

Chapter 130

Sacramento Area Flood Control Agency Act

Sec. 1. This act shall be known and may be cited as the *Sacramento Area Flood Control Agency Act*.

§ 130-20. Findings and declarations

Sec. 20. The Legislature finds and declares as follows:

(a) The Sacramento Area Flood Control Agency has been created as a joint exercise of powers agency under an agreement made pursuant to Article 1 (commencing with [Section 6500](#)) of Chapter 5 of Division 7 of Title 1 of the Government Code, and dated November 21, 1989.

(b) The need for coordinated planning for the control of flood waters within or flowing into the boundaries of the City of Sacramento, the County of Sacramento, Reclamation District 1000, the American River Flood Control District, and portions of the County of Sutter, and the protection of public and private property from those waters led to the creation of the Sacramento Area Flood Control Agency.

(c) A purpose of the Sacramento Area Flood Control Agency is to coordinate a regional effort to finance, provide, and maintain facilities and works necessary to ensure a reasonable and prudent level of flood protection, as determined by the agency, in developed and urbanizing areas which are designated for residential, commercial, or industrial uses within its boundaries and to provide local assurances and participate in cost sharing for federal flood control projects.

§ 130-30. Agency

Sec. 30. "Agency" means the Sacramento Area Flood Control Agency.

§ 130-31. Agreement

Sec. 31. "Agreement" means the joint exercise of powers agreement under which the Sacramento Area Flood Control Agency was formed and any subsequent amendments to it.

§ 130-32. Board

Sec. 32. "Board" means the board of directors of the agency, as established pursuant to the agreement.

§ 130-33. Incidental expenses

Sec. 33. "Incidental expenses" includes all of the following:

(a) The cost of planning and designing projects pursuant to this act, including the costs of environmental evaluations and mitigation for those projects.

(b) The costs associated with the creation and administration of any financing arrangement authorized by this act, including, but not limited to, the costs of creating or modifying assessment or special tax districts, the costs of collecting assessments and special taxes, and costs arising from the issuance and administration of any bonds issued under this act.

(c) Any other expenses incidental to the construction, completion, inspection, and financing or refinancing of any authorized project, including relocation costs.

§ 130-34. Project; eminent domain authority; participation; consistency with county plans; effect of section on existing powers; acquisition of time-limited easements

Sec. 34. (a) "Project" means the acquisition, construction, maintenance, or operation of any flood control facility authorized under the agreement and not inconsistent with this act, including, but not limited to, acquisition of rights-of-way and easements and payment of incidental expenses.

(b) Nothing in this section, or any other provision of this act, authorizes the agency to exercise the power of eminent domain outside its boundaries.

(c) Participation in a project includes making payments or other contributions pursuant to any contract entered into with another governmental agency that requires the other governmental agency to perform work on a project.

(d) The acquisition of rights-of-way and easements outside of the agency's boundaries shall be consistent with applicable county plans, including county general plans, and the State Plan of Flood Control.

(e) This section does not alter the existing powers granted to members of the agreement.

(f) This section does not preclude the acquisition of time-limited easements.

§ 130-50. Agreements; contents; amendments

Sec. 50. The membership, boundaries, purposes, and governance of the agency shall be as set forth in the agreement. The agreement may be amended in accordance with the provisions of the agreement as initially signed or subsequently amended by its members,

as long as the amendments do not conflict with this act or Article 1 (commencing with [Section 6500](#)) of Chapter 5 of Division 7 of Title 1 of the Government Code.

§ 130-51. Undertaking projects; prior agreement

Sec. 51. The agency shall not undertake any project located within the jurisdictional boundaries of its member agencies and of any reclamation, levee, or levee maintenance district not party to the agreement, without the prior agreement of the governing body of the affected district.

§ 130-52. Purpose of agency

Sec. 52. Notwithstanding the purposes specified in the agreement, the agency shall have as its highest priority the protection of life, property, watercourses, watersheds, and public highways within its boundaries from damage from flood and storm waters. In addition, to the maximum extent economically feasible and consistent with its flood protection and flood management requirements and with state and federal agreements, the agency shall carry out its responsibilities in ways which provide for the optimum protection of the natural environment, especially riparian habitat and natural stream channels suitable for native plant and wildlife habitat and public recreation. Nothing in this act is intended to amend, modify, or alter the provisions of the California Environmental Quality Act (Division 13 (commencing with [Section 21000](#)) of the Public Resources Code) or any other state or federal laws whose purpose is to protect and preserve the natural environment.

