



San Diego County
Local Agency Formation Commission
 Regional Service Planning | Subdivision of the State of California

5f

AGENDA REPORT
 Consent | Information

February 3, 2025

TO: Commissioners

FROM: Keene Simonds, Executive Officer
 Joelle Burila, Analyst I

SUBJECT: **Proposed “Dragovic – Sunset Drive Out-of-Agency Wastewater Services” | City of Vista and 1678 Sunset Drive (OAS24-10b)**

SUMMARY

The San Diego County Local Agency Formation Commission (LAFCO) will consider a request by the City of Vista to formally authorize the extension of out-of-agency wastewater services to an unincorporated parcel located within its sphere of influence. The affected territory and its lone subject parcel is 1.25 acres in size and developed with a single-family residence at 1678 Sunset Drive. The purpose of the request is to fulfill an earlier LAFCO condition in authorizing an out-of-agency wastewater service extension in November 2024. The existing single-family residence was connected to Vista’s wastewater system as part of an earlier agreement – issued in July 2002 – though never formally approved by LAFCO. Staff recommends approval of the request and related legal allowance to maintain the current agreement to provide wastewater services to the existing primary residential dwelling unit along with standard terms. Staff is relatedly recommending the Commission dispense with the otherwise special condition commonly applied to require the landowner to file an annexation proposal with LAFCO for future processing given local conditions as detailed. A categorical exemption is separately recommended to comply with the California Environmental Quality Act.

<p>Administration Keene Simonds, Executive Officer 2550 Fifth Avenue, Suite 725 San Diego, California 92103 T 619.321.3380 E lafco@sdcounty.ca.gov www.sdlafco.org</p>	<p>Joel Anderson County of San Diego</p> <p>Jim Desmond County of San Diego</p> <p>Vacant County of San Diego</p>	<p>Kristi Becker City of Solana Beach</p> <p>Dane White City of Escondido</p> <p>John McCann Alt. City of Chula Vista</p>	<p>Chair Stephen Whitburn City of San Diego</p> <p>Marni von Wilpert, Alt. City of San Diego</p>	<p>Vice Chair Barry Willis Alpine Fire Protection</p> <p>Jo MacKenzie Vista Irrigation</p> <p>David Drake, Alt. Rincon del Diablo</p>	<p>Harry Mathis General Public</p> <p>Brigitte Browning, Alt. General Public</p>
---	--	--	--	--	--

BACKGROUND

Out-of-Agency Services: Statute and Local Policies

Government Code Section 56133 prohibits cities or special districts from providing new or extended services by contracts outside of their jurisdictional boundaries without prior LAFCO review and approval less certain and limited exemptions. In addition, cities or districts may only provide services by contract outside of their boundaries and within their spheres of influence in anticipation of later annexations. If the affected territory lies outside the subject agencies’ spheres, outside-of-agency services may only be extended in response to documented threats to public health and/or safety as determined by LAFCO.

San Diego LAFCO’s current policies authorize the Executive Officer to approve outside-of-agency services in response to documented health, safety, or welfare impacts.¹ Otherwise, all out-of-agency approvals require formal Commission action.

Earlier LAFCO Approval + Related Condition

San Diego LAFCO received a request from the City of Vista on behalf of an interested landowner (Zeljko Dragovic) in May 2024 for approval to extend new wastewater services outside its jurisdictional boundary by contract to a 1.25-acre unincorporated parcel within its sphere of influence. The purpose of the proposal and request was to facilitate the landowner's stated interest to split the subject lot into two legal parcels as allowed under County zoning and consistent with the expedited allowance provided under Senate Bill 9.² The item was subsequently scheduled as part of the Commission’s November 4, 2024 meeting.

At the November 2024 meeting, the Commission took action to approve the request however consistent with an amended recommendation by the Executive Officer. The amended recommendation involved a condition requiring Vista to either provide documentation of prior LAFCO approval for the existing service or submit a new request and fee for the residence at 1678 Sunset Drive. This condition was merited given the existing connection under a July 2002 agreement had not been formally approved by LAFCO.

New Applicant Request

Consistent with the Commission’s November 2024 conditional approval, San Diego LAFCO received a new request from the City of Vista on behalf of an interested landowner (Zeljko Dragovic) in November 2024 to formally authorize the extension of wastewater service to the subject parcel. The parcel is presently developed with a 4,290 square-foot single-family

¹ These policies also delegate discretion to the Executive Officer in determining whether public health, safety, or welfare threats exists on a case-by-case basis. Reference to Rule No. 1.8.

