



At Dockside

A Monthly Publication of The Ballena Bay Townhouse Association #1

Protecting property values and the quality of life in Ballena Bay – January 2016

President's Message, By Dick Bacigalupi

The full board met last month for a very productive meeting. New board members were quickly brought up to date on the association's operational matters and the prior month's operations and finances were reviewed. Looking forward, discussions included the board's major goals and objectives for 2016. While situations or circumstances may prevent or delay accomplishing these goals, know that the board will be working to improve our community. Below is a list of the major goals and objectives for 2016:

Finance

1. Complete modification of financial reports begun in 2015.
2. Pursue collection of prior year and future delinquent dues and fees.
3. Pursue collection of legal judgement for past homeowner's dues.

Landside

1. Complete repair and paint for 8-16 units.
2. Replace flat roofs for 8-10 units.
3. Begin street repaving subject to agreement/funding by neighboring homeowner association. (Actual # units/roofs repaired/replaced in 2016 is subject to pricing obtained in competitive bidding.)

Landscape

1. Replant small areas with draught resistant plants and conversion to drip irrigation.
2. Replace diseased or aged trees.

Waterside

1. Attach remaining loose tires to wave maze.
2. Obtain alternatives and proposals to replace wave maze.

Neighborhood Communications

1. Implement a new owner welcoming committee

Community Preparedness

1. Establish disaster response procedures.

Policies & Procedures

1. Revise Architectural Request policy and guidelines to fully comply with CC&R's.
2. Adopt Float and Boat Lift Policy introduced in 2015.
3. Fully implement Parking Policy approved and adopted in 2014.

In pursuing one of the Finance goals above I am happy to announce that the association recently obtained a judgement for unpaid dues and related legal fees. It was a welcome victory after pursuing collection for over three years. With the judgement in hand the next challenge will be to

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



obtain payment, which may be as difficult as the judgement. While it is unfortunate these situations arise, the board has not in the past, nor will in the future, ignore its legal obligation to pursue collection of past due amounts. This is only fair to all the members who do paid their dues on time.

The next general board meeting is scheduled for January 19th. Hope you can attend.

Landside Report by Jeff Frankel

While the association has replaced many roofs over the last 8 years, the program still has 4-5 years to run until all roofs have been replaced. The recent rains have provided a good test of general roof conditions with only one report of a roof leak. If you have a siding or roof leak, please report it immediately to David Boone our Community Manager. – See Contact Information on Page 5.

Disaster Preparedness by Jill MacAfee

Gracias, El Nino! As predicted the El Nino has arrived and is finally affecting our landscapes, which are on their way to green once again! The rain so far has been a 1 or 2 on a scale of 5, with only moderate winds, but it's smart to be prepared for storms to increase in intensity since, just like being earthquake-ready, is smart. This El Nino (Spanish for "The little boy") is called, "Godzilla" and it's expected to last through spring. Here are some suggestions for your rainy season preparations:

- If the power goes out and you can use a tablet or phone app, Alameda Power says to check [facebook.com/alamedamunipower](https://www.facebook.com/alamedamunipower) or twitter.com/Alamedamunipower. For further information on preparations, see acgov.org where you can sign up for emergency alert messaging by selecting "Emergencies" at the top and then type in your email on the upper right on the following page.
- Know how to manually operate your garage door. If power is lost, your garage door opener will not work.
- Use surge suppressors to protect sensitive electronic equipment, such as computers. If you are home during an expected outage, you'll want to unplug sensitive equipment.
- Make a plan and have emergency supplies updated. Store emergency supplies (first aid kit, essential medicines, cash, food, non-electric can opener, portable radio, flashlights, and spare batteries within expiration date, light sticks) in air-tight bags or plastic boxes. Install surge protectors on sensitive electrical equipment.
- Keep a battery-powered, or hand-cranked, radio in an easily accessible area, so you can monitor the status of power restoration on local radio stations.
- Don't store hazardous materials in areas that may be subject to flooding.
- Sign up to receive road closure and storm impact emails through the Public Works Agency's website (www.acgov.org/pwa)



- Keep a battery-powered, or hand-cranked, radio in an easily accessible area, so you can monitor the status of power restoration on local radio stations.
- Freeze plastic containers filled with water to make blocks of ice that can be placed in your refrigerator to preserve food longer.
- Keep these two AMP phone numbers available:
 - 24-Hour Emergency Line (510) 748-3902
 - Customer Service Assistance (510) 748-3900
- Check medications that require refrigeration to be sure you know if they will be affected by a prolonged interruption of power. Consult a doctor or pharmacist if you're not sure.
 - You may want to keep a small cooler handy to preserve special medication.
- Always have a first-aid kit with current supplies in a convenient location, one on each story of your home.
- If you are experiencing sewer line issues, take care of them now.
- BBTA will be having our gutters cleaned this month. Keep other storm drains free of leaves and debris.
- As always, check your small and large boats, canoes, and kayaks to be sure they are secured properly.