§ 130-53. Authorization to participate in financing or refinancing flood control projects

Sec. 53. Notwithstanding any other provision of law, the agency may participate in financing or refinancing any flood control works or the flood control component of any dam, including a multiple purpose dam.

§ 130-54. Participation in financing construction of expandable flood control dam

Sec. 54. If the agency is authorized to participate in financing and refinancing the construction of an expandable flood control dam, the financing or refinancing may include elements not strictly necessary for flood control, but only if both of the following occur:

- (a) In the judgment of the board at the time the project receives the board's final approval, the financing or refinancing of these elements is cost-effective as compared to adding these elements when and if the dam is expanded.
- (b) The congressional authorization, or state authorization, of the expandable flood control dam provides that, in the event the dam is subsequently expanded to provide water and power:
 - (1) All of the costs of constructing the expandable flood control dam shall be

reapportioned among the financial participants in the expanded dam, including, without limitation, flood control, water, and power. Any such reapportionment shall be made as if the original flood control dam had been constructed as a multipurpose facility using the estimated value of the flood control project at the time of expansion.

(2) The costs which are thereby assigned to water and power, including the cost of expandability elements, shall be repaid to, and divided among, the financial participants in the original flood control dam in proportion to the share of these costs borne by each such participant.

The cost attributable to interest incurred relating to the expandability elements may be apportioned at the discretion of the board in accordance with this section.

§ 130-55. Construction of §§ 53, 54

Sec. 55. Sections 53 and 54 do not represent, and shall not be construed as representing, legislative preference for a dam or any particular dam, dam size, design, or option.

§ 130-100. Authority to levy assessments or special taxes; issuance of bonds to finance projects

Sec. 100. The agency may, in any year, levy assessments, reassessments, or special taxes and issue bonds to finance projects in accordance with, and pursuant to, the Improvement Act of 1911 (Division 7 (commencing with [Section 5000](#)) of the Streets and Highways Code), the Improvement Bond Act of 1915 (Division 10 (commencing with [Section 8500](#)) of the Streets and Highways Code), the Municipal Improvement Act of 1913 (Division 12 (commencing with [Section 10000](#)) of the Streets and Highways Code), the Benefit Assessment Act of 1982 (Chapter 6.4 (commencing with [Section 54703](#)) of the [Government Code](#)), the Integrated Financing District Act (Chapter 1.5 (commencing with [Section 53175](#)) of [Division 2 of Title 5 of the Government Code](#)), the Mello-Roos Community Facilities Act of 1982 (Chapter 2.5 (commencing with [Section 53311](#)) of [Part 1 of Division 2 of Title 5 of the Government Code](#)), and the Marks-Roos Local Bond Pooling Act of 1985 (Article 4 (commencing with [Section 6584](#)) of [Chapter 5 of Division 7 of Title 1 of the Government Code](#)).

§ 130-101. Applicability of §§ 5190 to 5193, and 10302 of Streets and Highways Code

Sec. 101. [Sections 5190, 5191, 5192, 5193](#), and [10302 of the Streets and Highways Code](#) shall not apply to assessment proceedings undertaken pursuant to [Section 100](#).

§ 130-102. Assessment diagrams

Sec. 102. Notwithstanding the related provisions of any assessment act which the agency is authorized to use, any assessment diagram which any of those acts requires to be prepared prior to final approval of the district may show only the exterior boundaries of the assessment district and the boundaries of any assessment zones or improvement

areas within the district. The diagram may refer to the county assessor's maps and records for a detailed description of each lot or parcel.

§ 130-103. Assessments; authority to collect; uses; functions and powers of board

Sec. 103. (a) Notwithstanding any other provision of law, the agency may levy and collect assessments and reassessments in the same manner as provided in Article 3 (commencing with [Section 51320](#)) of Chapter 2 of Part 7 of Division 15 of the Water Code, to pay any or all of the following:

- (1) For the operation and maintenance of projects.
 - (2) For the satisfaction of liabilities arising from projects.
 - (3) For the administration costs of the agency.
 - (4) To accumulate a fund which may be used to advance the cost of agency projects, provided that the advances be repaid, with interest as determined by the board, from assessments, reassessments, special taxes, or fees charged by the agency pursuant to this act.
- (b) For purposes of this section, the board shall perform all the functions allocated by Article 3 (commencing with [Section 51320](#)) of Chapter 2 of Part 7 of Division 15 of the Water Code, to the board of supervisors or the board of trustees.
- (c) For purposes of this section, the board may order the creation of a separate assessment roll to pay the allowable expenses of any single project or any group or system of projects.