² Senate Bill 9 – California Housing Opportunity and More Efficiency (HOME) Act allows property owners to split single-family residential lots and build up to two housing units on each lot without discretionary review, streamlining the approval process for certain housing developments. SB 9 projects are considered ministerial actions and are exempt from CEQA.

residence built in 2003 and located at 1678 Sunset Drive. The purpose of the request is to formalize the existing service agreement and provide legal authorization for Vista to continue providing wastewater services to the existing residence. The subject parcel lies within the Vista sphere of influence though non-contiguous to the existing City boundary.

A map showing the affected territory is provided as Attachment One.

DISCUSSION

This item is for San Diego LAFCO to consider approving the City of Vista’s request under Government Code Section 56133 to provide extended out-of-agency wastewater services (collection, treatment, and disposal classes) to the existing residence developed on the subject parcel located at 1678 Sunset Drive. The Commission maintains discretion to approve the request with or without terms so long as the latter does not directly regulate land use, property development, or subdivision requirements. Additional discussion on proposal purpose, land use policies, and Commission focus follows.

Proposal Purpose

The purpose of the request is to formally authorize out-of-agency wastewater service from the City of Vista to the affected territory – and specifically the existing residence – and in doing so fulfill an earlier condition as summarized in the proceeding section.

Current and Planned Land Uses

The affected territory comprises one parcel currently developed with a single-family residence built in 2003. The County of San Diego designates the subject parcel as Village Residential with a zoning assignment of Rural Residential, which sets the minimum lot size at 10,000 square feet or 0.23 acres. The City of Vista similarly designates the subject parcel as Medium Low Density Residential with a matching minimum lot size of 10,000 square feet.³ (Vista has not rezoned the affected territory.)

Commission Focus

Staff has identified two central and sequential policy items for San Diego LAFCO in considering the merits of the requested approval for the City of Vista to provide extended out-of-agency wastewater services to the affected territory. These items involve the stand-alone merits of the (a) timing of the requested service extension itself and (b) whether discretionary terms are appropriate. The Commission must also consider other relevant statutes as detailed.

³ The affected territory is not within a disadvantaged unincorporated community (DUC).

ANALYSIS

The following analysis addresses the two policy considerations outlined in the preceding section most relevant to San Diego LAFCO’s consideration of the requested authorization – including the timing of the out-of-agency service and whether terms are appropriate.

Policy Consideration | Timing of the Out-of-Agency Wastewater Service

Underlying San Diego LAFCO’s consideration of the request is the timing and whether the membership believes the extension of municipal wastewater service is merited and – if yes – whether it is readily available. Should the preceding determinations be in the affirmative the Commission is tasked with proceeding to consider most appropriate delivery means, annexation or outside service extension.

Staff’s analysis of these two related factors follows.

- Need and Availability of Service
The affected territory consists of an existing single-family residence within a developing and urbanizing unincorporated area. The City of Vista’s presently provides wastewater service to the affected territory via an unauthorized out-of-agency service agreement. It is projected the average day wastewater demand generated within the affected territory and its current single-family residence use is 250 gallons per day. This amount plus all other existing flows contribute to a current systemwide average day demand of 6.470 million gallons per day (MGD) – which is well below the 10.670 MGD capacity allocated to Vista. The need for continued service to the single-family residence plus available service capacity supports formalizing the out-of-agency agreement.
- Out-of-Agency Service v. Annexation
Annexations are the preferred method under LAFCO law for implementing boundary changes that formalize the relationship between land and service providers unless local conditions suggest otherwise. In this case, local conditions justify an out-of-agency service extension as the most effective means to provide wastewater services to the affected territory given annexation would not be orderly or efficient at this time. Most notably, the affected territory is non-contiguous to Vista and no less than four additional unincorporated properties along Sunset Drive would need to be included in an annexation for connectivity purposes (Cherry-stem annexations are relatedly no longer permitted under LAFCO statute).

Policy Consideration | Potential Terms

Staff believes it would be appropriate for San Diego LAFCO to condition approval to accommodate only the existing single-family residence. Combined with the November

approval would effectively accommodate the anticipated lot-split and allowance therein for up to four residential units (two single-family residences and two accessory dwelling units). This would also preserve separate approvals should more density be subsequently pursued.

