



BACA FLOAT
COALITION, INC

Newsletter

SPECIAL POINTS OF INTEREST:

- Santa Gertrudis Update
- Santa Gertrudis Lane Legal Fund
- Palo Parado Update
- Palo Parado Dilemma
- Thank You/Meetings
- Treasurer Report

SANTA GERTRUDIS LANE LEGAL UPDATE

Kathi Campana, Co-Chair

As of the writing of this notice, we are still waiting for the litigation title report from Lawyer's Title Company. They had suffered several layoffs and are doing the research with a reduced staff. Our attorney is still waiting for the report to make the final determination as to the validity of our case and, of course, they are waiting for a \$10,000 retainer if we choose to pursue the case.

That leaves the Santa Gertrudis Lane Committee on hold waiting for the title company, then the attorney, then the monies. As soon as the report is forwarded to and studied by the attorney, we will send out a notice of the determination.

I wish to thank everyone for your patience in this matter. I know there are several rumors about the number of keys to the gate that have been distributed and, in fact, Ken met a gentleman from Tucson who says he has a key. It appears that distribution is arbitrary, but the fact that they have been distributed makes the lane 'public', whether it is for business or friendship.

SANTA GERTRUDIS LANE LEGAL FUND

The Santa Gertrudis Lane Legal Fund is still accepting donations from members, residents, businesses, and concerned citizens. Access to the Lane must be resolved through the civil court process.

The Legal fund has passed \$8,000 in two months. However, we are behind in the amount required to achieve our goal—recognizing our legal right to use the Lane. ***Please keep those donations coming!*** Remember that we need to continue collecting funds until there is a resolution.

To make a donation to the Legal Fund, send your checks to the Baca Float Coalition, Inc., note "Santa Gertrudis Lane Legal Fund" on the check.

You do not have to be a member to support this initiative.

A LITTLE LANE HISTORY~~

In April 1969 the Southern Pacific Railroad approached Santa Cruz County Board of Supervisors (BOS) requesting that an agreement be signed that would provide continued crossing of the railroad tracks on Santa Gertrudis Lane by residents of the area.*

In June 1969 the BOS declined and sent the agreement back to the Southern Pacific without signing it. Their reasons for not signing were liability issues and Gulf America Corporation, the predecessor of Avatar, would take care of it.

For 30 years, until last year, the railroad has continued to allow residents of NE Rio Rico to cross the tracks without interruption.

*SCC BOS Minutes April/June 1969

DO YOU KNOW WHAT THE ADDITIONAL TRAVEL COST IS FOR THE AVERAGE RIO RICO RESIDENT WITH SANTA GERTRUDIS LANE CLOSED?

AT 58.5 CENTS PER MILE, AND 2 TRIPS PER DAY, 5 DAYS A WEEK, THE AVERAGE COST IS \$128.70 OR

\$514.80 PER MONTH.

ISN'T THERE SOMETHING MORE IMPORTANT TO DO WITH THAT MONEY?

(NOTE: IF YOU USE PALO PARADO THE COST IS **\$257.40** PER MONTH)

We in America do not have government by the majority. We have government by the majority who participate.
~Thomas Jefferson~

PALO PARADO ROAD UPDATE

Most everyone knows by now that the Board of Supervisor held a study session regarding Palo Parado Road. The study session was intended to give all interested parties the latest information on the status of the Palo Parado Road crossing project. County Manager, Greg Lucero gave a complete and detailed presentation regarding the county's efforts to move Palo Parado forward to a finished all-weather crossing. The county is exploring ways to fund the first phase for the improvements at the Union Pacific Railroad crossing. In addition, we found out that new issues have come up that could make the project even more difficult to achieve.

The newest challenge comes from the county insurance carrier, who has expressed concerns of liability for the county by allowing public use of Palo Parado Road and the river crossing. The county's insurance carrier suggested that the county place signs on the road identifying the safety hazards with use of the road, but the insurance company also suggested the best solution to the liability issue would be to close Palo Parado Road to public use until the bridge is built. Now, anyone that has used Palo Parado Road recently may have seen the new signs along the route at Caballero Corte and west of the railroad crossing. The county acted quickly to mitigate their own liability and the concerns of their insurance carrier.



Another issue is Avatar's view of the county making Caballero Corte the permanent alignment for the road. It appears that Avatar is still supportive of the project, but is suggesting that Avatar's cost may impact their existing project as much as six hundred thousand dollars (\$600,000.00). The impact and cost to Avatar will have to be sorted out along the way with an agreement with the county.

On a more positive note the county has CPE Consultants working on obtaining the 404 permit from the Army Corps of Engineers for the work required at the Santa Cruz River. Ways are being explored to narrow the scope of the impact to the river that could allow the county to obtain a permit in six months instead of the normal two-year term for approval.

The county has placed Palo Parado on the South Eastern Arizona Governments Organization (SEAGO) Transportation Improvement Projects (TIP) list and it will soon be on the State TIP as well. Palo Parado Road will receive a functional classification as a rural major collector. These changes will enhance the county's ability to qualify for transportation funds that may become available down the road.

Funding is going to be a real challenge. Our County Supervisors and County Manager have met with Congressman Grijalva and Congresswoman Giffords, and have reached out to Congressman Pastor for support identifying funding for the project. Congressman Grijalva has officially filed for an appropriation request on behalf of the county. He knows and recognizes how important the Palo Parado Road issue is to the residents of the county.