§ 130-104. Assessments levied; applicability of Streets and Highways Code

Sec. 104. Notwithstanding any other provision of law, Division 4 (commencing with [Section 2800](#)) of the Streets and Highways Code does not apply to any assessment levied by the agency.

§ 130-105. Collection of assessments, reassessments and special taxes

Sec. 105. (a) Notwithstanding any other provision of law, all assessments, reassessments, and taxes levied by the agency may be collected together with, and not separately from, taxes for county purposes. Any county which is a member of the agency may collect, at the request of the agency, all assessments, reassessments, and special taxes levied by the agency and shall deposit those revenues into the Sacramento County Treasury to the credit of the agency.

(b) Each county may require that the amount to be collected be increased to include a proportionate amount of the county's reasonable collection and administrative costs, not

to exceed ten dollars (\$10) per installment for each lot or parcel, as reimbursement for expenses incurred by the county in collecting the assessment, reassessment, or special tax.

§ 130-106. Apportionment of levied assessments

Sec. 106. Notwithstanding any other provision of law, any assessment or reassessment levied pursuant to this act may be apportioned on the basis of land use category, proportionate storm water runoff, relative hazard of flooding, infrastructure protection, or other reasonable basis, separately or in combination, as determined by the board. All lots and parcels shall be conclusively presumed to benefit from the projects being financed in proportion to that apportionment.

§ 130-107. General unappropriated reserve fund

Sec. 107. Notwithstanding any other provision of law, the board may include within the agency's annual budget a general unappropriated reserve fund not to exceed 25 percent of the total appropriations contained in the agency's budget, exclusive of all items for bond interest and redemption, and the general unappropriated reserve. The reserve fund may be used for emergencies, replacements, or other lawful purposes of the agency.

§ 130-110. Authority to levy assessments and sell bonds

Sec. 110. As an alternative or in addition to any other power available to the agency, the agency may, in any year, levy and collect assessments and sell bonds pursuant to this chapter for any project. These assessments may be levied within the entire area of the agency or within any project area determined by the board to particularly benefit from a given project. Assessment areas may overlap.

§ 130-111. Resolution of intent to undertake assessment; report

Sec. 111. Before undertaking any assessment pursuant to this chapter, the agency shall adopt a resolution declaring its intention to do so, briefly describing the proposed project, specifying the exterior boundaries of the area to be assessed, and providing for the issuance of bonds, if any. The resolution shall briefly describe any existing or intended contract with any other governmental agency to share in financing or performance of the work on the project. The resolution shall also direct an officer of the agency to prepare a report pursuant to [Section 112](#).

§ 130-112. Contents of report

Sec. 112. The report shall contain all of the following:

- (a) A general description of the project.
- (b) A name for the proposed assessment district, which may be in the form "Sacramento Area Flood Control Assessment District Number ----."

(c) An estimate of the cost of the project. If part of the cost is expected to be paid from contributions from other governmental agencies, the report shall include an estimate of the expected total amount of those contributions.

(d) A plan for financing the project, including a brief description of the principal amount and maturities of any proposed bonds, and of any reserve or other special funds required. The plan shall include estimates of the annual revenue needed to pay debt service on bonds and to pay any other expenses arising in conjunction with the project, including any amounts needed to replenish reserve or other special funds.

(e) A specification of a method for annually apportioning the estimated annual costs of the project among the parcels in the area to be assessed, and a method for determining the rate of assessment. The apportionment shall be in proportion to the benefit received by each parcel, as determined pursuant to [Section 106](#). The specification shall be in sufficient detail to allow any property owner within the district to determine the annual amount that he or she would have to pay.

§ 130-113. Public meeting; tentative approval of report; hearing; notice

Sec. 113. When the report is filed with the agency, the board may at a public meeting tentatively approve the report and schedule a hearing on it not earlier than 30 days and not later than 90 days following tentative approval of the report. The hearing may be continued for a period not to exceed six months. Notice of the hearing shall be published pursuant to [Section 6066 of the Government Code](#) in a newspaper of general circulation in the area proposed to be assessed, and the first publication shall occur not later than 20 days before the date of the hearing. The notice to be published shall be entitled "Notice of Flood Control Assessments" and shall include all of the following:

(a) The time and place of the hearing on the proposed assessments and bonds.

(b) A general description of the proposed project and the area proposed to be assessed.

