



Salida Municipal Advisory Council

General Contact Information:

P.O. Box 490
Salida, CA 95368
Email: salidamac@gmail.com
Facebook: SalidaMAC
www.StanCountyMACs.com

Members:
Brad Johnson, Vice-Chair
John Martin
Leng Power, Chair
Robert J. Elliott
Tom Burns

Minutes

Tuesday – May 25th, 2021 - 7:00PM

Virtual ZOOM Meeting

1. Call to Order and Pledge of Allegiance – Leng 7:01
2. Welcome and Roll Call – All present. Brad stated that the meeting is being broadcast on FM radio stations 104.9 and 93.3
3. Approval of Minutes for the April 27th, 2021 Meeting – First Brad / Second Bob. Passed.
4. Community Concerns – No comments.

Limit comments to five (5) minutes so that everyone may be heard. Matters under the jurisdiction of the Council and not on this posted agenda may be addressed by the general public at this time, and the Council may consider adding the item to the next month's agenda for further consultation. California law prohibits the Council from taking any action on a matter that is not on the posted agenda unless it is determined to be an emergency by the Council.

5. Monthly Community Reports
 - a. Stanislaus County Sheriff – Report in stats and activities by Dept January Siphon.
 - b. California Highway Patrol – Report on stats and activities by Officer Eric Moore
Questions and comments about increase in “sideshow” and complaint about a noisy neighbor near Toomes/Hammett
 - c. Stanislaus County Supervisor, District 3 – Withrow reported that the county is still fiscally strong. County is working to determine the best use of ARPA funds granted by the Fed for COVID relief projects. Looking at bringing some “pocket” area of the county up to code. County will be contracting with City Ministries to provide outreach into disadvantaged communities, filling the gap for businesses and persons who were unable to take advantage of previous COVID relief funds. Stanislaus County is actively pursuing the SO Substation in Salida.
Q re: letter sent to Withrow about how the county will allow foreclosed homes with arrears in county taxes to be sold off via a 3rd party. A Out of county control to some extent, unless county tax lean becomes priority, which is seldom the case.
Q re: Funding of SO Substation in Salida A Money from general funds. Be sure to voice opinions on this matter when it comes before the Stan Co. Supervisors for vote. Q How can the Salda MAC show support. A Draft a letter to the County Sups.

- d. Salida Fire Department – Report on stats and activities by Fire Chief Tom Burns. Said they have issued permits for aerial fireworks displays over the next few weeks. And expect a few more. Q re: purchase of a boat for water rescue. A No, they are basically co-op in equipment with Ripon FD. Salida personnel is trained for water rescue. Q re: the SFD selling fireworks for personal home use during the 4th of July. A No, Salida Auxiliary will not be selling, last year was the final year.
- e. Salida Sanitary District - Report by Brad Johnson Most of the business they conducted was run of the mill stuff. They are fiscally solid, and have a few loans that have been or will be paid off soon.
- f. Nick W. Blom Salida Regional Library Report by Director Wayne Philbrook Great things happening at the Library. Programs for all ages and interests.

6. Information Items

Presentation by Dave Leamon Stanislaus Public Works Director. Attached.

Q & A went back and forth. Concerns about where did the allocated money go? Where should the water go, the drain basin potential locations. Developers need to seek guidance/input from local MAC/Communities when developing.

Motion made by Brad Johnson regarding acceptance of report, subsequently withdrawn after some discussion about the wording of the motion. New motion by Tom to accept the presentation, seconded by Bob. Passed.

7. Council Concerns/Comments/Suggestions for Future Agenda Items

Tom – Are we able to have live in-persons MAC meetings? Withrow stated some MACs have already been doing it, and as of June 15th it will be much easier to get it done here in Salida too.

Leng – Commented about civility during these MAC meetings.

Withrow – Commented that even though there is a push for the SO Substation, the fact that the Salida Fire District is in need of funding is not lost. Revenue / Funding needs to be found and allocated, in order to provide the EMS/Fire with the ability to respond when needed as quickly as possible.