The application of standard approval terms also appears sufficient. This includes the applicant paying any outstanding fees necessary to complete the approval per the San Diego LAFCO fee schedule. Conversely, consideration has been given consistent with practice to require the landowner to file an annexation proposal with LAFCO for future processing in conjunction with expediting the anticipated annexation under statute. Staff believes it is appropriate to proceed without this term given local conditions and the impracticability of timing a future annexation given the preceding considerations.

ANALYSIS

The attested availability, adequacy and need for continued wastewater service to the affected territory plus the appropriateness of utilizing an out-of-agency service arrangement as detailed justifies San Diego LAFCO approval. Proceeding without an otherwise standard condition to require the landowner file for annexation is merited given timing uncertainties since the affected territory is non-contiguous to Vista and no less than four additional unincorporated properties along Sunset Drive would need to join for connectivity purposes.

RECOMMENDATION

It is recommended San Diego LAFCO conditionally approve the requested out-of-agency wastewater service authorization specific to the existing single-family residence. This recommendation is consistent with Alternative One outlined below.

ALTERNATIVES FOR ACTION

The following alternative actions are available to San Diego LAFCO and can be accomplished through a single-approved motion.

Alternative One (recommended):

- a) Approve the requested out-of-agency wastewater service authorization between the City of Vista and landowner of the affected territory at 1678 Sunset Drive subject to the scope and terms as provided in preceding sections.
- b) Authorize the Executive Officer to file a Notice of Exemption consistent with finding the request qualifies as a “project” under the California Environmental Quality Act but exempt from further review under State CEQA Guidelines Section 15301. This exemption appropriately applies given the underlying project to legally authorize and permit continued wastewater service to an existing single-family residence. The project does not involve any physical expansion of the existing private structure.

Alternative Two:

Continue item to a future meeting.

Alternative Three:

Disapprove the request.

PROCEDURES

This item has been placed on the San Diego LAFCO’s agenda as part of the consent calendar. A successful motion to approve the consent calendar will include taking affirmative action on the staff recommendation unless otherwise specified by the Commission.

