

ESCAFCA History:

In the summer of 2006, floods and damage occurred in Bernalillo and Placitas, New Mexico. In response to this and previous flooding, officials from Sandoval County and the Town of Bernalillo (Gaylord Bryant from Sandoval County and Stephen Jerge from Bernalillo), lobbied the legislature to create a flood control authority for Eastern Sandoval County (Bernalillo, Algodones & Placitas.)

In the New Mexico State Legislative session of 2007, the Eastern Sandoval County Arroyo Flood Control Authority (ESCAFCA) was authorized (HB 939) **[add link to online copy of legislation](#)**. Its purpose is to acquire, equip, maintain and operate a flood control system for the benefit of the authority and the inhabitants of Eastern Sandoval County. Senator Kent Cravens and Representative James Madalena sponsored and carried that legislation. Both Jerge and Bryant presented the case for ESCAFCA to various committees and the legislation was passed with little controversy.

The legislation also called for the establishment of a five-member Board of Directors. A list of prospective board members was submitted by Sandoval County Commissioners and the Town of Bernalillo Councilors to the Governor for consideration. The initial Board he appointed in the Spring of 2007 was William Sapien, Bernalillo, Chairman; and directors Wayne Sandoval, Placitas; Debbie Kilfoy, Bernalillo; Dan Dennison, Placitas; and Sal Reyes, Algodones. All five served as volunteers, without compensation.

The initial legislation was also accompanied by an appropriation of \$145,000. Sandoval County added \$50,000 of funding and the Town of Bernalillo added \$57,411.29. There was no other funding for the first two years.

The initial funding was spent as follows:

\$57,193.16 to HDR Engineering for the Needs Assessment

\$195,118.18 to Wilson & Company Engineers and Architects, Inc., for master planning, project scheduling and public relations services (subcontracted to Griffin & Associates).

All three entities were selected after a competitive RFP process. The two engineering studies and public relations services included public meetings, historical research, and hydrologic analysis which defined problems and recommended solutions, thus forming the basis for future projects.

RBC Capital and the Modrall Law Firm were also engaged, on a contingency basis, to develop a bond financing plan for ESCAFCA.

In March 2008, Will Sapien resigned from the board to assist his son in his successful bid for a seat in the New Mexico Senate. The new governor appointee was Jack Torres. Sal Reyes was elected by the appointed ESCAFCA board as the new Chair.

In November 2008, an election was held to approve a \$6 million bond issue and elect the first five-member board. The aforementioned appointed board members ran unopposed. Passage of the bond issue would allow the authority to assess a mill levy on property in the area and would provide \$6 million in funding for planning, engineering studies and building flood control projects. Several public meetings were held. People were generally in favor of the creation of ESCAFCA, although no one was happy about increased property

tax. The bond issue passed with 54% voting in favor of the bond issue, thus establishing ESCAFCA.

The mill levy for repayment of the bonds ended up being slightly under 2.5 mills. The legislation also allowed ESCAFCA to assess up to 2.0 mills for operations; however, the board set the operations mill levy at 1.0 mills.

In that same election, voters elected the appointed directors. Sal Reyes continued as Chair of the Board and the directors continued to serve – Jack Torres, Wayne Sandoval, Debbie Kilfoy and Dan Dennison.

During 2007 and 2008, administrative and legal help was provided to ESCAFCA on a gratis basis by the Town of Bernalillo, the Southern Sandoval County Arroyo Flood Control Authority (SSCAFCA), and Sandoval County.

Because no tax revenue would come into ESCAFCA until December 2009, the Town of Bernalillo in February 2009 loaned ESCAFCA \$100,000 to engage an Executive Engineer, begin the planning and engineering of projects, and handle administrative duties.

In February 2009, the first operating budget was adopted, to cover the remainder of the fiscal year. ESCAFCA also contracted with Larry Blair as Executive Engineer and extended the Wilson & Company contract for engineering and clerical services.

In March 2009, the Board selected First Community Bank as its banking institution, and contracted with Gary Young for accounting services and Griffin & Associates for public relations services.

In May 2009, the Board adopted three budgets for FY 2010: Operating; Debt Service; and Project Fund. It also contracted for two specialties: Public Relations; and the drafting of drainage regulations. In July 2009, ESCAFCA received \$3 million in bond sales and the proceeds went into its project account.

The ESCAFCA Board focused on three essential elements of its mission:

First, the Board identified a “short list” of projects on which it wanted to move ahead, based on need and cost. In July 2008 [FY 2009], the Board had reviewed a list of potential projects totaling \$133 million. Recognizing that it would take decades to accomplish such a list with projected financing, the Board reduced the project list to about \$30 million of most-needed projects which could be done in 15-20 years. Although the Authority is primarily focused on arroyo flooding, it is also exploring the possibility of being a co-sponsor for a Federal [Army Corps of Engineers] levee rebuild project along the Rio Grande.

Second, the Board initiated floodplain studies to correct erroneous FEMA floodplain maps published in 2008, and which had resulted in hundreds of properties having to pay flood insurance premiums. Also initiated was a comprehensive analysis of Las Huertas Creek (Arroyo) to predict its behavior and to determine appropriate management and control measures.

Third, the drafting of drainage regulations was started, in coordination with several other jurisdictions, to lay the foundation for more thorough building and development guidelines.

In August 2009, the assessed valuation for ESCAFCA was provided, showing an increase of \$20 million over the previous year [from \$377 million to \$397 million]. Accordingly, the Board set its mill levy for Debt Service at 2.488 mills, and for Operations at 1.0 mills.

In December 2009, a grant was applied for from the USDOT Pipeline and Hazardous Material Safety Administration. A \$50,000 grant was subsequently awarded in October 2010 to investigate possible pipeline safety issues along Las Huertas Creek in Placitas.

In December 2009, ESCAFCA received its first tax revenue - \$166,713, which went into the debt service account; and \$68,101, which went into the operating account. Subsequent tax revenue allowed ESCAFCA to pay its \$100,000 debt to the Town of Bernalillo in February 2010, one month early.

In April 2010, Director Dan Dennison had to resign because he moved from Placitas to Albuquerque. Robert Gorrell of Placitas was appointed by the Governor in July 2010, and served until the term expired on December 31, 2010.

In May 2010, following a competitive process, the Board contracted with attorney Michael Cadigan of Cadigan and Park, P.C., to provide legal counsel services.

Beginning in late Summer 2010, a number of Placitas residents raised several concerns which ultimately led to passage of HB306 in March 2011. For a continuation of this part of ESCAFCA's history, see ESCAFCA Memorial 2011-1 HISTORY OF THE SECESSION OF PLACITAS FROM ESCAFCA.

In November 2010, Doris Faust and JoAnne English of Placitas won election to the Board, replacing Debbie Kilfoy of Bernalillo and Robert Gorrell of Placitas.