8. Announcements

9. Adjournment Meeting Adjourned 8:33pm

Next Meeting: Tuesday, June 22nd, 2021



Salida MAC History of Vizcaya Basin

Public Works Department

Vizcaya Timeline

Date	Action
December 2000	Approval of Vizcaya Unit 1

Vizcaya Subdivision Unit 1

- Board of Supervisors Approved the filing of the Final Map – creating the lots for Vizcaya Unit 1
- Same action created the Temporary Storm Drainage Basin on Lot A

39-M-47

OWNER'S STATEMENT:

NEW VIZCAYA, LLC, A NEWLY FORMED LIMITED LIABILITY COMPANY
 3000 WILSON AVENUE
 3000 WILSON AVENUE, SUITE 100
 SAN JOSE, CALIFORNIA 95128
 BY: Debra L. Kopp
 Director

NOTARY STATEMENT:

STATE OF CALIFORNIA
 COUNTY OF SANTA CLARA
 I, Debra L. Kopp, Notary Public for the State of California, do hereby certify that NEW VIZCAYA, LLC, a newly formed limited liability company, is the owner of the above described property and that the above stated facts are true and correct to the best of my knowledge and belief.

TAX COLLECTOR'S CERTIFICATE:

THE TAX COLLECTOR HAS REVIEWED THE RECORDS OF THE COUNTY OF SANTA CLARA AND HAS DETERMINED THAT THE ABOVE DESCRIBED PROPERTY IS NOT SUBJECT TO ANY TAX LIEN OR OTHER ENCUMBRANCE OF ANY KIND.


SHORT TO FARM STATEMENT:

THIS PROPERTY IS NOT A SHORT TO FARM AND IS NOT SUBJECT TO ANY SHORT TO FARM RIGHTS OR OTHER RIGHTS OF FIRST REFUSAL OR OTHER RIGHTS OF FIRST REFUSAL OR OTHER RIGHTS OF FIRST REFUSAL.

VIZCAYA UNIT No. 1

BEING A SUBDIVISION OF A PORTION OF THE NORTHWEST QUARTER OF SECTION 23, TOWNSHIP 2 SOUTH, RANGE 2 EAST, MOUNT Diablo BASE & MERIDIAN, STANISLAUS COUNTY, CALIFORNIA

O'Dell Engineering
 101 M STREET SUITE 1, ACKERSTON, CALIFORNIA



VICINITY MAP

CLERK OF THE BOARD OF SUPERVISORS CERTIFICATE:

I, Elizabeth A. King, Clerk of the Board of Supervisors, do hereby certify that the above described property is the subject of the above described map and that the same has been filed for record in the office of the County Recorder, Stanislaus County, California, on the 12th day of December, 2011.

BOARD OF SUPERVISORS STATEMENT:

BEFORE ME, the undersigned authority, on this 12th day of December, 2011, personally appeared Debra L. Kopp, known to me to be the person whose name is subscribed to the foregoing instrument, acknowledged to me that he executed the same for the purposes and consideration therein expressed.

SURVEYOR'S STATEMENT:

I, Debra L. Kopp, Surveyor, do hereby certify that the above described map was prepared by me or under my direct supervision and that I am a duly licensed Surveyor in the State of California.

PLANNING COMMISSION STATEMENT:

I, Debra L. Kopp, Planning Commission member, do hereby certify that the above described map has been reviewed and approved by the Planning Commission of Stanislaus County, California, on the 12th day of December, 2011.

OMITTED SIGNATURES:

I, Debra L. Kopp, do hereby certify that the above described map has been reviewed and approved by the Planning Commission of Stanislaus County, California, on the 12th day of December, 2011.

COUNTY SURVEYOR'S STATEMENT:

I, Debra L. Kopp, County Surveyor, do hereby certify that the above described map was prepared by me or under my direct supervision and that I am a duly licensed Surveyor in the State of California.

COUNTY ROAD COMMISSIONER'S STATEMENT:

I, Debra L. Kopp, County Road Commissioner, do hereby certify that the above described map has been reviewed and approved by the County Road Commissioner of Stanislaus County, California, on the 12th day of December, 2011.

DEPARTMENT OF ENVIRONMENTAL RESOURCES STATEMENT:

I, Debra L. Kopp, Department of Environmental Resources, do hereby certify that the above described map has been reviewed and approved by the Department of Environmental Resources of Stanislaus County, California, on the 12th day of December, 2011.