In addition, the Board of Supervisors has approved a recommendation by the County Manager to hire a firm to lobby our congressional representatives for funding to advance the Palo Parado project, Chula Vista Wash, and the 1904 Courthouse work. Each of these projects is important to the residents of the county.

The County Manager has also encouraged the Public Works Department to explore ways that the upgrade work can be completed in-house. The Public Works Director suggested that public works staff although not a construction oriented crew may be able to complete up to 90% of the proposed project, but would have to hire out the paving and paint striping work. The issue for this alternative would be the paving and paint striping contractors having the required liability insurance to satisfy the railroad, something not every contractor can do. The county is still exploring this possible alternative. This alternative could save a great deal on construction cost.



Cost of the first phase has been a real challenge and funding the entire project will continue to challenge the county efforts. After more than one year and all that has happened, Palo Parado Road is still waiting for the first phase of the project to be completed. We are all hopeful that sometime in July or August the railroad will schedule the work between the tracks and the county will be able to do the road upgrade portion of the project.

**~~ FOR SAFETY AND
ROADWAY STABILITY ~~
PLEASE SLOW DOWN
TO 15 MPH ON PALO
PARADO**



Palo Parado dilemma

Published Friday, April 24, 2009 10:44 AM MDT Nogales International

My wife and I live in the northeast corner of Rio Rico. We are very much affected by the closures of Palo Parado and Santa Gertrudis Lane.

While Palo Parado was closed a while back, my wife called 911 for an ambulance for me. Since we are in the Tubac Fire District, it took approximately 35 minutes to get to our residence.

Tubac FD did not want the liability so they called in a helicopter. This has happened twice. Tubac FD has now opened a substation in our area. They can get her faster, but it still will take 20 minutes to get to the freeway to head north.

Since the county does not want the liability for Palo Parado without the bridge yet constructed and the ambulance people don't want the liability for the extra time, where does that leave us that live here?

I am also surprised that the Tubac merchants aren't more supportive of our problem. We used to meet friends and neighbors for dinner at least twice a week. We now only go to Tubac for special occasions.

Keith Klein

USE STIMULUS TO BUILD A BRIDGE

The Arizona State House Transportation Committee's decision to spend \$1.5 million in federal stimulus money to change the metric signs on Interstate 19 is misdirected. Many of us are accustomed to the signage and see no need to change it. The signs have been there for 30 years.

Over the past several years, residents of Rio Rico have been forced to beg and plead with County, State, and Federal officials to fund a much-needed bridge over the Santa Cruz River. This project is one that affects the economics, welfare, safety and health of thousands of residents & businesses. The lack of a bridge, negatively impacts emergency services and household budgets.

Government expenditures for infrastructure improvements for the residents and businesses bordering Interstate 19 would more closely satisfy the mandate behind federal stimulus funds.

Karen Rogers

*Appeared on the Opinion page of The Star &
Nogales International Newspapers*

*Determine that the
thing can and shall
be done, and then
we shall find the
way.*

Abraham Lincoln



**B A C A F L O A T
C O A L I T I O N , I N C**

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The BACA FLOAT COALITION, INC is committed to keeping the crossings over the Santa Cruz River, which provide access to Northeast Rio Rico, open and available to the residents and businesses that depend on them.

The larger our membership, the greater our influence on the county, and the more representative we are of those we serve. It is essential that we expand our membership to as many of our residents as possible. You are invited to join the Baca Float Coalition, INC and lend your voice to our efforts.

~ ~ ~ **THANK YOU** ~ ~ ~

A special thank you to all of the volunteers who worked at the Rio Rico Fiesta Festival and Expo. There were two volunteers on the booth at all times and many positive responses and inquiries were received from visitors. The volunteers were friendly and informative to all. There was a good turn out for a first time festival, in spite of the terrible winds and blowing dust. Our volunteers: Cheryl and Jim Jennings, Lourdes Maldonado, Janet Wagner, James Frisch and family, Kathi and Ron Campana, Amy and Jeff Adams, Peggy and Frank Boutchyard, Frank, Jr. and Vic Boutchyard, and Jill and Ken Hallock.

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BACA FLOAT COALITION MEETING SCHEDULE

The next Baca Float Coalition Board of Directors meeting is Wednesday, May 13 at 5:30 PM at the Campana residence. Call Kathi Campana at 520-313-4291 for directions.

TREASURER REPORT: 4/29/09

Wells Fargo Bank-balance on 03/19/09		4,381.32
BFC deposits between 03/19/09 & 04/29/09 (Membership)		<u>400.00</u>
	Balance:	\$4,781.32
<u>Organization/Operating Expenses</u>		
03/25/09 Publication for BFC Incorporation in Nogales International		288.44
03/25/09 Collin Excavating Donation for Palo Parado road maintenance		500.00
	Total Expense:	\$788.44
	Total Operating expenses:	-788.44
	Bank Balance:	3,992.88
	Petty Cash Fund Balance:	<u>53.50</u>
	Net Balance:	\$4,046.38

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Commerce Bank – Santa Gertrudis Lane Legal Fund balance on 02/26/09		5,317.84
SGLLF deposits between 03/19/09 & 04/29/09		<u>0,000.00</u>
	Balance:	\$5,317.84

Legal Fund Expenses

None this report		
	Total Legal expenses:	<u>-0,000.00</u>
	Net Balance:	\$5,317.84

For questions regarding the Treasurer Report, please contact Ron Campana, Treasurer, at 520-313-4153