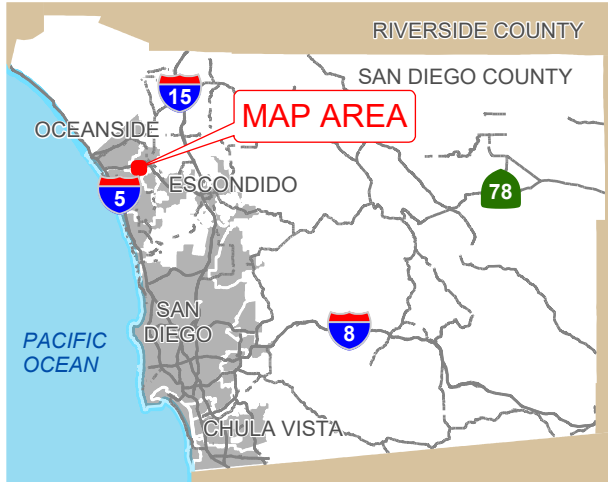
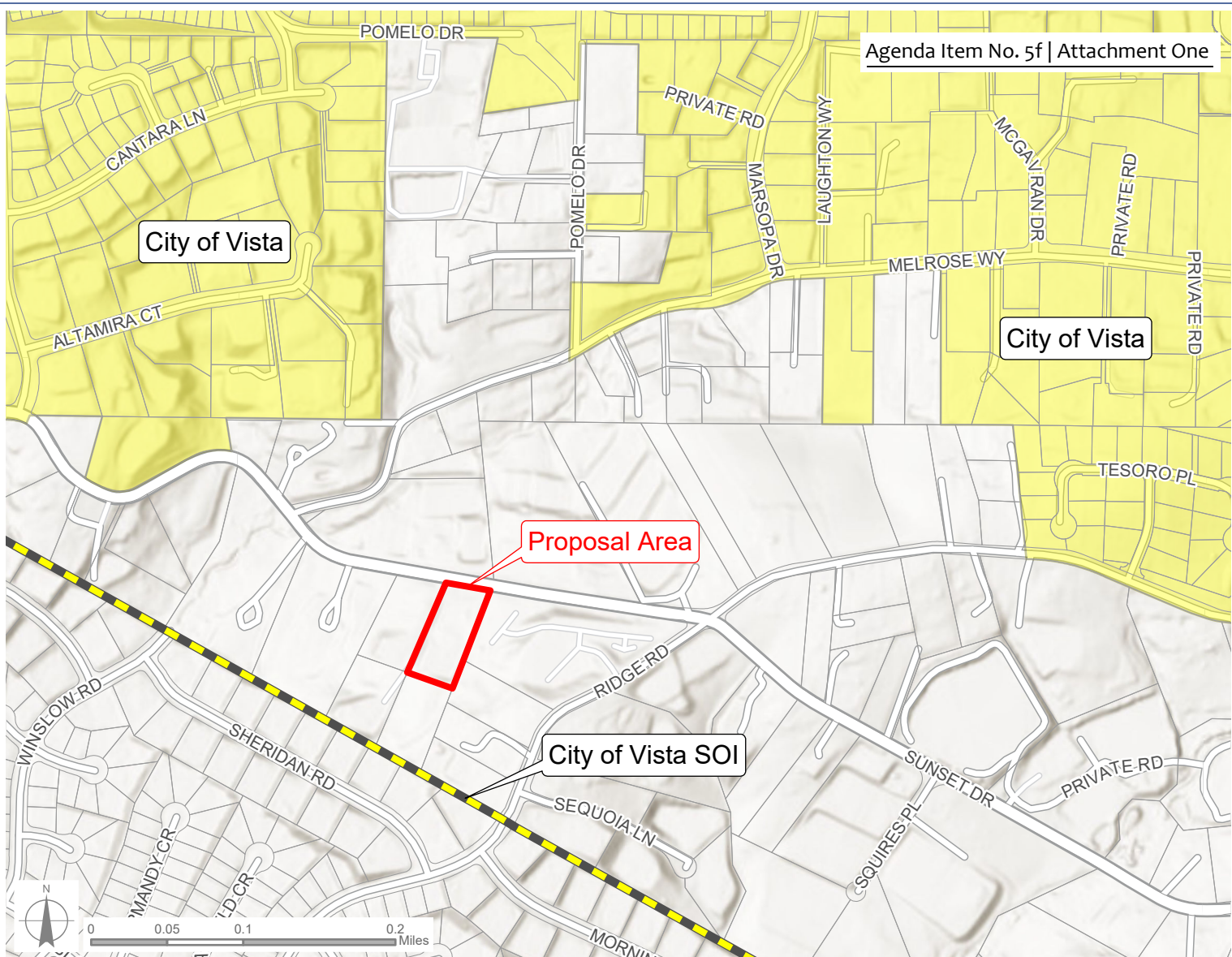
On behalf of the Executive Officer,



Joelle Burila
Analyst I




Attachments:

- 1) Map of the Affected Territory
- 2) Related Requested Documents



OAS24-10b

"DRAGOVIC - SUNSET DRIVE OUT-OF-AGENCY WASTEWATER SERVICES" | CITY OF VISTA

-  Proposal Area
-  City of Vista SOI
-  City of Vista

SOI = Sphere of Influence



San Diego County
Local Agency Formation Commission
 Regional Service Planning | Subdivision of the State of California

This map is provided without warranty of any kind, either express or implied, including but not limited to the implied warranties of merchantability and fitness for a particular purpose. Copyright LAFCO and SanGIS. All Rights Reserved. This product may contain information from the SANDAG Regional Information System which cannot be reproduced without the written permission of SANDAG. This map has been prepared for descriptive purposes only and is considered accurate according to SanGIS and LAFCO data.
 G:\GIS\Vicinity_Maps\agendamaps2024\24-10 Dragovic Sunset Dr City of Vista OAS.aprx

Blank for Photocopying

CONTRACTUAL SERVICE AGREEMENT APPLICATION FORM

In addition to the materials required for any change(s) of organization, submit the following items:

1. One copy of either an approved Resolution of the City Council/District Board of Directors or a letter from the City Manager/District General Manager requesting approval for a contractual service agreement.
2. One copy of the contract or agreement stipulating the terms and conditions of extending service to the property signed by the property owner(s) and the agency that is to provide the service.
3. LAFCO processing fee. Contact the LAFCO office or refer to fee schedule.

Print/Type Name: Zeljko Dragovic

Property Address: 1678 Sunset Drive, Vista, CA 92084

Phone #: _____ Email: jakedr1914@gmail.com Date: 11-18-24

This application is used by LAFCO staff to provide supplemental information for contractual service agreement requests.