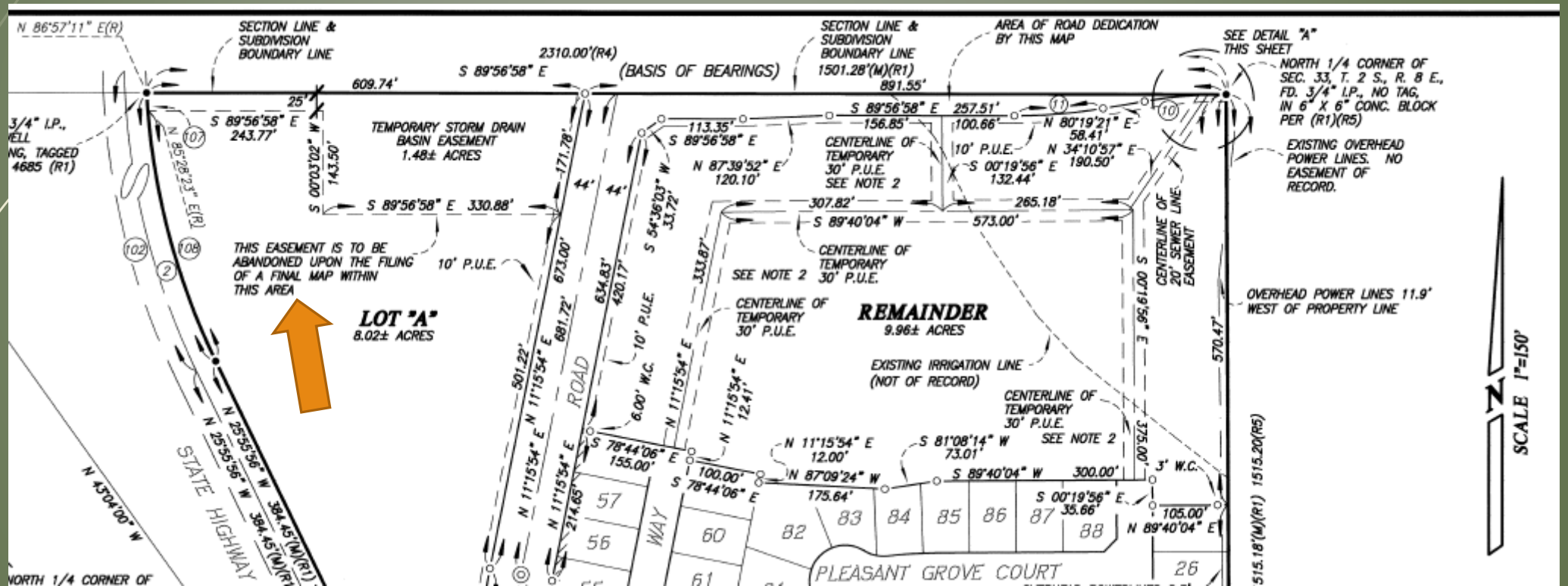
RECORDER'S STATEMENT:

I, Debra L. Kopp, Recorder, do hereby certify that the above described map has been filed for record in the office of the County Recorder, Stanislaus County, California, on the 12th day of December, 2011.

SHEET 1 OF 5
39-M-47

Vizcaya Subdivision Unit 1

Notice Note on Map



Vizcaya Timeline

Date	Action
December 2000	Approval of Vizcaya Unit 1
October 2001	Approval of Vizcaya Unit 2

Vizcaya Unit No. 2

- Vizcaya Unit 2 Approved / Recorded October 2001
- Originally a temporary storm drainage basin in lots 120 – 125

OWNER'S STATEMENT:
 WE, THE UNDERSIGNED DO HEREBY STATE THAT WE ARE THE OWNER'S OR HAVE SOME RIGHT, TITLE OR INTEREST OF RECORD IN THE LAND SHOWN ON THIS MAP AND WE CONSENT TO THE MAKING AND THE FILING OF THIS MAP IN THE OFFICE OF THE COUNTY RECORDER OF STANISLAUS COUNTY, CALIFORNIA. WE ALSO OFFER FOR DEDICATION TO THE PUBLIC FOR PUBLIC USE, ALL THE STREETS, AVENUES, ROADS, PUBLIC UTILITY EASEMENTS (P.U.E.), LANDSCAPE EASEMENTS, RESTRICTED ACCESS RIGHTS, AND OTHER PUBLIC PLACES AND DEDICATIONS AS SHOWN WITHIN THE EXTERIOR BOUNDARY OF THE LAND BEING SUBDIVIDED.