(c) A statement that the agency is considering levying annual assessments on lots or parcels of property within the area of the proposed district to pay for the project.

(d) A statement that the agency is considering issuing bonds to finance the local share of the cost of the proposed project.

(e) The name and telephone number of an employee of the agency from whom a copy of the report can be obtained, and who can answer questions concerning the project and the hearing. The agency may charge the reasonable reproduction costs for copies of the report, and shall make copies available for free public inspection at one or more public places within the area proposed to be assessed.

§ 130-114. Mailing of notice to owners of real property to be assessed

Sec. 114. A copy of the notice shall also be mailed, first class, postage prepaid, to all persons owning real property proposed to be assessed as their names and addresses appear on the last assessment roll for county taxes. The notices shall be mailed not later than 20 days before the date of the hearing.

§ 130-115. Written protest

Sec. 115. Any owner of real property in the area proposed to be assessed may file a written protest with the agency secretary at or before the time set for the hearing. Each protest shall contain a description of the lot or parcel in which each signer has an ownership interest, sufficient to allow the agency secretary to determine that the protest is valid. If the signer is not shown on the last assessment roll as the owner of the lot or parcel, the protest shall include written evidence that the signer is the legal owner of the property. The secretary shall endorse on each protest the date of receipt, and at the time of the hearing shall represent to the board all protests filed with the secretary.

§ 130-116. Modification of proposals; general or special election; abandonment of proceedings

Sec. 116. At the hearing, the board may modify the proposal in the report by either reducing the area proposed to be assessed, reducing the rate of assessment, altering the apportionment of assessments so long as no assessment is increased, or by reducing the principal amount of the proposed bonds. If the protests are against the proposed assessments and the board finds that the protests are signed by either the owners of more than 25 percent of the area of the land included within the proposed assessment district, or more than 25 percent of the registered voters, in the proposed district, who voted in the last gubernatorial election, the board may either abandon the proceedings or submit the proposal to the registered voters residing within the proposed district to be assessed at a general or special election to be held at least 45 days after the date of close of the hearing. Any election shall be conducted in accordance with the provisions of the Elections Code applicable to counties. The board may proceed with the levy and collection of the assessments and the sale of bonds if the proposal is approved by a majority vote of those who vote on the proposal. If the board abandons the proceedings or the proposition fails to win majority voter approval, no further proceedings to levy the proposed assessments pursuant to this chapter shall be undertaken for six months from the date of the election.

§ 130-117. Resolution confirming report and ordering levy

Sec. 117. If the board determines to proceed with the levy and collection of assessments and the sale of bonds, it shall adopt a resolution confirming the report, as modified, and ordering the levy of the assessments and the sale of bonds.

§ 130-118. Notice of assessment; recording; lien

Sec. 118. (a) Upon adopting a resolution pursuant to Section 117, the agency shall record a notice of assessment whereupon the assessment shall attach as a lien on the property

assessed.

(b) From the date of the recordation of the notice of assessment, each special assessment levied under this chapter is a lien on the land on which it is levied. This lien is paramount to all other liens, except prior assessments and taxation. Unless sooner discharged, the lien continues for 10 years from the date of the recordation or, if bonds are issued to represent the assessment, until four years after the date on which the last installment on the bonds or the last principal coupon attached to the bonds is due. All persons have constructive notice of this lien from the date of the recordation.

§ 130-120. Validity of assessment or bond; contest; appeal

Sec. 120. The validity of any assessment levied or bond issued under this chapter shall not be contested in any action or proceeding unless the action or proceeding is commenced within 30 days after the assessment is levied pursuant to Section 117. Any appeal from a final judgment in such an action or proceeding shall be perfected within 30 days after the entry of judgment.

§ 130-121. Actions to determine validity; procedure

Sec. 121. An action to determine the validity of any assessment or bonds pursuant to this chapter may be brought pursuant to Chapter 9 (commencing with [Section 860](#)) of Title 10 of Part 2 of the Code of Civil Procedure. In any such action, all findings of fact or conclusions of the board upon all matters shall be conclusive unless the action was instituted within 30 days after the findings or conclusions were made.

