtca1usa@gmail.com</a> 925 525 2835
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, <a href="mailto:suecherrie@hotmail.com">suecherrie@hotmail.com</a> 510.864.170

**CALENDAR**

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
BBTA Executive Session 7:00 PM Ballena Bay Yacht Club	October 17, 2015
BBTA Board of Directors Meeting 7:30 PM Ballena Bay Yacht Club	October 17, 2015
BBTA Annual HOA Picnic	October 26, 2015

**Ballena Bay Townhouse Association  
Income and Expenses Compared to Operating Budget  
YTD For the Period Ending 07-31-15**

Income & Expenses:	Actuals	Budget	Favorable/ (Unfavorable) Variance	Comments
<b>Total Income</b>	<b>\$403,444</b>	<b>\$400,575</b>	<b>\$2,869</b>	
<b>Expenses:</b>				
Administrative Expense:				
Bank Loan	\$80,150	\$80,150	\$0	
Bad Debt Expense	\$0	\$5,833	\$5,833	
All Other Administrative Expense	\$3,279	\$5,472	\$2,193	
<b>Total Administrative Expense</b>	<b>\$83,429</b>	<b>\$91,456</b>	<b>\$8,027</b>	
Community Events	\$1,074	\$0	(\$1,074)	Annual Picnic Event
Insurance	\$31,968	\$28,000	(\$3,968)	
Utilities (Electric and Water)	\$3,728	\$10,208	\$6,480	
Landscaping & Irrigation	\$25,261	\$32,631	\$7,370	
Repair & Maintenance	\$8,572	\$22,366	\$13,793	
Professional Services:				
Audit & Tax Services	\$1,390	\$875	(\$515)	
Legal Services	\$6,527	\$7,000	\$473	
Management Fees & Misc. Services	\$17,728	\$18,019	\$292	
Taxes	\$45	\$146	\$101	
Reserve Funding	\$189,875	\$189,875	\$0	
<b>Total Expense</b>	<b>\$369,598</b>	<b>\$400,576</b>	<b>\$30,978</b>	
<b>Total Net Income</b>	<b>\$33,846</b>	<b>(\$1)</b>	<b>\$33,847</b>	

**Cash Accounts:**

Operating Funds	\$319,529
Reserve Funds	\$150,068
<b>Total Cash Accounts</b>	<b>\$469,597</b>

**Other Noteworthy Items:**

<b>Members Receivable</b>	<b>\$97,598</b>	debt, does not preclude collection of this debt in the future should that become possible
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<p><b>Delinquent dues assessments from homeowners as of July 31, 2015. Total cost to each homeowner represents an average of \$1219.97</b></p>
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# BALLENA BAY TOWNHOUSE ASSOCIATION NO. 1

## Board of Directors Executive Session

7:00 P.M. September 15, 2015  
Ballena Bay Yacht Club  
1150 Ballena Blvd, Alameda, CA 94501

## AGENDA

### 1. Call to Order

### 2. Items Requiring Board Action

- A. Review Contracts – Tree Sculpture Contract
- 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 15, 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 August 18, 2015 Regular and Executive Session minutes.
  - B. Review of Financial Statements for periods ending July 31,2015
  - C. Approve Collection Actions
  - D. Write Off Bad Debt
  - E. Review Election Timeline
  - F. Discuss Annual Meeting
  - G. Review Roofing, Siding and Painting Project
  - H. Review Landside Committee Report – Road Sealing
  - I. Review Parking Issues and Policy – Towing Contract
  - J. Architectural Committee Report
  - K. Review Landscaping Committee Report – Tree Sculpture Contract
  - L. Review Waterside Committee Report –
  - M. Review Proposed Float and Boat Lift Policies and Agreements
  - N. Review Neighborhood Communications Committee Report
  - O. Review Community Preparedness Committee Report
6. **Adjourn** 8:40 p.m.
7. **Next Meeting Date & Location** – October 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 July 21, 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 David Boone of Massingham & Associates Management, Inc.

**Call to Order:** The Board of Directors Meeting was called to order at 7:47 P.M. by Vice President Dick Bacigalupi.

**Homeowner Forum:** An open forum was not held as no owners were present.

**Minutes:** After careful review it was **MSC** to approve the regular and Executive Session minutes of June 16, 2015 as presented.

**Financial Statements and Year End Review:** It was **MSC** to accept the Financial Statements for the periods ending April 30, 2015 and May 31, 2015 with minor corrections.

**Inspector of Election:** It was **MSC** to appoint Community Manager David Boone as Inspector of Election for the upcoming Board Election.

**Roofing, Siding and Painting Project:** Committee Chair Jeff Frankel reported through Dick Bacigalupi that the 2015 Roofing and Siding Project was on course and moving forward.

**Landside Maintenance:** After review it was **MSC** to approve spending \$575.00 to have Richard Avelar & Associates update the Association's Reserve Study.

**Parking:** David Twiss reported to the Board that the Parking Policy will be revised slightly to allow more equitable use and enforcement. There will be stickers for owners and placards for guests. The new version will be presented to the Board at the August meeting.

**Architectural Applications:** Architectural Committee Chair Sue Cherrie reported that there were no new Architectural Applications for the Board to consider.

**Landscape Committee:** Landscape Committee Chair Dick Bacigalupi reported that water use within Ballena Bay was in line with the present use restrictions. At the August meeting spending was approved up to \$1,300.00 to have Tree Sculpture Group replace the grass between 1211 and 1213 Ballena



**BALLENA BAY TOWNHOUSE ASSOCIATION NO. 1**

Board of Directors Meeting Minutes

July 21, 2015

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Boulevard with plants serviced by drip irrigation. Dick asked the Board for approval of additional funds up to a total of \$1,725.00 for the project with an additional \$500.00 for irrigation repairs. It was **MSC** to approve the additional spending.

**Waterside Committee:** Waterside Committee Chair Rob Larsen reported that the Wave Maze Committee Meeting has looked at various designs, however most are made of wood or concrete and tethered to the ground, not floating as is needed at Ballena Bay. Dick Bacigalupi added that the Committee felt that the tire maze system was still the best method and design but the new maze should be built to Ballena Bay's specs based on experience gained over the years of maintenance and repairs on the present maze.

**Neighborhood Communications Committee:** The Board discussed a Welcoming Committee Procedure for new owners.

**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 August 18, 2015 at 7:30 p.m. at the Ballena Bay Yacht Club.

  
\_\_\_\_\_  
*Director Signature*

  
\_\_\_\_\_  
*Date*