OWNER: SCM VIZCAYA, LLC, A NEVADA LIMITED LIABILITY CORPORATION

Steve Mothersell 10/1/01
 STEVE MOTHERSELL, PRESIDENT DATE

BENEFICIARY: WFMH HOUSING FUND, L.P., A CALIFORNIA LIMITED PARTNERSHIP

BY: WELLS FARGO HOUSING ADVISORS, INC AS GENERAL PARTNER

Nancy S. Horton 9-26-01
 BY: Nancy S. Horton V.P. DATE

Ann M. Kraker 9-26-01
 BY: ANN M. KRAKER Asst. Sec. DATE

CERTIFICATE OF DEDICATION:
 THE FOLLOWING REAL PROPERTY IS DEDICATED IN FEE BY SCM VIZCAYA, LLC, 1920 STANDFORD AVENUE, SUITE 1, MODESTO, CALIFORNIA 95350, FOR THE PURPOSE AS NOTED BELOW.

LOTS 120, 121, 122, 123, 124, AND 125 AS SHOWN HEREON, IN FEE TITLE, FOR USE AS A STORM DRAINAGE BASIN.

THE COUNTY OF STANISLAUS SHALL RECONVEY THE PROPERTY TO THE SUBDIVIDER IF THE COUNTY OF STANISLAUS MAKES A DETERMINATION PURSUANT TO GOVERNMENT CODE SECTION 66477.5 THAT THE SAME PUBLIC PURPOSE FOR WHICH THE PROPERTY WAS DEDICATED DOES NOT EXIST, OR THE PROPERTY OR ANY PORTION THEREOF IS NOT NEEDED FOR PUBLIC UTILITIES.