§ 130-122. Resolution providing for levy; method for apportioning; filing of list subject to assessment; collection

Sec. 122. After one or more districts have been created and authorized to levy assessments pursuant to this chapter, the board may, by resolution, provide for the levy of the assessments using the method for apportioning the assessment and for setting the rate of the assessment as set out in the report confirmed pursuant to Section 117. The clerk of the agency shall file a list of all parcels subject to assessments levied pursuant to this chapter and the amount of the assessment or assessments levied against each parcel, with the county auditor on or before August 10 of each tax year. The assessments shall be collected in the same manner as ordinary property taxes are collected and shall be subject to the same penalties and the same procedure and sale in case of delinquency as provided for ad valorem taxes.

§ 130-123. Foreclosure of lien; costs; inclusion in judgment; sale

Sec. 123. (a) In the event of nonpayment of any assessment levied pursuant to this chapter, and not later than four years after the due date of the last installment of principal, as a cumulative remedy, the amount when due and delinquent may, by order of the board, be collected pursuant to an action brought in the superior court to foreclose the lien.

(b) The lien of an assessment levied pursuant to this chapter on tax-deeded land may be foreclosed in the same manner as the foreclosure of other real property. The action shall be brought in the name of the agency.

(c) The costs of the action shall be fixed and allowed by the court and shall include reasonable attorney's fees, interest, penalties, and other charges and advances as provided by this chapter. The costs shall be included in the judgment. The amount of penalties, costs, and interest due shall be calculated up to the date of judgment.

(d) The court may adjudge and decree a lien against the lot or parcel of land covered by the assessment for the amount of the judgment and may order the premises to be sold on execution as in the sale of other real estate by the process of the court, with the same rights of redemption.

(e) The board may, by resolution adopted prior to the issuance of bonds, covenant for the benefit of bondholders to commence and diligently prosecute to completion any foreclosure action regarding delinquent installments of any assessments or reassessments that secure the bonds that are to be issued, or to employ a trustee to do so on behalf of the bondholders.

§ 130-130. Issuance of bonds; resolution; provisions

Sec. 130. The board may sell bonds or notes of the agency to finance projects as set out in the report confirmed pursuant to Section 117. The board shall authorize the issuance of bonds by adoption of a resolution which provides for all of the following:

(a) The denominations, form, and registration provisions of the bonds.

(b) The manner of execution of the sale of the bonds.

(c) The par amount of the bonds to be sold.

(d) The appointment of the Sacramento County Treasurer or one or more banks or trust companies within the state having the necessary trust powers as trustee, fiscal agent, paying agent, or bond registrar.

(e) The execution of a document or indenture securing the bonds.

(f) The pledge or assignment of the designated assessment revenues to the repayment of the bonds.

(g) The interest rate to be borne by the bonds.

(h) Any other terms and conditions determined to be necessary by the board.

§ 130-131. Signatures; authentication

Sec. 131. The bonds shall be signed by the chairperson of the board, and countersigned by the Sacramento County Treasurer. The bonds may be authenticated by a paying agent selected by the board, and the signatures of the chairman and Sacramento County Treasurer may be facsimile signatures. In case any officer whose signature appears on the bonds shall cease to be an officer at any time, the signature shall nevertheless be valid and sufficient for all purposes.

§ 130-132. Sale; proceeds

Sec. 132. The board may sell bonds pursuant to this chapter at public or private sale at not less than 95 percent of par value. The proceeds of the sale of the bonds shall be placed in the treasury of Sacramento County to the credit of the agency and the issuing assessment district, and the proper record of the transaction shall be placed upon the books of the Sacramento County treasury. The bond proceeds shall be used exclusively to finance or refinance projects and to pay incidental expenses pursuant to the report confirmed pursuant to Section 117.

§ 130-133. Reserve fund

Sec. 133. The board may include in the aggregate principal amount of the bonds to be issued an amount for a reserve fund for the payment of the bonds. The amount to be included for the reserve fund shall not exceed the amount permitted by law. The reserve fund and all interest earned on it shall either be used for the payment of debt service on the bonds, if there is a deficiency, and then only to the extent of the deficiency, or the funds may be transferred to the redemption fund for the bonds for advance or final retirement of the bonds.

Notwithstanding any provision of this section, the amount and disposition of the reserve fund may conform to the provisions of the Internal Revenue Code or the regulations of the United States Department of the Treasury.

§ 130-134. Refund

Sec. 134. Any bonds or notes issued pursuant to this chapter may be refunded when and to the extent necessary as determined by the board.

§ 130-140. Prepayments; change of land use or zoning category; additional assessments or development fees

Sec. 140. (a) With respect to any existing or future special capital assessments levied pursuant to this chapter, the board may specify conditions and requirements under which the obligation to pay the specified special capital assessment may be prepaid. If an assessment is prepaid, a document shall be recorded by the agency evidencing satisfaction of the underlying lien that attached to the property through the earlier recordation of the notice of assessment.