1. What type or types of public service(s) will be provided? Wastewater
2. Why is the service needed? If the service agreement is in response to an emergency health and safety situation, such as a failed septic system, provide information documenting the circumstances (e.g., letter from the County Department of Environmental Health). The existing house has been served since 2002. This request is to formalize the OAS agreement pursuant to direction received from LAFCO.
3. If a jurisdictional change, such as annexation, is not possible at this time, explain the circumstances that prevent annexation and when the jurisdictional change is anticipated. Property is not adjacent or contiguous to City of Vista boundary. Annexation would result in an "island".
4. Are there any jurisdictional issues associated with the YES NO proposed contractual service agreement?
(If yes, please complete the LAFCO [Policy L-107 form](#))

San Diego Local Agency Formation Commission
2550 Fifth Ave., Suite 725
San Diego, CA 92103
(619) 321-3380



November 18, 2024

San Diego County LAFCO
Attn: Keene Simonds
2550 Fifth Avenue, Suite 725
San Diego, California 92103

RECEIVED

NOV 21 2024

SAN DIEGO LAFCO

Re: Out of Area Service Agreement Request – 1678 Sunset Drive

Dear Mr. Simonds,

The City of Vista is requesting approval from San Diego LAFCO to continue providing wastewater service to the existing single-family residence at 1678 Sunset Drive (APN 169-021-19-00) which is outside of the City of Vista municipal boundary. Though the property is located within the city's Sphere of Influence, it is not adjacent or contiguous to the city boundary and is not accessed from a city owned and maintained street. Therefore, annexation into the City of Vista is not supported at this time.

On November 4, 2024 San Diego LAFCO approved an Out of Area Service request to serve a proposed subdivision of the subject property contingent upon a follow-up request to continue wastewater service to the existing house that has been connected since 2002. This request is intended to satisfy that condition of approval.

City of Vista public sewer infrastructure is available and has adequate capacity to provide service to the property. The agreement will be memorialized with an Out-of-Area Sewer Service Agreement, recorded in the office of the County Recorder.

Pursuant to direction received from your office, a check for \$1,921.50 is included with this request.

I appreciate your consideration in this manner. Please feel free to reach out to me at 760-643-5201 or jconley@vista.gov, or Steve Nowak at 760-643-5403 or snowak@vista.gov with any questions you may have.

Sincerely,

John Conley
City Manager

DOC# 2024-0324369



Nov 21, 2024 01:24 PM

OFFICIAL RECORDS
JORDAN Z. MARKS,
SAN DIEGO COUNTY RECORDER
FEES: \$0.00 (SB2 Atkins: \$0.00)
PCOR: N/A

PAGES: 8

RECORDING REQUESTED BY:

CITY OF VISTA

WHEN RECORDED MAIL TO:

**CITY OF VISTA
200 CIVIC CENTER DRIVE
VISTA, CA 92084-6275
ATTN: CITY CLERK**

Fee Exempt: Government Code Section 27383

APN: 169-021-19

**IRREVOCABLE OFFER OF ANNEXATION TO THE CITY OF VISTA,
AGREEMENT TO PAY FUTURE ANNEXATION FEES, AND
OUT OF AREA SEWER SERVICE AGREEMENT
1678 Sunset Drive**

THIS AGREEMENT is entered into as of August 13, 2024 ("Agreement Date"), by and between the **CITY OF VISTA**, a chartered municipal corporation, ("City") and, **Zeljko Dragovic and Jadranka Adriana Dragovic, Husband and Wife as Joint Tenants** ("Owner/Developer").

RECITALS

1. Owner/Developer has applied to City for sewer service for the real property hereinafter described ("Property") now under Owner/Developer's ownership.
2. The Property is within the Local Agency Formation Commission ("LAFCO") sphere of influence for City, but the Property is not within the City limits. LAFCO has provided approval for the out of area sewer service at the Property, as provided in Exhibit B.
3. It has been determined to be in the public interest to provide sewer service to this Property.
4. An irrevocable offer of annexation of the Property to the City is a requirement for the provision of sewer service by the City.