NOTARY STATEMENT:
 STATE OF CALIFORNIA }
 COUNTY OF Stanislaus } s.s.

ON THIS 15th DAY OF October 2001, BEFORE ME, C. SAULS, A NOTARY PUBLIC, PERSONALLY APPEARED Steve Mothersell, PERSONALLY KNOWN TO ME (OR PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE) TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/HEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES), AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

WITNESS MY HAND *C. Sauls*
 PRINTED NAME: C. SAULS
October 20, 2002

VIZCAYA UNIT No. 2

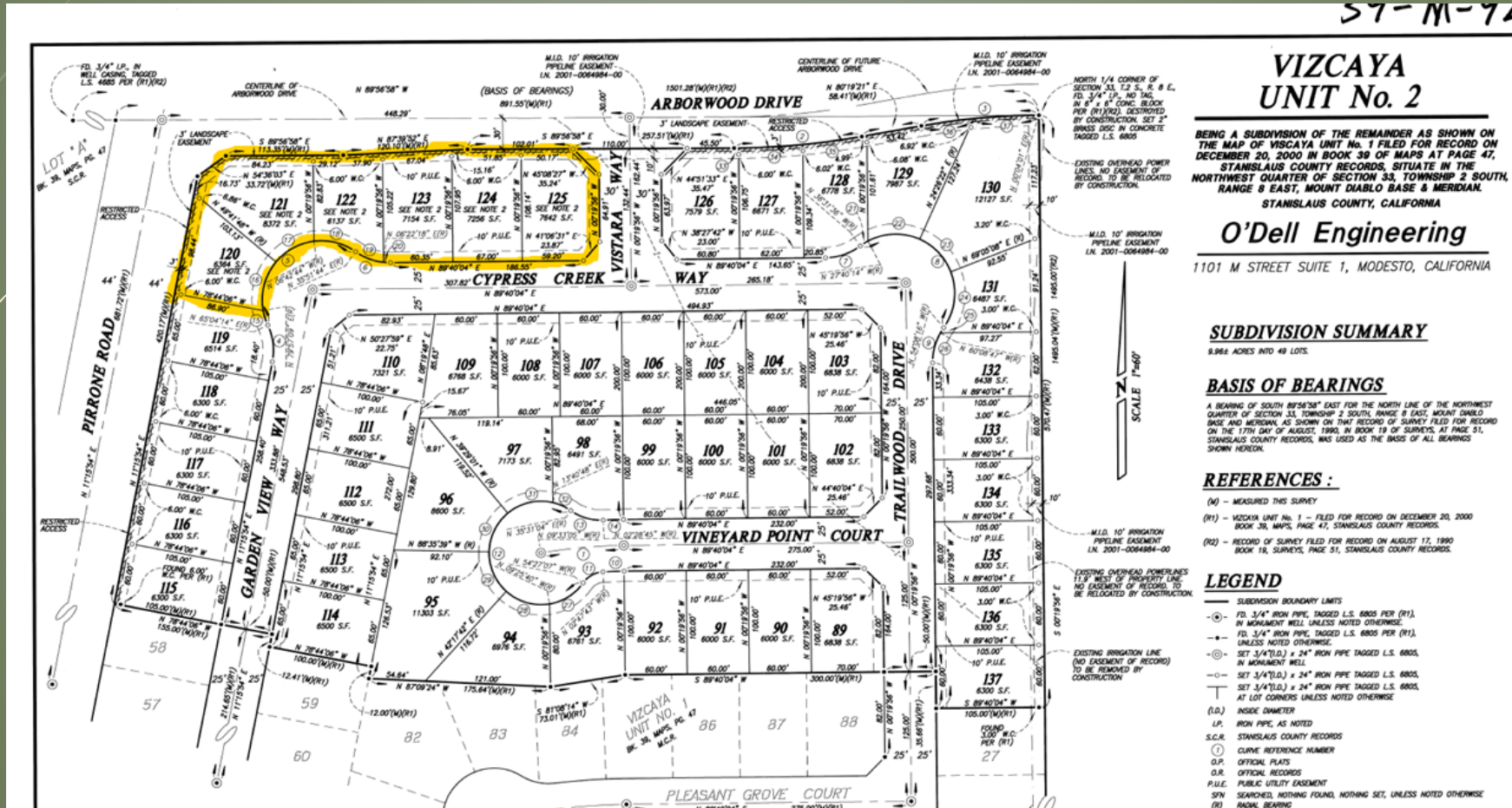
BEING A SUBDIVISION OF THE REMAINDER AS SHOWN ON THE MAP OF VIZCAYA UNIT No. 1 FILED FOR RECORD ON DECEMBER 20, 2000 IN BOOK 39 OF MAPS AT PAGE 47, STANISLAUS COUNTY RECORDS, SITUATE IN THE NORTHWEST QUARTER OF SECTION 33, TOWNSHIP 2 SOUTH, RANGE 8 EAST, MOUNT DIABLO BASE & MERIDIAN.
 STANISLAUS COUNTY, CALIFORNIA

