



At Docksides

A Monthly Publication of The Ballena Bay Townhouse Association #1

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

President's Message

By Gary Flanigan

As this is the last month of my term, I wanted to thank the community for letting me serve on the Board for the past two years. While it is often frustrating (no one wants to be in conflict with their neighbors), it is also very rewarding when good things get done.

More importantly, I wanted to thank all of the other Board members for their time and efforts. Hats off to Dick Bacigalupi for overseeing the Landscape Committee and working with Rob Larsen (Chair of the Waterside Committee) to keep the Marina in good repair. Thanks to Mili Delbecq for putting the Docksides together each month. Thanks to Sue Cherrie for chairing the Architecture Committee. Thanks to David Twiss for scouring the financials each month. And thanks to John Finston for his steady advice and many other contributions. In addition to these specific activities, each of the Board members has contributed to the ongoing discussions and decision-making process for the community.

And a big thanks to Jeff Frankel, who, while not on the Board this year, spent countless hours working with various contractors to see that roofs got replaced, siding got replaced and painted, and that in general our plan to maintain and improve the physical plant of the neighborhood kept moving forward.

We will soon have three new Board members, and I wish them luck and hope that they enjoy the experience of being on the board.

Thanks.

Security Lighting on Tideway Drive

By Jeff Frankel

As some of you early risers know, I bike or walk every morning at 6:30 am which, at this time of year, is before dawn. I noted on my Monday walk this week that 7 or 8 homes did not have their outside security lights on. There has been a lot of police activity on Tideway drive these last few years and it's important to show a unified security front by burning these security lights all night every night.

In this age of LED lighting it is not expensive to run a few bulbs all night. Patty and I run three 7 Watt LED bulbs an average of 12 hours per day, 365 days per year. This adds up to about 90 kWh per year or less than 1\$ per month. This is pretty cheap security and with LEDs, you will only be changing bulbs every 4-5 years.

Check all of your bulbs timers and electric eyes for proper operation and fix them as needed. If you don't run your security lighting, I would strongly suggest that you start now. You do not want to be in the only darkened home on the block - yes?

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



To conserve energy, to get the maximum amount of security and reliability at the lowest operating cost, I suggest that you replace any timers with photocell controls and replace all bulbs with LED's.

Finally, some folks have installed motion lights instead of the default security lighting. While these motion lights may scare away someone approaching a darkened home, they do not provide the deterrent message that an un-broken line of well-lit homes provides.

Need some help with any of this? I'm happy to pitch in - Jeff 769-6097

BBTA Picnic 2015

By Scoop Flanigan

Once again we were graced with a beautiful day and spectacular weather for this year's picnic/barbecue. About forty of us gathered at one o'clock on September 26th and feasted on barbecued hamburgers and hot dogs and all the fixins. There were brand new neighbors – ones who had moved in two days earlier, neighbors who had moved in last February—and neighbors of “long-standing” (sounds better than old neighbors!). The best thing about the annual picnic is getting everybody together, and this year was no exception.

Many thanks to Ann and Bob Kenyon who graciously held the event at their place on Ballena Blvd. Setup of tables, chairs, decorations, etc. was the work of Dick and Wanda Bacigalupi, Gary and I, Ann and Bob Kenyon, Rob Larsen, and Jeff Frankel.

Ann's coleslaw was delicious—we thank her for that and for the purchase of the lovely table decor. Dick Bacigalupi manned the barbecue and helped with just general good cheer – always a valuable asset at these events. Jeff Frankel ably handled bartender duties, always a busy assignment! Bob Kenyon was incredibly valuable as a barbecue and general “go-to” guy for absolutely anything that was needed. Thanks to all who helped with the cleanup.

It's important to note that all of the beer and wine were donated by neighbors, i.e., picnic funds collected were used for food and soft drinks only. The Frankel/Corrigans donated beer and ice, as did the Larsens. Wine was courtesy of the Bacigalupis, the Kenyons, the Cherries and Gary and I. We hope you enjoyed the event! We certainly did.

To those who were unable to attend – please try to make the next one. These are so valuable in terms of meeting new people and renewing acquaintances. This is currently the only event we do as an association. And given the very special nature of our unique waterside environment, we need to nurture and support this endeavor. So, see you next year!



