



# At Docksides

*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 – February 2016**

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## ***President's Message, By Dick Bacigalupi***

Last month's meeting focused on the normal association business. After considering the one comment received from homeowners regarding the revised Boat Lift Policy, both the Float and Boat Lift Policies and Agreements were adopted. Everyone should have already received a copy. Working to move the joint paving project forward it was agreed to engage a paving consultant. The nominal fee will be shared by the adjoining HOAs. This is a good opportunity to have the paving work done as asphalt costs are down significantly due to the low cost of oil.

You may have noticed, we have recently held more "Special Meetings" than past years. This is not in response to a crisis or anything of that nature. The unscheduled meetings reflect the board's desire to address general business matters in a more timely fashion than waiting for the monthly meeting. Wanting to be transparent in the board's activities and in compliance to HOA regulations homeowners will receive special meeting announcements as warranted. I want to thank my fellow directors for putting in the additional time.

Planning for 2016 has been underway. The roofs and building siding are in the process of being inspected, identifying the extent of the work that will be necessary. The landscape company has walked the common area determining work priorities. We will receive proposals for the work identified and will authorize the projects that are within the budget. Having this planning work done now means that we can schedule work without the risk of weather delays and minimal inconvenience to the homeowners.

The next general board meeting is scheduled for February 16<sup>th</sup>. Hope you can attend.

## ***Disaster Preparedness, By Jill MacAfee***

**Earthquake Myth Quiz - Circle your first thoughts, then check the answers below:**

1. Despite some arguments to the contrary a few years ago as "The Triangle of Life", it is still recommended that you get in under a table or desk when shaking starts. T or F
2. Keep enough gallons of fresh water per person to last 10 days. T or F
3. Big earthquakes usually happen in the morning. T or F
4. California will fall into the ocean in the "really big one". T or F
5. Pets can predict earthquakes. T or F
6. Earthquake weather is a real thing. T or F



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7. Those families who have prepared a meeting spot, communicated how to contact each other, and make plans are far more likely to do well in the aftermath of an earthquake compared to those who don't. T or F
  8. If I'm inside I should run outside to protect myself from falling debris? T or F

**Now check your answers:**

1. True. And being under a doorway isn't much different than anywhere else in the house, because when a house falls it doesn't selectively keep the doorways up. Under a desk or table is still your best chance of avoiding falling objects. Drop, cover, and hold under a table or desk is still the best recommendation, according to the American Red Cross.
2. False. It is generally recommended to keep three gallons per person for up to three days. Use closets and cabinets rather than the garage, since the plastics of most containers degrade nasty chemicals while in warm storage.
3. False. There is no association of time of day to earthquake timing. No significant correlations have been identified between the rate of earthquake occurrence and the semi-diurnal tides when using large earthquake catalogs. Also there is no correlation between solar flares or magnetic storms.
4. False. Erosion yes, all of us? No. The San Andreas Fault System, which crosses California from the Salton Sea in the south to Cape Mendocino in the north, is the boundary between the Pacific Plate and North American Plate. The Pacific Plate is moving northwest with respect to the North American Plate at approximately 46 millimeters per year (the rate your fingernails grow). The strike-slip earthquakes on the San Andreas Fault are a result of this plate motion. The plates are moving horizontally past one another, so California is not going to fall into the ocean. However, Los Angeles and San Francisco will one day be adjacent to one another!
5. Anecdotal evidence abounds of animals, fish, birds, reptiles, and insects exhibiting strange behavior anywhere from weeks to seconds before an earthquake. However, consistent and reliable behavior prior to seismic events, and a mechanism explaining how it could work, still eludes us. Most, but not all, scientists pursuing this mystery are in China or Japan.
6. False. There is no such thing as "earthquake weather". Statistically, there is approximately an equal distribution of earthquakes in cold weather, hot weather, rainy weather, etc. Very large low-pressure changes associated with major storm systems (typhoons, hurricanes, etc.) are known to trigger episodes of fault slip (slow earthquakes) in the Earth's crust and may also play a role in triggering some damaging earthquakes. However, the numbers are small and are not statistically significant.