O'Dell Engineering
 1101 M STREET SUITE 1, MODESTO, CALIFORNIA

VICINITY MAP
 NOT TO SCALE

Vizcaya Unit No. 2

- Originally a temporary storm drainage basin in lots 120 - 125



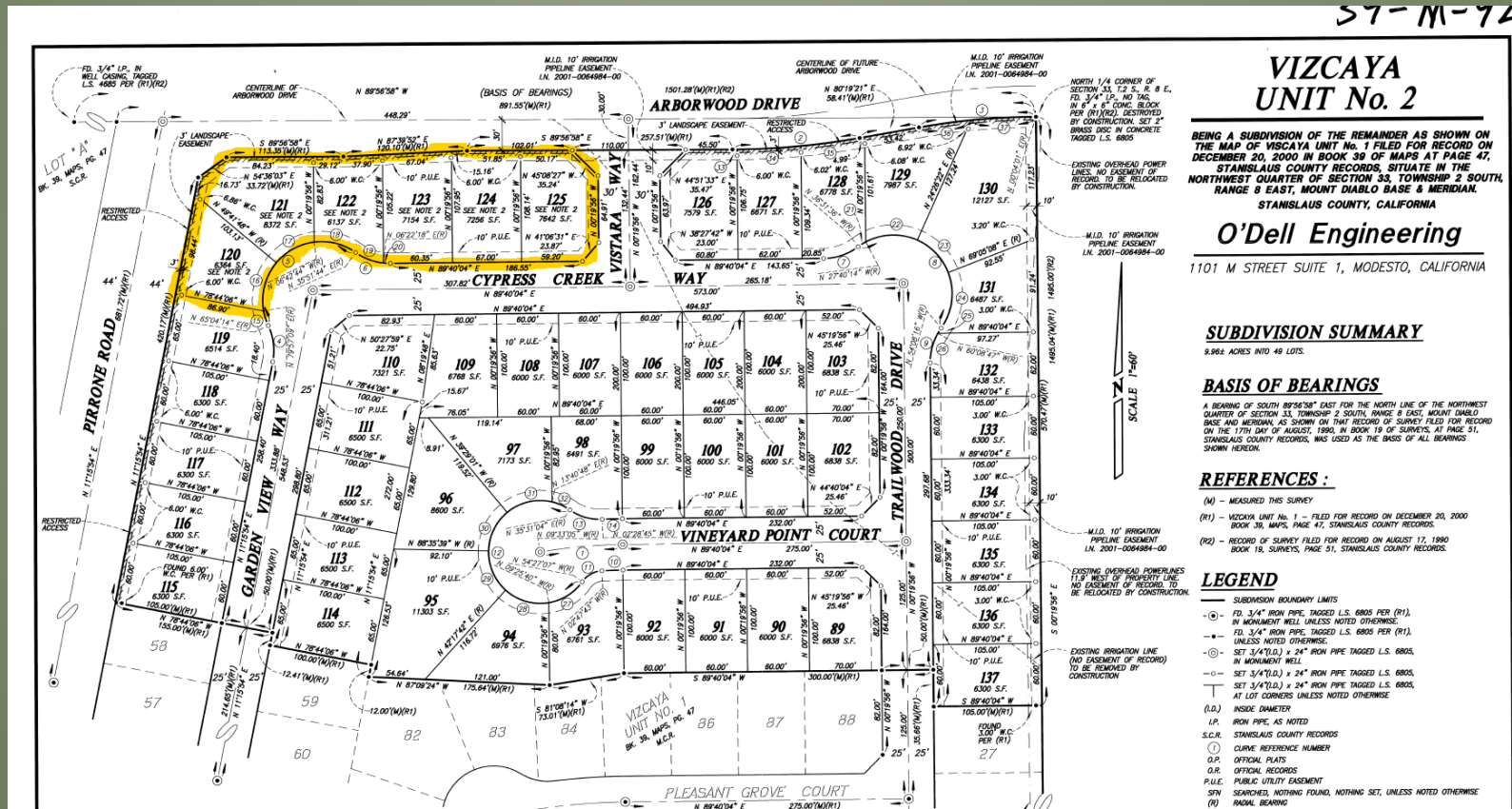
May 25, 2021 Meeting

Vizcaya Timeline

Date	Action
December 2000	Approval of Vizcaya Unit 1
October 2001	Approval of Vizcaya Unit 2
November 2005	Approval of Modified Subdivision Agreement

Vizcaya Modified Subdivision Agreement

- Originally a temporary storm drainage basin in lots 120 – 125
- 2005 BOS approved new Subdivision Agreement



Vizcaya Modified Subdivision Agreement

- New Subdivision Agreement moved basin to current location
- SCM Homes provided bond for \$278,976.34 to guarantee construction of permanent basin
- Note: the same developer SCM Homes owned both Lot A – the commercial property as well as Vizcaya Units 1 and 2

Vizcaya Timeline

Date	Action
December 2000	Approval of Vizcaya Unit 1
October 2001	Approval of Vizcaya Unit 2
November 2005	Approval of Modified Subdivision Agreement
January 2013	Brinca Development Purchases Lot A

Forced Sale – Brinca Property Acquisition

- SCM Homes was ordered to sell property
- Brinca purchased property in January 2013
- Brinca and County started discussions on solutions over next 6 years

Vizcaya Timeline

Date	Action
December 2000	Approval of Vizcaya Unit 1
October 2001	Approval of Vizcaya Unit 2
November 2005	Approval of Modified Subdivision Agreement
January 2013	Brinca Development Purchases Lot A
2013 – 2019	Many alternatives considered and rejected