Since we may overall not meet the needs of the last four years of drought, please continue saving water for your indoor plants using fresh rainwater! This is preparedness on a bigger scale!

Waterside by Rob Larsen

We find ourselves in a new year with a familiar problem. What to do with a wave maze that is past its expected life span? We continue to put time and money into it while we look at alternatives. Our unique circumstances of a location that is fairly narrow, at times so shallow that portions of the maze rest on the mud at extreme low tides and with the weather clocking around to bring 4 foot swell down its throat. We also have found out recently that we are showing up with rusted through holes on a few of the metal pilings. We were not expecting to have to replace these so soon. Needless to say we are on a quest to finalize our next wave maze design.

- 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.

Landscape Committee By Dick Bacigalupi

The recent rains have been great. Better yet, the Sierra's have been getting some long awaited snow. Currently we are slightly under the average rainfall for the area and a little over the average snow level in the mountains. Unfortunately, it is too soon to tell if we will get some relief from the draught. We will have to wait until March to determine how much water will be available. Until then everyone is encouraged to continue to conserve.



In addition to the normal maintenance we have been able to complete projects in spite of the welcome rain. The turf removal and replanting of the area between 1213 and 1211 Ballena Blvd. was completed. In addition to updating the look, the entire area has now been converted to drip so we can irrigate with much less water. Everyone is encouraged to take a look at the area. The updated design is the same as the one on Cola Ballena and will be used on other areas when they are replanted and converted to drip. Trimming the ivy and ice plant away from the fences and buildings has also been completed. We try to do this at least once a year. In addition to having the area look better, it prevents damage to the fences and buildings as well as providing some rodent control.

Overall our landscape has weathered the draught fairly well. Due to our recent cold weather some areas still look stressed. This is evident when you see the dead grass and brown palm fronds as you enter the association on Ballena Blvd. Everything should recover when warm weather returns.

Architectural Committee Report by Mili Delbecq

The Architectural Committee received two requests this month. Todd and Georgia Derr at 348 Tideway requested approval to replace their waterside deck with material similar to the existing deck. They also plan to put in a new step at the dining room door as well as a new railing and gate, the same as originally built but to code with the pickets 4 inches apart instead of 6. The Committee reviewed the project and will recommend approval by the Board at their next meeting on January 19th. As you may know, the Architectural Committee only has the authority to make recommendations and a project is not approved until the Board acts. So if you are planning some work on your home, please submit the Architectural form as soon as possible to avoid delays in the event the Committee has questions or needs additional information. We will do our best to quickly review your project and bring it to the Board's attention.

The second request was from Steve Swenerton, owner of 304 Tideway involving replacement of sliding doors and has not been reviewed at this time.

Communications Committee by Mili Delbecq

Lynne Robertson and Sue Cherrie are working on designing a program that would welcome new residents. In the last year or two, several homes in our association has changed owners and the goal is to welcome new people into our community and provide information to assist them. I'm afraid I do not have any interviews this month, I'm just returning to reality after all those holidays! However, stay tuned for next month and Happy New Year.

Treasurer's Report by David Twiss

Monthly financials YTD summary up to and including 12/31/15 are attached. As of this reporting period our association is \$58,005.20 under budget.



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/Landscape Committee

Dick Baciaglupi, dickbacigalupi@hotmail.com, 510.521.2426

VP/Landside Committee

Jeff Frankel, jfrankel@pacbell.net 510.769.6097

Secretary/Community Preparedness

Jill MacAfee, jillalyson.macafee@gmail.com 814.1849

Treasurer

David Twiss, djtca1usa@gmail.com, 925.525.2835

Director at large/Communications Committee/Architectural Committee

Mili Delbecq, milidelbecq@gmail.com 510.295-5256

Director at large /Waterside Committee

Rob Larsen, relarsen@comcast.net, 510.522.4020

Director at large /Co-Chair Communications Committee

Lynne Robertson, lynne.c.robertson@gmail.com 428.1368

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

BBTA Executive Session	January 19, 2016 at 7:00 pm
BBTA Board of Directors Meeting	January 19, 2016 at 7:30 pm
BBTA Executive Session	February 16, 2016 at 7:00 pm
BBTA Board of Directors Meeting	February 16, 2016 at 7:30 pm

**Ballena Bay Townhouse Association
Income and Expenses Compared to Operating Budget
YTD For the Period Ending 12-31-15**