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7. True. Just as in reading the emergency evacuation plans on an airline flight greater increases the chances of survival in a crash situation, the same is true for earthquake preparedness. Make a plan, sign up for emergency alerts on your computer and cell phones, and save contacts in your phone since you may become disoriented to your normal memory or routine. And please, once things have settled check on your neighbors who may be alone or incapable of getting out of the house on their own.
  
  8. False. If you are INDOORS--STAY THERE! (Get under a desk or table and hang on to it, or move into a hallway or get against an inside wall. STAY CLEAR of windows, fireplaces, and heavy furniture or appliances. GET OUT of the kitchen, which is a dangerous place (things can fall on you). DON'T run downstairs or rush outside while the building is shaking or while there is danger of falling and hurting yourself or being hit by falling glass or debris.

If you are OUTSIDE-- get into the OPEN, away from buildings, power lines, chimneys, and anything else that might fall on you. If you are DRIVING--stop, but carefully. Move your car as far out of traffic as possible. DO NOT stop on or under a bridge or overpass or under trees, light posts, power lines, or signs. STAY INSIDE your car until the shaking stops. When you resume driving, be on the lookout for pavement breaks, fallen rocks and bumps in the road at bridge approaches.

**Be safe – Make a plan – See it through!**

***Landscape Committee, By Dick Bacigalupi***

The Landscape Committee has been busy planning the projects for 2016. We walked the neighborhood along with the landscape company to identify the “Wish List” of specific projects. With the damage from the drought over the last four years and the age of many of the shrubs and trees there was much to choose from. Included in the planning will be the trees that were identified to be removed and/or replaced last year. Now priorities need to be set. Once the proposals are received we will approve the projects that are within our budget. The El Nino has had a great start but the current dry spell is not encouraging. While we are planting draught resistance plants we need sufficient water to get them started. The Landscape Committee is practicing for a rain dance in the event the warm weather continues for too long.

***Architectural Committee, By Mili Delbecq***

There were no new applications since the last Board meeting.

***Waterside, By Rob Larsen***

Our diver will be back on site February 16, 17, 18, 23, 24 and 25. He will be cleaning and helping to reattach a few tires that broke away and to tighten many of the interior clusters. I would like to thank the many skippers that have done a great job of maneuvering around the work float and the accompanying support boat safely while our diver is servicing the wave maze. This is quite the feat for the larger boats because we can make a narrow channel even more restricted.



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 Report, By Mili Delbecq***

During the last couple of months we have lost two of the elders on Cola Ballena . **Joan Robinson of 411 Cola Ballena** passed away a few weeks ago. She moved here several years ago with her husband, who passed away some time ago. Everyone in the neighborhood will remember her even if they had not met her as the tall thin elder walking her small black and white dog whom she loved and walked several times a day. Her friends and neighbors will remember her as being very intelligent and a wonderful neighbor.

Her family asked that the Dockside announce that there will be a small remembrance get together for her friends and neighbors on February 27<sup>th</sup> from 11 a.m. till 1 pm at the home of David and Jill MacAfee at 409 Cola Ballena. If you knew Joan, please come.

**Josie Schwartz** also passed away recently. Josie (Josephine) and her husband Melvin were original owners at **453 Cola Ballena**. Josie was 95 and had a keen mind and sense of humor right up to her last breath. She played a sharp game of Bridge until a few months before her death. Her husband, Melvin died several years ago. Melvin was a pediatrician in Alameda and an active member of our HOA in the early days. Her daughter, Sandra, had a teatime celebration of Josie at Pier 29 for Josie's neighborhood friends and Bridge partners last month. Josie will be truly missed!