NOW, THEREFORE, IT IS HEREBY AGREED AS FOLLOWS:

SECTION 1. Owner/Developer makes an irrevocable offer to annex the Property to the City and to take all actions necessary to accomplish that annexation upon request by City. For purposes of calculating any votes or protests, this Agreement shall constitute and shall be counted as a written approval or consent to an annexation application initiated by the City or which has received the written support of the Vista City Manager or Vista City Council. Additionally, Owner/Developer agrees to pay all applicable annexation fees (including City fees, LAFCO fees, and State Board of Equalization fees) at the time the annexation is initiated by the Vista City Council, or at such other time as shall be authorized by the City in advance of the annexation of the Property. These fees, without limitation, include all application fees, processing fees, and "deficit offset" payments described in that certain Codicil to the Master Property Tax Agreement, dated February 27, 2004, which supplements the Master Property Tax Agreement of November 20, 1984 between the City and the County of San Diego, as shall be amended from time to time ("Property Agreement"). A copy of the Property Agreement is on file with the City Clerk of the City. Owner/Developer agrees and accepts that the payment of such fees, unless waived by the City, constitutes a precondition to the annexation of the Property.

Irrevocable Offer of Annexation to City of Vista, Agreement to Pay Future Annexation Fees, and Out-of-Area Sewer Service Agreement

**1678 Sunset Dr.
APN: 169-021-19
Page 2**

SECTION 2. Owner/Developer shall acquire any necessary off-site easements, shall construct the mainline sewer and lateral to a point on the Property as determined by City's Department of Engineering, and shall be responsible for all costs including engineering, permits, inspection and any other costs related to the physical construction of the sewer. Owner/Developer shall comply will all rules, regulations, ordinances or statutes currently in effect or as may be amended from time to time. Owner/Developer agrees to indemnify, defend and hold harmless City for any loss, damage, or claim of damage resulting from an alleged or actual failure of the domestic sewer lateral or the City sewer main.

SECTION 3. Owner/Developer shall pay sewer capacity fees, sewer service fees, and permit fees to City as required by City from time to time. Sewer service charges will be billed as determined by City, and shall be paid within thirty (30) days of the billing date. If within that 30 day period, such charges have not been paid, Owner/Developer and its successors in interest hereby authorize the filing of a law suit in a court of competent jurisdiction by City. Parties refusing to pay their sewer service charge within the specified time shall, in addition be liable for any and all cost of suit and reasonable attorney's fees incurred by City in initiating any legal action pursuant to the terms of this Agreement.

SECTION 4. Owner/Developer irrevocably agrees to grant to City, without compensation, an on-site sanitary sewer easement, if necessary in the sole discretion of City, for the future extension of the sewer.

SECTION 5. Subdivision and/or development shall be compatible with City's General Plan and shall be in conformance with City development standards, including City review and approval of the site development plan and payment of any development fees not required by the County but required by City, such as drainage fees and traffic mitigation fees.

SECTION 6. City will provide sewer service upon satisfaction of the conditions set forth in this Agreement, applicable law, and other requirements which are standard preconditions to the provision of sewer service.

SECTION 7. A description of the Property upon which said irrevocable offer of annexation is imposed is described in Exhibit A, attached hereto and incorporated herein by reference.

SECTION 8. The obligations of this Agreement shall constitute covenants or servitudes which shall run with the land comprising the Property and shall be binding on the successors and assigns of Owner/Developer, including all estates and interests in the Property. Notwithstanding the foregoing, the decision to initiate or support an application for annexation to the Local Agency Formation Commission ("LAFCO") is reserved to the sole discretion of City, and this Agreement does not contain any representation or commitment that City will initiate or support such an application in the future. LAFCO must approve any annexation to City.

SECTION 9. This Agreement shall continue in effect until such time as the Property is annexed to the City or this Agreement is terminated as hereinafter specified, whichever occurs first.

SECTION 10. This Agreement may be terminated by the City by giving Owner/Developer, its heirs, successors or assigns, five (5) days advance written notice if [1] Owner/Developer fails to pay the fees described in paragraphs One (1), Two (2), Three (3) or Five (5) above, or [2] the annexation is not approved for any reason.

[Continued on page 3.]

Irrevocable Offer of Annexation to City of Vista, Agreement to Pay Future Annexation Fees, and Out-of-Area Sewer Service Agreement
1678 Sunset Dr.
APN: 169-021-19
Page 3

SECTION 11. This Agreement is subject to the LAFCO review and approval. It shall be effective following execution by the parties and upon approval by LAFCO. Should LAFCO fail to approve this Agreement it shall be of no further force or effect.

