



Newsletter

SPECIAL POINTS OF INTEREST:

- Meeting with County
- Santa Gertrudis Lane Legal Update
- Input Requested by ADOT
- 501c(4)/Indemnity Insurance
- Election Results & Minutes
- Treasurer Report

BFC BOARD MEETS WITH COUNTY ON PALO PARADO

All 5 BFC Board members met with County Manager Greg Lucero and Supervisor John Maynard on Feb. 17 to discuss ways to move the Palo Parado project forward. Several other members of the larger community were invited by Supervisor Maynard to attend the meeting as well. The meeting was very productive and a wide range of information and ideas were discussed. The project can best be viewed as a series of separate steps, each requiring its own funding:

1. The existing agreement between the County and Union Pacific Railroad requires the County to pay the railroad for the railroad's construction of the actual crossing across the railroad tracks and one foot either side of the tracks. Cost \$89,758. The County will pay this expense. The work will be done at the time of the construction of the road in step #3. This construction is currently scheduled for late summer of this year, if funding for the road can be identified.
2. Railroad Crossing signals. Funding has been identified for the signals and signage for a public crossing via State Section 130 funding sources. Cost \$350,000. These signals would be similar to that found at the railroad crossing on Rio Rico Drive. They would be installed at the time of steps 1 and 3.
3. Construction of the roadway across the railroad right of way. The railroad has standard specifications, such as no more than a 1% grade across their 300 ft right of way, which create the need for a significant amount of fill and expensive drainage work, which raise the cost of constructing a county road across the railroad right of way to approximately \$250,000. Funding for this road work must be secured before the county and the railroad begin construction, which could be as early as late summer 2009. In these difficult economic times, with many local governmental entities across the country facing severe budget shortfalls, it is clear that the county does not have the money for this project. We will discuss the funding of this next step in the process at the end of this article.
4. Completion of the engineering plans for the roadway. Engineering for the remainder of the project, extending from the railroad right of way, across a bridge over the river to the freeway interchange, is only 30% complete at this time. It will cost approximately \$500,000 to complete these plans. Once Step 3 is completed, it will become easier for the county to make the case to our representatives in Congress that this engineering work needs to be funded in order to create a shovel ready project.
5. Environmental studies and permits. Concurrent with the engineering work, the county must complete the required environmental studies and obtain the necessary permits to cross the river. These items are required for the project to be "shovel ready" and to be eligible under federal funding under the stimulus package. The cost for these studies and permits is included in the engineering design costs in Step 4.
6. Construction of the bridge and remaining portion of the roadway from the railroad right of way to the Freeway will cost approximately \$7M. Funding of this major portion of the project needs to be secured, but it will be much easier to do so after it becomes a shovel ready project.

This project is a major undertaking for the County. It is best approached in a series of steps. With completion of each step, the momentum toward final construction builds and the project is brought closer to reality. This project is not only a major priority for economic development of the county, but for residents and property owners in the area, businesses who are patronized by and serve those residents, and major real estate developers with property east of the Santa Cruz River. The huge outpouring of concern at the public meeting last May emphasizes how critical this project is to the citizens of the county. The Baca Float Coalition is committed to working collaboratively with all parties to bring this project through to a successful completion. It will be a long, multi-year process, but by working together we are convinced that we can achieve our shared goal. Our immediate task is to identify all stakeholders and collaborate with them to secure funding for the next step in the process. We will keep you informed as to the success of this effort and will ask for your help when it is needed to do our part as the organization representing the residents of the area. Thank you for your continued support of this effort.

SANTA GERTRUDIS LANE LEGAL UPDATE

The Santa Gertrudis Lane Legal Committee met with an attorney in Tucson on Monday, February 2, 2009.

The agenda included the amount of the retainer, the prospects for success in any court action, a general estimate of total costs to the organization, and discussion concerning the history and current status of the lane.

In addition, First United Realty stated that they would authorize the release of files from the legal action filed in 2001 regarding the closure of the Lane at that time. That action was basically settled with a "gentlemen's agreement and a handshake" that closure of the Lane to residents living on the former Baca Float No. 3 land east of the Santa Cruz River would never happen again. Obviously, that "gentlemen's agreement" did not last.