**Gutters cleaned!** This is the first year the HOA has had this done for the homeowners. Next year we will start the process earlier, although this year was unusual because of the expected heavy rains.

***Treasurer's Report By David Twiss***

Monthly financials YTD summary up to and including 01-31-2016 are attached. As of this reporting period our association is \$3684.00 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](mailto:davidb@massingham.com), 925.405.4733

**Assistant Community Manager**

Joseph Schmalenbach, [josephs@massingham.com](mailto:josephs@massingham.com), 925.405.4722

**Board Members**

**President/Landscape Committee**

Dick Baciagalupi, [dickbacigalupi@hotmail.com](mailto:dickbacigalupi@hotmail.com), 510.521.2426

**VP/Landscape Committee**

Jeff Frankel, [jfrankel@pacbell.net](mailto:jfrankel@pacbell.net) 510.769.6097

**Secretary/Community Preparedness**

Jill MacAfee, [jillalyson.macafee@gmail.com](mailto:jillalyson.macafee@gmail.com) 814.1849

**Treasurer**

David Twiss, [djtcalusa@gmail.com](mailto:djtcalusa@gmail.com), 925.525.2835

**Director at large/Communications Committee/Architectural Committee**

Mili Delbecq, [milidelbecq@gmail.com](mailto:milidelbecq@gmail.com) 510.295-5256

**Director at large /Waterside Committee**

Rob Larsen, [relarsen@comcast.net](mailto:relarsen@comcast.net), 510.522.4020

**Director at large /Co-Chair Communications Committee**

Lynne Robertson, [lynne.c.robertson@gmail.com](mailto:lynne.c.robertson@gmail.com) 428.1368

**CALENDAR**

*(all meetings at Ballena Bay Yacht Club unless specified otherwise)*

BBTA Executive Session February 16, 2016 at 7:00 p.m.  
BBTA Board of Directors Meeting February 16, 2016 at 7:30 p.m.  
BBTA Executive Session March 15, at 7:00 p.m.  
BBTA Board of Directors Meeting March 15, at 7:30 p.m.

**Ballena Bay Townhouse Association  
Income and Expenses Compared to Operating Budget  
For the Period Ending 01-31-16**

Income & Expenses:	Actuals	Budget	Favorable/ (Unfavorable) Variance	Comments
<b>Total Income</b>	<b>\$57,521</b>	<b>\$56,800</b>	<b>\$721</b>	
<b>Expenses:</b>				
Administrative Expense:				
Bank Loan	\$11,450	\$11,450	\$0	
Bad Debt Expense	\$0	\$417	\$417	
All Other Administrative Expense	\$1,036	\$636	(\$400)	
<b>Total Administrative Expense</b>	<b>\$12,486</b>	<b>\$12,502</b>	<b>\$16</b>	
Community Events	\$0	\$100	\$100	
Insurance	\$2,676	\$4,000	\$1,324	
Utilities (Electric and Water)	\$344	\$1,042	\$697	
Landscaping & Irrigation	\$5,908	\$4,967	(\$941)	
Repair & Maintenance	\$1,643	\$2,625	\$982	
Professional Services:				
Audit & Tax Services	\$0	\$125	\$125	
Legal Services	\$0	\$1,167	\$1,167	
Management Fees & Misc. Services	\$3,171	\$2,642	(\$529)	
Taxes	\$0	\$21	\$21	
Reserve Funding	\$34,289	\$34,289	\$0	
<b>Total Expense</b>	<b>\$60,517</b>	<b>\$63,479</b>	<b>\$2,963</b>	
<b>Total Net Income</b>	<b>(\$2,995)</b>	<b>(\$6,679)</b>	<b>\$3,684</b>	

**Cash Accounts:**

Operating Funds	\$383,334
Reserve Funds	\$138,652
<b>Total Cash Accounts</b>	<b>\$521,986</b>

