



The Owners' Voice

EMAIL: org@mcc-owners.org

April 2021 Issue

1

New Board's Goals & Votes

For the first time in a decade, the recent Annual Election obtained quorum on the first ballot with 301+ votes to overwhelmingly sweep out the last board. The winners have already shown they can work together for the betterment of MCC. Congratulations to **Sandra Clark, President; Jack Fishman, Vice President; Andrea Robin, Secretary; Steve Rehling, Treasurer** and all the Owners' Group volunteers who brought in the votes.

The new COA Board's first meeting on March 24, was praised by many as a breath of fresh air after the contentious meetings of the past Board.

Steve Rehling announced that financials will be sent to owners in advance of every meeting, and he will give special attention to financial areas of concern during the meetings. He pledges to get on top of Shared Area, COA, Restaurant and Fitness/Tennis financials to identify and implement the cost savings needed while delivering MCC's hallmark amenities.

Jack Fishman brought owners up to date on the opening of the gym, which has more challenges than originally expected. The past Board installed a second computer system for the gym. New gym employees must be hired, and they will now have to learn two computer software systems to operate the gym properly. Nevertheless, the Board is moving forward, and Jack is *hoping* the gym will be open by the end of April.

Andrea Robin is working to set up the committees ASAP. An overwhelming number of owners have volunteered, with some wanting to serve on several committees. Andrea promises that everyone who volunteered will be a committee member. She has also been establishing a good working relationship with the Restaurant staff. The special Passover and Easter menus are a result of their collaboration.

Sandra Clark asked for a vote to have MCC's painters improve the look of our buildings by painting the doors a color that better matches the stucco and will brighten up the property. The motion passed unanimously.

Sandra also made a motion to pay homeowner, Erik Senko, \$131,960 awarded him by an LA Superior Court judge. It covers the attorney's fees for Mr. Senko's lawsuit charging the Association with improperly adjourning the 2019 Annual Election. The court-ordered payment was unanimously approved by the Board. One of Sandra's goals is to resolve MCC's serious litigation problem that has cost owners hundreds of thousands of dollars that could have been put to better use for MCC improvements.

The new COA Board appointed the Restaurant Board. **Sandra Clark will serve as Restaurant President, Andrea Robin is Vice President, and Steve Rehling the Treasurer.** The possibility of appointing an owner with food service expertise to the Restaurant Board may also be considered.

Sandra Clark will be the COA Management Council representative, and the rest of the COA Board members will rotate as the second representative.

Next Owners' Zoom Meeting

**Thursday
April 15th
7pm - 8:30**

**You will receive
a Zoom
Invitation**

ARTICLES

The Winning Board's Goals & Votes **1**

Litigation Update **2**

Your Opinion, Please **2**

Restaurant Survey **3**

From the Editor

To be, or not to be.

The Owners' Group was born last August when Fred Krogh and Donna Bryce sent an Email inviting all owners to a Zoom meeting. It was no secret that things had not been going well with the Board just elected in June 2020. Several new directors had already resigned and attendance at the Board meetings was dwindling due to the Board's perceived dysfunction and the disagreeable behavior of certain Board members.

The Owners' Group meeting has been a place where those who were concerned about the Board's actions could discuss important issues in a civilized, intelligent manner. Soon, the first Owners' Voice Newsletter was Emailed to members. A committee was formed to organize the growing Owners' Group meetings, and another committee to compile a list of qualified candidates for the Annual Board election. As of March 17th we now have a new board with action oriented directors who will work together professionally for MCC's best interests.

With this in mind, should the monthly Owners' Group meetings and the newsletter continue? Please email dlbryce9@gmail.com with your preference. Your response will be appreciated.

Lawsuit Update

In addition to the Senko award on Page 1, here is an update on other MCC lawsuits as reported by current and past legal counsel. For more information go to <https://www.LAcourt.org> and enter the case number.