A study of the files will be conducted and a determination as to how the Baca Float Coalition should proceed will be made, including a strategy to include the railroad.

OTHER COALITION ACTION~ 501c(4) FILING

The Board of Directors voted unanimously to file with both Federal and State agencies as a non-profit corporation under IRS 501c(4). Becoming a 501(c)4 corporation provides additional protection for the Board and members, and reduces the IRS income tax consequences of an LLC.

The necessary paperwork has been filed. Once the 501(c)4 is approved the Baca Float Coalition will automatically be incorporated (Inc.). Members will be notified when the change becomes effective.

INDEMNITY INSURANCE

As an additional step to protect the Board and the members from liability, indemnity insurance is now in force. One policy indemnifies the Board up to \$2 million, the second policy covers members for up to \$4 million.

If you have any questions regarding these issues, contact Kathi Campana at 520-313-4291, or Ken Hallock at bacafloatcoalition@yahoo.com.

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

For Your Information:

- Revised Bylaws are available from any Baca Float Coalition Director.
- For questions regarding the Treasurer Report (page 4), please contact Ron Campana, Treasurer, at 520-313-4153

~~LEGAL FUND UPDATE~~

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 funds being raised allow our legal representatives to bring this issue to a final conclusion and open the gate once and for all.

The Legal fund has passed \$7,200 in less than one and a half months. 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, LLC, note "Santa Gertrudis Lane Legal Fund" on the check.

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

ADOT WANTS TO KNOW!

This is an opportunity to add your voice to future Arizona Department of Transportation (ADOT) transportation projects.

ADOT would like to know what the public views are on future transportation needs.

Tell them small counties like Santa Cruz County need the state's assistance in addressing critical infrastructure projects, like the Palo Parado Road all-weather crossing.

It is easy to let ADOT know what you think! Go to the ADOT website at www.bqaz.gov and voice your opinion.

Thank you for your support and involvement.

Election Results

Thank you to all the members that recently voted for the Board of Directors Candidates. Remember, if you are an Associate Member and wish to vote or run for the Board, you can upgrade your membership at anytime to Voting Member.

Co-Chairs: Ken Hallock & Kathi Campana
(2 Years, each)
Secretary: Cyndie Earl (1Year)
Treasurer: Ron Campana (1Year)
Director-At-Large: Roy Farrell (2 Years)

THANKS!!!

To Mike Collins for his work on Palo Parado, Marty Ryan for providing legal background, and Don Robidoux for his purchase and donation of the speed limit signs and thank you signs.

Don't forget First United Realty's (Santa Cruz River Access, LLC) continued support in keeping the easement open for us. Both First United and Avatar are the developers who informed the County of the eminent closure of Palo Parado Road by the railroad.

1ST ANNUAL MEETING MINUTES

The First Annual Meeting of the membership of the Baca Float Coalition was held on January 21, 2009, at the Tubac Fire Station #2 at Peck Canyon. The meeting included introductions of the new officers, updates on Palo Parado Road and Santa Gertrudis Lane, the proposed change to an IRS 501c(4) organization based on the recommendation of a CPA, and the Board approved changes to the By-Laws. Special recognition and thanks were given to Mike Collins of Collins Excavating for work on Palo Parado at his own expense. Thanks to David LaPort for picking up the trash and litter along Palo Parado. While the meeting was poorly attended, possibly due to the inclement weather, a great deal of information was given and suggestions and feed back from members was received. The lively discussions warmed an otherwise chilly evening.