**Other Noteworthy Items:**

Delinquent Members Receivable	\$30,286
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**Delinquent dues assessments from homeowners as of January 1, 2016. Total cost to each homeowner represents an average of \$378.58**

# BALLENA BAY TOWNHOUSE ASSOCIATION NO. 1

## Board of Directors Executive Session

7:00 P.M. February 16, 2016  
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. February 16, 2016

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 January Financial Statements
5. **Management Report** 8:00 p.m.  
**Action Items**
  - A. Approval of Minutes from January 19, 2016 Regular meeting, Executive Session of January 19, 2016 and Special Executive Sessions of February 1 & 10, 2016.
  - B. Review of Financial Statements for periods ending January 31, 2016
  - C. Transfer of Funds From Operating to Reserves of Up To \$200,000.00
  - D. Approve Collection Actions
  - E. Write Off Bad Debt
  - F. Review Insurance
  - G. Review Roofing, Siding and Painting Project
  - H. Review Landside Committee Report
  - I. Review Parking Issues and Policy
  - J. Architectural Committee Report
  - K. Review Landscaping Committee Report
  - L. Review Waterside Committee Report – Maintenance Float Locations
  - M. Review Neighborhood Communications Committee Report
  - N. Review Community Preparedness Committee Report
6. **Adjourn** 8:40 p.m.
7. **Next Meeting Date & Location** – March 19, 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 December 15, 2015

#### Board Members

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

**MSC** = Means a **Motion was made, Seconded and Carried** \*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 7:31 P.M. by President Dick Bacigalupi.

**Homeowner Forum:** An open forum was held for the one owner present. They were there to show the board his plans for remodeling his kitchen and ensure they are following the Architectural Guidelines and approval process. They want to change the vent location and replace windows. They will include a scope of work for venting through the roof, the information on the roofer doing the work and pictures of windows. They will also include locations of the dog door. They understood that all this will go through the architectural committee with final approval coming from the full Board

**Minutes:** After careful review it was **MSC** to approve the regular session and Executive Session minutes of November 17, 2015 with corrections and the Special Executive Session minutes of December 10, 2015 as presented.

**Financial Statements:** After careful review it was **MSC** to accept the November Financial Statements as presented.

**Collections:** After careful review it was **MSC** to authorize the following action:

Resolved, the Board of Directors for Ballena Bay Townhouse Association No. 1 authorizes and instructs ATC Assessment Collection Group, LLC to record a Notice of the Delinquent Assessment "Lien" in the full amount of unpaid assessments, late charges, interest and collection fees and costs against the property bearing be Assessors Parcel Number 074-1311-021-00 as authorized by Civil Code Section 5673 if such account has not been reinstated by the Notice of Intent to Lien expiration date of 12/28/2015.

**Roofing, Siding and Painting Project:** Committee Chair Jeff Frankel reported that there was nothing new on roofing and siding.

**BALLENA BAY TOWNHOUSE ASSOCIATION NO. 1**

Board of Directors Meeting Minutes

December 15, 2015

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**Landside Maintenance – Road Repaving:** Jeff Frankel reported that he will be getting some recommendations for the project.

**Architectural Applications:** There were no new Architectural Applications.

**Landscape Committee:** Landscape Committee Chair Dick Bacigalupi reported that the leaning trees were removed. The arborist also assured Dick that all tree trimming in preparation for El Nino is complete.

**Waterside Committee:** There was nothing new to report.

**Neighborhood Communication Committee:** The committee met and agreed to have more than one contact with new owners would be better than having only one first contact. Sue Cherrie is developing a procedure for doing this.

**Community Preparedness:** Jill MacAfee will work on preparing El Niño safety reminders.

**Adjournment/Next Meeting:** With no further business before it the Board adjourned at 8:51 p.m. The next regular Board of Directors meeting was set for January 19, 2016 at 7:30 p.m. at the Ballena Bay Yacht Club.

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

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

APPROVED