Treasurer's Report

By David Twiss

Monthly financials YTD summary through September 30th are attached. As of this reporting period your association is \$48,979 under budget.

Also notable is a significant reduction in past due account balances due to a large catch up payment recently received.

Communications Report

By Mili Delbecq

The annual election for members of our Board of Directors is ongoing. Voting closes, ballots will be counted and newly-elected members announced at the October 20th Board meeting.

If you have not yet mailed your ballot, you may bring it in person to the meeting and give it to David Boone no later than 7:45pm. Ballot must be received properly inserted inside of both envelopes as called out in the ballot instructions. Outside envelope must bear your name, return address, account number and signature.

Everyone is welcome to attend, watch the vote count and ask new and existing Board members any questions that you may have. We look forward to seeing you.



Contact Information

Management Company

Associa, 1855 Gateway Blvd, Suite 300, Concord, CA 94520
Office (including 24/7 Emergencies) 925.405.4900
FAX – 925.405.4747

Community Manager

David Boone, davidb@massingham.com, 925.405.4733

Assistant Community Manager

Joseph Schmalenbach, josephs@massingham.com, 925.405.4722

Board Members

President

Gary Flanigan, garyflanigan@gmail.com, 510.523.4734

VP/Landscape Committee

Dick Baciaglupi, dickbacigalupi@hotmail.com, 510.521.2426

Secretary

John Finston, jfinston@gmail.com, 510.428.1368

Treasurer/Community Preparedness Committee

David Twiss, djtca1usa@gmail.com, 925.525.2835

Director at large/Communications Committee

Mili Delbecq, mdelbecq@comcast.net, 510.769.1019

Director at large /Waterside Committee

Rob Larsen, relarsen@comcast.net, 510.522.4020

Director at large /Architectural Committee

Sue Cherrie, suecherrie@hotmail.com, 510.864.1709

CALENDAR(all meeting at Ballena Bay Yacht Club unless specified otherwise)

| | |
|---------------------------------|-----------------------------------|
| BBTA Executive Session | October 20 th , 7:00pm |
| BBTA Board of Directors Meeting | October 20 th , 7:30pm |
| BBTA Executive Session | November 17th, 7:00pm |
| BBTA Board of Directors Meeting | November 17th, 7:30pm |

**Ballena Bay Townhouse Association
Income and Expenses Compared to Operating Budget
YTD For the Period Ending 09-30-15**

| Income & Expenses: | Actuals | Budget | Favorable/ (Unfavorable) Variance | Comments |
|-------------------------------------|------------------|------------------|---|---------------------|
| Total Income | \$520,142 | \$515,025 | \$5,117 | |
| Expenses: | | | | |
| Administrative Expense: | | | | |
| Bank Loan | \$103,050 | \$103,050 | \$0 | |
| Bad Debt Expense | \$0 | \$7,500 | \$7,500 | |
| All Other Administrative Expense | \$3,737 | \$7,036 | \$3,299 | |
| Total Administrative Expense | \$106,787 | \$117,586 | \$10,799 | |
| Community Events | \$1,074 | \$0 | (\$1,074) | Annual Picnic Event |
| Insurance | \$37,321 | \$36,000 | (\$1,321) | |
| Utilities (Electric and Water) | \$6,691 | \$13,125 | \$6,434 | |
| Landscaping & Irrigation | \$30,451 | \$41,954 | \$11,503 | |
| Repair & Maintenance | \$10,655 | \$28,756 | \$18,100 | |
| Professional Services: | | | | |
| Audit & Tax Services | \$1,390 | \$1,125 | (\$265) | |
| Legal Services | \$9,797 | \$9,000 | (\$797) | |
| Management Fees & Misc. Services | \$22,828 | \$23,168 | \$340 | |
| Taxes | \$45 | \$188 | \$143 | |
| Reserve Funding | \$244,125 | \$244,125 | \$0 | |
| Total Expense | \$471,164 | \$515,026 | \$43,862 | |
| Total Net Income | \$48,978 | (\$1) | \$48,979 | |

Cash Accounts:

| | |
|----------------------------|------------------|
| Operating Funds | \$393,316 |
| Reserve Funds | \$49,935 |
| Total Cash Accounts | \$443,251 |

Other Noteworthy Items:

| | | |
|-------------------------------|----------|---|
| | | |
| Delinquent Members Receivable | \$34,837 | Reduced from a large payment of one delinquent account and the write off of bad debt, does not preclude collection of this debt in the future should that become possible |

Delinquent dues assessments from homeowners as of September 30, 2015. Total cost to each

BALLENA BAY TOWNHOUSE ASSOCIATION NO. 1

Board of Directors Executive Session

7:00 P.M. October 20, 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\(c\)\(2\)](#).