HOW TO CONTACT YOUR REPRESENTATIVES

SANTA CRUZ COUNTY SUPERVISORS: Government Center - 2150 North Congress, Room 119 Nogales, AZ 85621
(520) 375-7812

District 1, Manny Ruiz mruiz@co.santa-cruz.az.us
District 2, Rudy Molera rmolera@co.santa-cruz.az.us
District 3, John Maynard jmaynard@co.santa-cruz.az.us

UNITED STATES CONGRESS

Senator Jon Kyl

Phone: (520) 575-6833 Fax: (520) 797-3232 Website: <http://kyl.senate.gov>

Senator John McCain

Phone: (520) 670-6334 Fax: (520) 670-6337 Website: <http://mccain.senate.gov>

Representative Raul Grijalva, 7th District of Arizona

Phone: (520) 622-6788 Fax: (520) 622-0198 Website: <http://grijalva.house.gov>

Representative Gabrielle Giffords, 8th District of Arizona

Phone: (520) 881-3588 Fax: (520) 322-9490 Website: <http://giffords.house.gov>

STATE REPRESENTATIVES

<u>Name</u>	<u>District</u>	<u>Party</u>	<u>E-mail</u>	<u>Phone (602)</u>	<u>Fax (602)</u>
Patricia V. Fleming	25	D	pfleming@azleg.gov	926-5836	417-3125
David Stevens	25	R	dstevens@azleg.gov	926-4321	417-3146
David Gowan	30	R	dgowan@azleg.gov	926-3312	417-3130
Frank Antenori	30	R	fantenori@azleg.gov	926-5683	417-3147

STATE SENATORS

<u>Name</u>	<u>District</u>	<u>Party</u>	<u>E-mail</u>	<u>Phone (602)</u>	<u>Fax (602)</u>
Manuel V Alvarez	25	D	malvarez@azleg.gov	926-5895	417-3025
Jonathan Paton	30	R	jpaton@azleg.gov	926-3235	417-3030



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

P. O. BOX 4467
RIO RICO, AZ 85648-4467
E-mail: bacafloatcoalition@yahoo.com

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.

VOLUNTEERS~~STILL NEEDED

Volunteering is the ultimate exercise in democracy. You vote in elections once a year, but when you volunteer, you vote every day about the kind of community you want to live in.
~Unknown~

The Baca Float Coalition, LLC needs your help now more than ever. There are many volunteer opportunities available within the Coalition.

Many attributes, skills and interests are required to make the Coalition a success. If you are interested in volunteering, please contact the Coalition at bacafloatcoalition@yahoo.com.

A LITTLE RIO RICO HISTORY

The community of Rio Rico resides almost completely in the Baca Float No. 3. When the courts recognized the Float, homesteaders were evicted, but some were able to purchase their homesteads from the new owners.

Two of these individuals were Manual King and Charles Karns. Their deeds not only referenced their holdings, but mention a road, between the two of them. That road was called the Tumacacori-Salero Road. It was just one way the miners transported ore from the Mines east of the Santa Cruz River to be processed.

Today the Tumacacori-Salero Road is called Santa Gertrudis Lane.

TREASURER REPORT: 1/21/09

BFC Membership Dues & deposits between 7/18/08 & 1/21/09	\$6,676.00
Petty Cash Fund (PCF)	185.00
	Total Received: \$6861.00

Petty Cash Fund Expenses

07/17/08 ACC Baca Float Coalition, LLC filing fee (PCF)	\$60.00
07/17/08 Postal Money Order to ACC (\$60.00) (PCF)	1.05
07/17/08 Postage Priority Mail to ACC (PCF)	5.45
07/17/08 Post Office Box rent for BFC, LLC (PCF)	23.00
10/14/08 Postage Stamps (100) (PCF)	42.00
	Total Expense: \$131.50

Organization/Operating Expenses & Transfer

09/04/08 Wells Fargo Bank Checks	58.85
09/17/08 Nogales International BFC legal publishing	124.34
11/18/08 Membership Residents of Rio Rico	12.00
12/02/08 Wells Fargo Bank account service charge	8.00
12/11/08 SGLLF transfer to Commerce Bank CK#1003	1000.00
	Total Expense/Transfer: \$1,203.19

Total from PCF & Operating Expenses/Transfer: -1,334.69

Net Balance:	\$5,526.31
Bank Account Balance:	5,472.81
Petty Cash Fund Balance:	53.50
Net Balance:	\$5,526.31

BFC Santa Gertrudis Lane Legal Fund

12/11/08 Collected between 12/08/08 & 1/21/09	\$7,200.00
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We in America do not have government by the majority. We have government by the majority who participate.
~Thomas Jefferson~