SECTION 12. This Agreement contains the entire agreement between the parties, and neither party relies upon any warranty or representation made by either party if not contained in this Agreement.

IN WITNESS, WHEREOF, the parties hereto have executed this Agreement as of the Agreement Date.

“CITY”

“OWNER/DEVELOPER”

CITY OF VISTA, a chartered municipal corporation

**Zeljko Dragovic and Jadranka Adriana Dragovic,
Husband and Wife as Joint Tenants**

By: John Conley
JOHN CONLEY, CITY MANAGER

By: Zeljko Dragovic
ZELJKO DRAGOVIC, OWNER
NAME/TITLE

By: Jadranka Dragovic
JADRANKA ADRIANA DRAGOVIC, OWNER
Name/Title

(When signing as Corporation necessary signatures are
President OR Vice President AND Secretary OR
Assistant Secretary.)

NOTE: A CALIFORNIA ALL PURPOSE NOTARY ACKNOWLEDGMENT MUST BE ATTACHED FOR ALL SIGNATURES ABOVE

ATTEST:

KATHY VALDEZ, CITY CLERK

By: Kathy Valdez

APPROVED AS TO FORM:

WALTER CHUNG, CITY ATTORNEY

By: Walter Chung

APPROVED
Amanda L. Guy
20241113091300

**SEE NOTARY
ATTACHMENT**

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of San Diego)

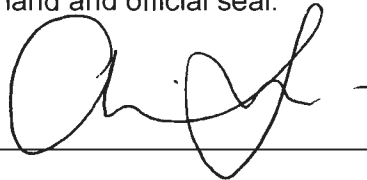
On November 14 2024 before me, Araceli Soriano, Notary Public
(insert name and title of the officer)

personally appeared Zeljko Dragovic and Jadranka Adriana Dragovic,
who 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/they 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.

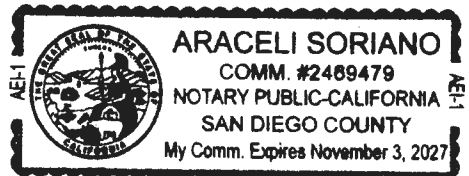
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing
paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____



(Seal)



OPTIONAL

Completing this information can deter alteration of the document or
fraudulent reattachment of this form to an unintended document

Description of Attached Document

Title or Type of Document: Annexation Agreement

Document Date: November 14 2024 Number of Pages: _____

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of San Diego)
On November 2, 2021 before me, Katherine J Valdez, Notary Public
Date Here Insert Name and Title of the Officer
personally appeared John Conley
Name(s) of Signer(s)

who 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/they 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.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature Katherine J Valdez
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: Irrevocable Offer of Annexation APN 169-021-19-00

Document Date: Number of Pages:

Signer(s) Other Than Named Above:

Capacity(ies) Claimed by Signer(s)

Signer's Name:
Corporate Officer — Title(s):

Signer's Name:
Corporate Officer — Title(s):

Partner — Limited General
Individual Attorney in Fact
Trustee Guardian or Conservator
Other:

Partner — Limited General
Individual Attorney in Fact
Trustee Guardian or Conservator
Other:

Signer Is Representing:

Signer Is Representing:

Exhibit A
Legal Description

All that certain real property in the County of San Diego, State of California, described as follows:
LOT 108 RANCHO MAR VISTA TRACT NO. 2, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA,
ACCORDING TO THE MAP THEREOF NO. 2069, FILED IN THE OFFICE OF THE COUNTY RECORDER OF
SAID SAN DIEGO COUNTY, OCTOBER 31, 1927.

EXCEPTING THEREFROM ALL THAT PORTION LYING WITHIN PARCEL 1 HEREIN DESCRIBED:

A PORTION OF LOT 108 RANCHO MAR VISTA TRACT NO. 2, ACCORDING TO THE MAP THEREOF
2069, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAID SAN DIEGO COUNTY, OCTOBER
31, 1927, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 108 THENCE; SOUTH 26°10'39" WEST 297.78
FEET; THENCE SOUTH 69°51'20" EAST 184.71; THENCE NORTH 23°20'46" WEST 329.77 THENCE
NORTH 80°46'00" WEST 175.00 FEET TO THE TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM AN EASEMENT FOR ROAD AND UTILITIES OVER, UNDER, ALONG AND
ACROSS THE SOUTHEASTERLY 20.00 FEET.