1. Superior Court Case **BC69702** dates back more than 3 years to February 2018 when Elena Mondragon sued the Association asserting claims against 13 defendants including Board members, employees, and an owner. Ms. Mondragon's suit stems from a dispute regarding alterations she made to her unit. A trial date is set for July 5, 2022.
2. **SC129264**, the case of MCC Owners' Association v. Farag, et al., was also filed almost 3 years ago. The Association asserts that a planter on Mark Farag's balcony has caused damage to a neighboring condo and the building, and Mr. Farag has refused to let anyone in to make repairs. The Association's attorney is attempting to work with Mr. Farag to negotiate a resolution.
3. Elena Mondragon's case **18SMCV00467** accused a number of past Board members for Breach of Fiduciary Duty, Breach of Contract and Accounting. Recently, the judge has dismissed all of claims against the Board directors.
4. Case **19SMCP00583** was filed in December 2019 by Elena Mondragon and Mark Greenberg. It involves contention over one of the recall petitions. MCC's legal counsel is attempting to negotiate a resolution to the dispute.



MCC Owners' Voice

To make Marina City Club the
best it can be!

CONTRIBUTORS

Fred Krogh

Website Developer

Donna Bryce

Newsletter Editor

Susan Bursk

Associate Editor

Restaurant Survey

By Susan Bursk

The Restaurant is an important MCC amenity. Prior to COVID, 5 primary services were offered.

- In-restaurant dining for members and their guests for dinner only, M-F,
- Home delivery of meals within the complex for dinner only, M-F,
- Casual faire from the café next to the gym - breakfast and lunch 7 days a week,
- Community event planning and special events (e.g. New Year's Eve parties),
- Catering for arranged events such as weddings - mainly on weekends except holidays.

These services ended in March 2020 with the onslaught of COVID. In May, home delivery and takeout resumed and was extended to include 3 meals, 7 days a week.

This is the 1st survey conducted by a group of concerned MCC Owners. It was distributed via email to 435 owners for whom we have an active email address. In addition, recipients were asked to share it further with renters and members of the Fitness Center and Tennis Club.

The purpose of this particular survey was to clarify what owners think about key aspects of the restaurant's dine-in, home-delivery and café services, including: (a) the quality and price of the food and drinks in comparison to comparable offerings in the area; (b) interest in using each of the services after things return to normal following COVID; and (c) willingness to subsidize the restaurant in the face of significant losses in recent years. Another follow-up survey may be conducted at some point to get member's views on additional aspects of the restaurant.

Topline Results

34% of those emailed responded to the survey, with a good distribution of new and long-time owners. The key takeaways, which are further explained below, are:

Owner Interest: Interest in using the restaurant's services after COVID runs the gamut from no interest, to interest in using at least one service 10 times a month or more, and everything in between. Of note, more than 50% of owners expect to use at least one of the 3 services to some degree.

Quality & Price: Respondents who have used one or more of the services generally consider the quality of the food and drinks to be *equal to or better than* comparable offerings in the area, while considering the *prices to be comparable to or lower than* others in the area. Despite the latter, few expressed an interest in significantly raising prices as a way to reduce the need for a subsidy.

Subsidy: Owners were asked how much they are willing to subsidize the restaurant. Subsidies . currently come out of an owners' monthly maintenance fees and are transferred from Shared Area to the restaurant as shown in the financial reports. While the specific fee for each owner is based on the size of their condo, the survey simply asked how much each owner is willing to pay per month without consideration of condo size. In 2018 and 2019, the average subsidy per unit was \$75 per month. The largest percentage of respondents (42%) do not want to pay *subsidies for any restaurant losses*. The survey showed *22% percent would be OK with \$1 to \$25 a month, and 13% are willing to pay more than \$75 a month to subsidize the restaurant*.

To see the details behind the Restaurant Survey, click below:

<https://resources.mcc-owners.org/rest-survey.pdf>