BALLENA BAY TOWNHOUSE ASSOCIATION NO. 1

Board of Directors/Membership Meeting

7:30 P.M. October 20, 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. **Close of Balloting** 7:45 p.m.
 - A. Close of Balloting
 - B. Count Election Ballots
 - C. Announce Election Results
4. **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.
5. **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.
6. **Management Report** 8:00 p.m.

Action Items

 - A. Election of Officers
 - B. Approval of September 15, 2015 Regular and Executive Session minutes.
 - C. Review of Financial Statements for periods ending August 31 and September 30, 2015
 - D. Approve Collection Actions
 - E. Write Off Bad Debt
 - F. Review Roofing, Siding and Painting Project
 - G. Review Landside Committee Report – Road Sealing, Apartment Roadway Use
 - H. Review Parking Issues and Policy
 - I. Architectural Committee Report
 - J. Review Landscaping Committee Report
 - K. Review Waterside Committee Report – FEMA Flood Maps
 - L. Review and Adopt Proposed Float and Boat Lift Policies and Agreements
 - M. Review Neighborhood Communications Committee Report
 - N. Review Community Preparedness Committee Report
7. **Adjourn** 8:40 p.m.
8. **Next Meeting Date & Location** – November 17, 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 August 18, 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 7:30 P.M. by President Gary Flanigan.

Homeowner Forum: An open forum was held for the five owners present. One owner had a concern about the unit next to theirs having a flea infestation. They also brought to the Board's attention that a possible buyer for that property may be planning to rent out the slip for the unit, which is in violation of the CC&Rs. (The Board determined to have management contact the realtor to prevent this.)

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

Financial Statements and Year End Review: Review of the Financial Statements for the period ending June 30, 2015 was tabled because Treasurer David Twiss could not attend the meeting.

Annual Meeting: The Board determined to wait until the return of the Election Nomination Forms, deadline September 15th, to set the date of the membership meeting.

Roofing, Siding and Painting Project: Committee Chair Jeff Frankel reported that the 2015 Roofing and Siding Project was almost complete with one extra roof that should be done this year. It was **MSC** to approve spending \$13,352.00 to have Sorenson Roofing replace the roof at 334 Tideway Drive.

Landside Maintenance – Road Repaving: Jeff Frankel gave an overall summary of what the plans were for repaving the roads that Ballena Bay is partially responsible for. He reported that the replacement of the road on the 300 block of Tideway will be needed next year. While the vendors could not give out hard estimates this early they gave budgeting figures of between \$118k and \$121k. He also suggested that a new Roadway Agreement be forged with the Apartment Complex that would clarify disputed parking spots among other things.

BALLENA BAY TOWNHOUSE ASSOCIATION NO. 1

Board of Directors Meeting Minutes

August 18, 2015

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Parking: The Board discussed the parking policy and it was determined that the Parking Committee will hold a special meeting to go over the latest Parking Rule revisions. The new version will be reviewed by the Board at the September 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 he will meet with the Tree Sculpture Arborist. They will be presenting a plan to remove and replace diseased and dying trees in Ballena Bay.

Waterside Committee: Waterside Committee Rob Larsen and Dick Bacigalupi presented a new proposed Float Policy and Agreement for the Board to review. They also reported that they would email out a draft of the new proposed Boat Lift Policy and Agreement to the Board for their review. Both of these will be on the September Agenda for the Board to discuss.

Neighborhood Communications Committee: Jen Flanigan discussed plans for the upcoming Annual Picnic with the Board. It was **MSC** to approve spending up to \$1,000.00 for the picnic. A flyer will be sent out for the picnic with a charge of \$10.00 for adults, \$5.00 for kids under 12 with 2 and under free.

Community Preparedness: There was nothing new to report concerning Community Preparedness.

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 September 15, 2015 at 7:30 p.m. at the Ballena Bay Yacht Club.

Director Signature

Date

APPROVED