A PORTION OF LOT 108 OF RANCHO MAR VISTA TRACT NO.2, ACCORDING TO MAP THEREOF NO.
2069, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, OCTOBER 31,
1927, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 108; THENCE SOUTH 26° 10'38" WEST, 297.78
FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING SOUTH 26° 10'38" WEST 257.00
FEET; THENCE SOUTH 61°15'00" EAST 198.00 FEET; THENCE NORTH 23°20'46" EAST 285.65 FEET;
THENCE NORTH 69°51'20" WEST 184.71 FEET TO THE TRUE POINT OF BEGINNING.

A PORTION OF LOT 108, RANCHO MAR VISTA TRACT NO. 2, ACCORDING TO THE MAP THEREOF
NO. 2069, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, 10/31/27,
DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 108; THENCE SOUTH 21°08'00" WEST 358.99 FEET
TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING SOUTH 21°08'00" WEST 312.00 FEET;
THENCE NORTH 61°15'00" WEST 178.78 FEET; THENCE NORTH 23°20'46" WEST 285.65 FEET; THENCE
SOUTH 69°51'21" EAST 166.20 FEET TO THE TRUE POINT OF BEGINNING.

APN: 169-021-19-00

EXHIBIT B



San Diego County Local Agency Formation Commission Regional Service Planning | Subdivision of the State of California

November 12, 2024

Delivered Electronically:

Steve Nowak, on behalf of landowner Zeljko Dragovic
1678 Sunset Drive,
Vista, CA 92081
(760) 643 – 5403
snowak@ci.vista.ca.us

**SUBJECT: CORRECTION Notice of Conditional Approval:
“Dragovic – Sunset Drive Out-of-Agency Wastewater Services”
Out of Agency Services Agreement: City of Vista
(LAFCO File No. OAS24-10)**

Mr. Nowak:

This letter serves as formal confirmation the San Diego County Local Agency Formation Commission (LAFCO) conditionally approved the above-referenced request with standard terms at a public meeting held on November 4, 2024. The approved request involves authorization for the City of Vista to extend out-of-agency wastewater service to the affected territory in support of a pending lot-split as allowed by the County of San Diego and the allowed proposed future development of an additional single-family residence. The affected territory is located at 1678 Sunset Drive and identified by the County of San Diego Assessor’s Office as 169-021-19-00. The Commission’s conditional approval extends one calendar year – November 12, 2025 – and is limited to supporting the proposed lot-split and planned construction of a single-family residence and subject to the following terms:

1. Sufficient documentation of the existing authorization by San Diego LAFCO for an out-of-agency service agreement to the existing single-family residence located at 1678 Sunset Drive; **OR**
2. Submission of a standalone application requesting San Diego LAFCO to authorize the continuation of the existing out-of-agency agreement between the City of Vista and the landowner at 1678 Sunset Drive, thereby providing the legal approval to maintain the current agreement.

Administration
Keene Simonds, Executive Officer
2550 Fifth Avenue, Suite 725
San Diego, California 92103-6624
T 619.321.3380
E lafco@sdcounty.ca.gov
www.sdlafco.org

Joel Anderson
County of San Diego
Jim Desmond
County of San Diego
Nora Vargas, Alt.
County of San Diego

Kristi Becker
City of Solana Beach
Dane White
City of Escondido
John McCann, Alt.
City of Chula Vista

Chair Stephen Whitburn
City of San Diego
Marni von Wilpert, Alt.
City of San Diego

Vice Chair Barry Willis
Alpine Fire Protection
Jo Mackenzie
Vista Irrigation
David A. Drake, Alt.
Rincon del Diablo

Harry Mathis
General Public
Brigitte Browning, Alt.
General Public

3. Receipt of the following payments:

- a. Check in the amount of \$50.00 made payable to the San Diego LAFCO for one Notice of Exemption filing costs pursuant to the California Environmental Quality Act.

Separate written confirmation of the completion of all conditions tied to this approval will be provided as appropriate and serve as official notice of your legal allowance to proceed with the contractual service with the City of Vista.

Should you have any questions, please contact me by telephone at (858) 833-4020 or email at joelle.burila@sdcountry.ca.gov.

On behalf of the Executive Officer,



Joelle Burila

Local Government Analyst I

cc: Zeljko Dragovic, Landowner
Keene Simonds, San Diego LAFCO
Priscilla Mumpower, San Diego LAFCO
Erica Sellen, San Diego LAFCO