(b) Notwithstanding any prepayment, if the land use or zoning category later changes to reflect a higher intensity of land use or zoning category, the land subject to the assessment may be subject to an additional assessment or a development fee, or both, as determined by the board. If the board determines that the land is subject to any additional assessment, the annual amount of any additional assessment shall not exceed the maximum annual assessment that could have been levied pursuant to the report for the higher intensity of land use or zoning category and the agency shall record a notice of assessment. Upon recordation of the notice of assessment, the assessment shall attach as a lien on the property assessed and subdivision (b) of Section 118 shall apply to that assessment.

(c) Prior to allowing any prepayment, the board shall determine that a prepayment will not dilute the remaining security of the bondholders.

§ 130-141. Repealed by Stats.1996, c. 667 (S.B.1904), § 15, eff. Sept. 20, 1996

§ 130-150. Fees as condition of land development; prerequisite resolution

Sec. 150. The board may by resolution prescribe, revise, and collect fees as a condition of development of land. Before adopting a schedule of fees, the board shall, by resolution, do all of the following:

- (a) Describe the specific flood control projects that are needed or have been provided by the agency in one or more areas proposed for development in order that the area or areas meet flood protection standards as determined by the board.
- (b) Estimate the cost of the projects and any associated environmental mitigation required and specify a plan for financing that cost, or estimate the amount that the agency has already spent on the projects and associated environmental mitigation, or both.
- (c) Determine a tentative time schedule for construction of any projects which are not yet completed.
- (d) Determine the reasonable portion of the cost of the projects to be apportioned to new development within the area protected by those projects.
- (e) Adopt a schedule of fees to be levied against new development within the area pursuant to this chapter.

§ 130-151. Development of land; imposition and payment of fees

Sec. 151. Development of land for the purposes of this chapter shall include, but not be limited to, any act requiring a final subdivision map, building permit, zoning change or variance, or a special use permit, as determined by the board. No city or county within the agency shall permit any development without written confirmation from the agency that any fee levied pursuant to this chapter has been paid. In imposing any fee pursuant to

this chapter, the agency shall rely upon the environmental impact report or other environmental documentation used by any city or county which is a member of the agency in approving the proposed development.

§ 130-152. Apportionments

Sec. 152. The portion of the cost of new projects to be apportioned to new development, and the apportionment of that cost against various categories of land use through the schedule of fees, shall be based on the portion of the benefits of flood protection which will accrue to each category of new development when the area benefiting from the flood protection is fully developed. The board shall be the final and conclusive judge of these matters.

§ 130-153. Fees and charges in addition to other conditions

Sec. 153. Fees and charges prescribed as a condition of development of land pursuant to this chapter shall be in addition to any other conditions imposed on the development by any other agency having power to prescribe such other conditions.

§ 130-154. Creation of districts or annual payments in lieu of fee

Sec. 154. In lieu of payment of any fee levied pursuant to this chapter, the agency may accept the lawful creation of an assessment district or community facilities district. Alternatively, in lieu of payment of the total fee prior to development, the agency may accept annual payments which include interest, administrative costs, and security to guarantee the payment of the total fee.

§ 130-155. Use of revenues

Sec. 155. Revenues derived from fees prescribed pursuant to this chapter for any area may be used only for the acquisition, engineering, design, construction, reconstruction, maintenance, or operation of flood control projects that protect that area, or used to pay the debt service on, or reduce the principal of, any bonded indebtedness of that area.

§ 130-156. Credit against fees

Sec. 156. Whenever the development of land is made subject to fees by the board pursuant to this chapter, the board may allow a credit against those fees for the acquisition, engineering, design, construction, reconstruction, maintenance, or operation costs of any flood control facility which has been constructed or paid for by the owner of the land proposed for the development and accepted by the agency. A credit against a fee imposed by the board for development also may be allowed if a development fee previously imposed by any county or city which is a member of the agency and which is in part for flood control purposes has been paid by the owner, provided that the agency has entered into an agreement with the county or city that the portion of that development fee allocated for flood control purposes is transferred to the agency.

§ 130-157. Applicability of Chapter 5 of Division 1 of Title 7 of Government Code

Sec. 157. Chapter 5 (commencing with Section 66000) of Division 1 of Title 7 of the Government Code does not apply to fees levied pursuant to this chapter.

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