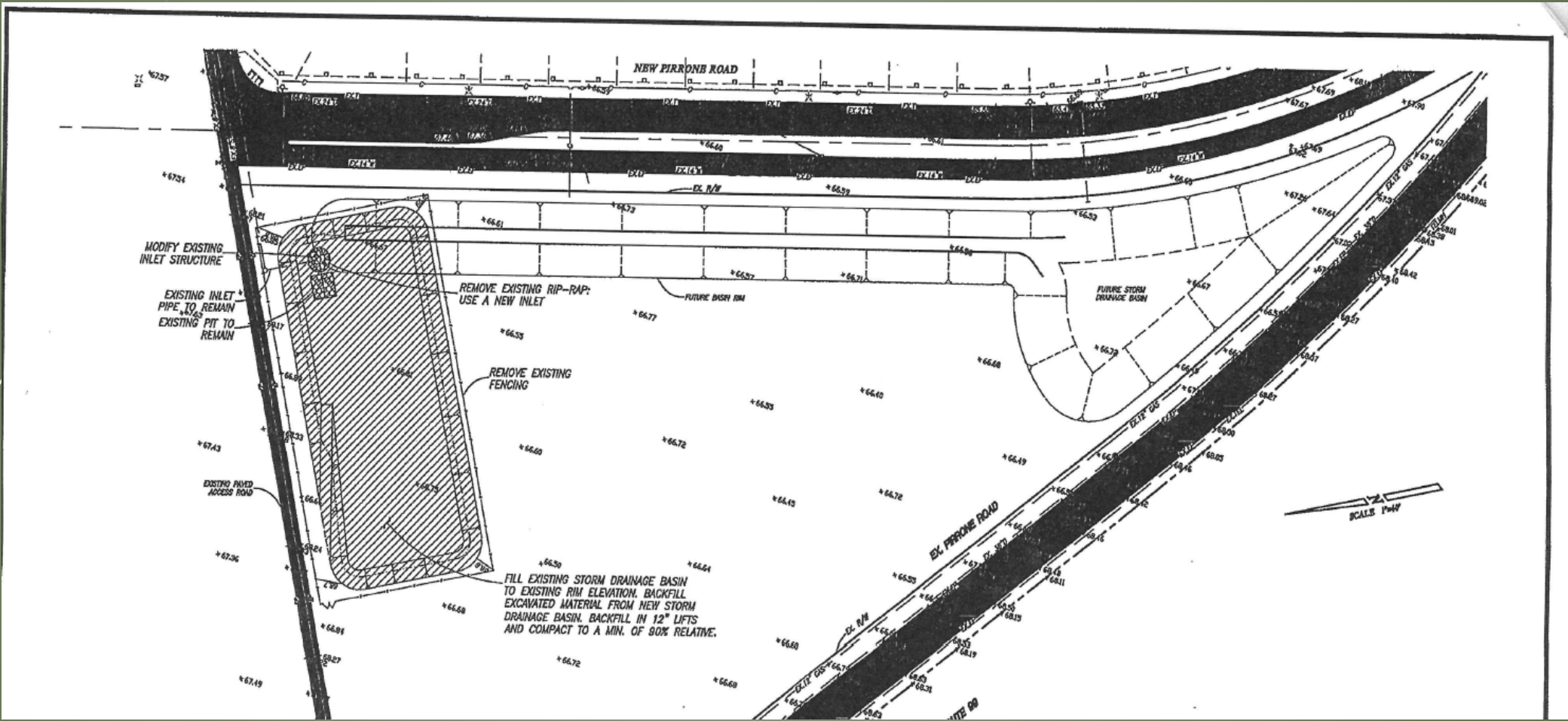
Brinca Property – Lot A

- Fundamental disagreement between the parties on responsibility for construction of a permanent basin 2013 through 2019.

Brinca and Public Works - Risk

- SCM Homes holds a bond for permanent basin construction
- PW did not have the plans for the ultimate basin design until 2020 – they went missing for 18 years

Permanent Basin Plans



Spring / Summer 2020 – A Path Forward?

- Public Works as part of a mediation between the parties paid the original engineer – O'Dell Engineering for a study to determine fair share costs
- A fair share was determined as shown on following slide
- Basin alternative was considered outside of Salida Community Plan
 - This alternative may have challenges with CEQA
- Grover Family Trust Property unable to develop the area for future Hammett Road ~ 2 acres

Spring / Summer 2020 – A Path Forward?

Exhibit C - Allocations Share							
Proposed Drainage Basin Volume Calculation							
Volume=CAR/12 R=2.88 (100-Year Storm)							
Area	Land Uses	Area (ac)	C	CA	Total R	V (Ac-Ft)	Fairshare
1	Grover Family Property	10.92	0.9	9.828	2.88	2.36	24%
2	Lark Landing / Lot A	8.12	0.9	7.308	2.88	1.75	18%
3	Vizcaya Subdivision (Low Density Residential)	30.88	0.6	18.528	2.88	4.45	44%
4	Old Pirrone Road-North	1.14	0.95	1.083	2.88	0.26	3%
5	Old Pirrone Road-South	1.9	0.95	1.805	2.88	0.43	4%
6	New Pirrone Road	2.88	0.95	2.736	2.88	0.66	7%
7	Future Pirrone Road	0.38	0.95	0.361	2.88	0.09	1%
Total		56.22				10.00	100%
County Share: Roads (Areas 4-7) and Lot 007 (Lot A)							38%