Income & Expenses:	Actuals	Budget	Favorable/ (Unfavorable) Variance	Comments
Total Income	\$692,889	\$686,700	\$6,189	
Expenses:				
Administrative Expense:				
Bank Loan	\$137,400	\$137,400	\$0	
Bad Debt Expense	\$0	\$10,000	\$10,000	
All Other Administrative Expense	\$5,528	\$9,380	\$3,852	
Total Administrative Expense	\$142,928	\$156,780	\$13,852	
Community Events	\$1,306	\$0	(\$1,306)	Annual Picnic Event
Insurance	\$45,350	\$48,000	\$2,650	
Utilities (Electric and Water)	\$12,164	\$17,500	\$5,336	
Landscaping & Irrigation	\$41,043	\$55,939	\$14,896	
Repair & Maintenance	\$16,060	\$38,341	\$22,281	
Professional Services:				
Audit & Tax Services	\$1,390	\$1,500	\$110	
Legal Services	\$18,671	\$12,000	(\$6,671)	
Management Fees & Misc. Services	\$30,425	\$30,890	\$465	
Taxes	\$45	\$250	\$205	
Reserve Funding	\$325,500	\$325,500	\$0	
Total Expense	\$634,883	\$686,700	\$51,817	
Total Net Income	\$58,005	\$0	\$58,005	

Cash Accounts:

Operating Funds	\$398,146
Reserve Funds	\$138,650
Total Cash Accounts	\$536,795

Other Noteworthy Items:

Delinquent Members Receivable	\$32,576	delinquent account and 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 December 31, 2015. Total cost to each homeowner represents an average of \$407.20

BALLENA BAY TOWNHOUSE ASSOCIATION NO. 1

Board of Directors Executive Session

7:00 P.M. January 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
 - 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. January 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.
 - A. Review November Financial Statements
5. **Management Report** 8:00 p.m.
Action Items
 - A. Approval of December 15, 2015 Regular and Executive Session minutes
 - B. Review of Financial Statements for periods ending December 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, Apartment Roadway Use
 - G. Review Parking Issues and Policy
 - H. Architectural Committee Report – 304 & 348 Architectural Applications
 - I. Review Landscaping Committee Report
 - J. Review Waterside Committee Report – FEMA Flood Maps, Dock Ladders
 - K. Adopt Revised Float and Boat Lift Policies and Agreements
 - L. Review Neighborhood Communications Committee Report
 - M. Review Community Preparedness Committee Report
6. **Adjourn** 8:40 p.m.
7. **Next Meeting Date & Location** – February 16, 2016, 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 November 17, 2015

Board Members

Dick Bacigalupi**	Acting President	Term expires 2016
David Twiss*	Director	Term expires 2016
Mili Delbecq	Director	Term expires 2016
Rob Larsen	Director	Term expires 2016
Jill MacAfee	Director	Term expires 2017
Jeff Frankel	Director	Term expires 2017
Lynne Robertson	Director	Term expires 2017

MSC = Means a **M**otion was made, **S**econded and **C**arried *denotes absence ** by phone

Also present was David Boone of Associa Northern California.

Call to Order: The Board of Directors Meeting was called to order at 7:32 P.M. by Vice President Jeff Frankel.

Homeowner Forum: An open forum was held for the two owners present. One had questions about the float used by the Association for maintenance. The Board explained that the location of the float is predicated by where the diver needs it to be for work on the wave maze.

Election of Officers: The Board determined that the officers of the Board and Committee Chairs would be as follows:

Officers of the Board

Dick Bacigalupi	President
Jeff Frankel	Vice President
David Twiss	Treasurer
Jill MacAfee	Secretary

Committee Chairs

Landscape	Dick Bacigalupi
Landside	Jeff Frankel
Architectural	Mili Delbecq
Waterside	Rob Larsen
Neighborhood Communications	Lynne Robertson, Mili Delbecq
Community Preparedness	Jill MacAfee

Minutes: After careful review it was **MSC** to approve the regular and Executive Session minutes of October 20, 2015 and the regular minutes of November 2, 2015 as presented.

Financial Statements and Year End Review: Review of the October Financial Statements was tabled until the December meeting.

BALLENA BAY TOWNHOUSE ASSOCIATION NO. 1

Board of Directors Meeting Minutes

November 17, 2015

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2016 Budget: After careful discussion it was **MSC** to approve an overall budget of \$681,600.00 and an annual reserve contribution of \$411,468.00.

Roofing, Siding and Painting Project: Committee Chair Jeff Frankel reported that the 2015 Capital Project is complete.

Landside Maintenance – Road Repaving: Jeff Frankel reported that there is a new contact for the apartment complex on Tideway Drive that he will be contacting. He also will be having a walkthrough with Construction Manager Skip Morgan.

Architectural Applications: There were no new Architectural Applications.

Landscape Committee: Landscape Committee Chair Dick Bacigalupi reported that the junipers along Ballena Blvd. were now pruned and that the small lawn replacement is scheduled before the end of the year. He also reported that the tree replacement bid will come in under the \$15,000 budgeted amount and that the arborist will also inspect leaning trees to ensure their stability.

Waterside Committee: The Board discussed the current FEMA Flood Maps.

Float and Boat Lift Policies: The Board approved sending out the revised Float and Boat Lift Policies for the 30 day comment period.

Adjournment/Next Meeting: With no further business before it the Board adjourned at 9:04 p.m. The next regular Board of Directors meeting was set for December 15, 2015 at 7:30 p.m. at the Ballena Bay Yacht Club.

Director Signature

Date