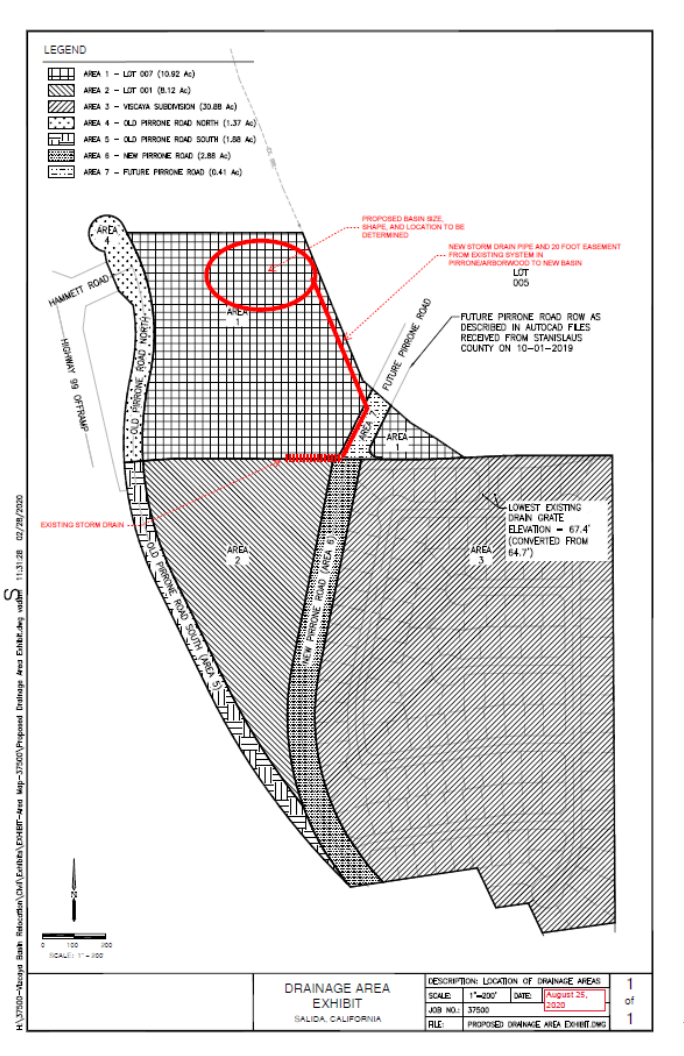
Spring / Summer 2020 – A Path Forward?

- This is when the original developer – Steve Mothersell – SCM Homes contacted Grover Family Trust Property for potential partnering
- Grover Family Trust Property has 2 acres of undeveloped land north of proposed development
- Storm drainage basin could go there
- The parties – Public Works, Grover Family Trust Property and SCM Homes have a draft plan to accommodate and move the existing basin from Lot A to north of Grover Family Trust Property's proposed development

General Terms

- Owner of Lot A at some point in future will pay Salida Community Plan Storm Drainage fees ~\$95k
- SCM Homes proposing paying for engineering and costs associated with Vizcaya
- Grover Family Trust Property paying for 24% and selling land to County.
- Public Works paying for upsizing to accommodate future Lot A and to take care of road drainage
 - Paid for with remainder of Salida Storm Drain fees ~\$300k

General Location



Vizcaya Timeline

Date	Action
December 2000	Approval of Vizcaya Unit 1
October 2001	Approval of Vizcaya Unit 2
November 2005	Approval of Modified Subdivision Agreement
January 2013	Brinca Development Purchases Lot A
2013 – 2019	Many alternatives considered and rejected
Winter / Spring 2020	Meetings with attorney's
Summer 2020	Path forward for County owned basin
Spring 2021	Salida MAC History of Vizcaya Basin
Summer 2022?	Construct New Basin?

Why is this better than?

- Brinca / Lark Landing development timeline uncertain
- All parties wish to avoid litigation
 - Nothing is certain and what we could be spending on litigation could provide for a County owned storm drainage facility
- Grover Family Trust Property and SCM Homes have recognized the value of partnering in finding a common solution for this neighborhood for storm drainage
- This is still a proposal - nothing has been decided

Questions?