



"UNITED IN COMMUNITY ACTION"

Newsletter

July 2010

Baca Float Coalition Inc.

You haven't heard from Baca Float Coalition for a while, because there really hasn't been anything new to share. We really don't see any advantage in sending out a lot of the same information over and over regarding Baca Float Coalition efforts to restore access to Santa Gertrudis Lane and keeping focused on an all-weather crossing at Palo Parado. But that doesn't mean Baca Float Coalition hasn't been following and working on both issues closely for the community. Progress is being made on both fronts and more than ever your support is needed to reach the goals that were established over two years ago when concerned citizens formed Baca Float Coalition.

Palo Parado Bridge Construction

There will be a public meeting at the new Tubac Fire Station #3 on Camino Josephina on July 22 at 5:30 PM to discuss the design and construction of the long awaited bridge crossing over the Santa Cruz River at Palo Parado. Greg Lucero, County Manager, informed the Baca Float Coalition that bridge construction could begin by January 2011 if funding efforts are successful. He feels about 90% sure he can get the funding in place to implement this important project by then. Unfortunately, the House Appropriations Subcommittee did not earmark this project for funding in this year's federal appropriations process, despite strong support from Representatives Grijalva and Giffords. Mr. Lucero and the engineering team will discuss all aspects of the design and construction of the project, including

ways the bridge project could be constructed in phases if full funding is not obtained in this calendar year.

The engineering and permitting process is due to be completed this fall, clearing the way for construction to begin. The entire project could take about 12 months to complete. The crossing could be closed to the public for some or all of this time. Come to the public meeting July 22 to learn more about the design of the project and the construction process envisioned, and how it will likely impact you and your neighbors. Encourage all your friends and neighbors who have pulled each other's vehicles out of the river these last many months to attend with you. Also, please join us in expressing our appreciation for the steady progress the County has made on this important project for our growing community during a very difficult economic environment.

Palo Parado River Crossing

We want to thank Don Robidoux for organizing the effort to raise money and arrange to improve the river crossing for the community. Don and volunteer, Patty Hahn-Carlson took the time to reach out to those that use the crossing and raised the money to improve and keep the crossing passable. All that use the crossing should appreciate their efforts. Anyone interested in donating to the effort can contact Don at 520 398-0800.

Santa Gertrudis Lane Legal Action

We had provided the attorneys with the retainer the first of the year, however by that time they were

embroiled in another case and SGL had to take a back seat for a bit. The end of February, we provided the attorneys with the most current list of owners/stakeholders on Santa Gertrudis Lane.

At that time, we also began soliciting Affidavits from persons who had been using the lane over time. We also contacted several persons who had used the lane for years who were not members of Baca Float Coalition, Inc. to be additional plaintiffs. In April, 20-day letters and Quit Claim Deeds were sent to the property owners of record along the lane. The Quit Claim Deed was to provide access across the lane, not to give up ownership of the lane. At the end of the 20 days, UPRR requested an extension of time to respond to the letter. Those lane owners who did not respond to the letter will be named in the court action.

Of course, by this time, the rumors and allegations began flying about what the railroad would do. These are all the same allegations that were used when a group of residents cut the lock on the gate. They were also used immediately after the gate was put up, at the request of lane residents. The threat that the railroad would remove the ramp to the crossing, thereby eliminating any crossing, keeps getting thrown at us. We cannot use the crossing now, why would that change anything.

The railroad sent their response and our attorneys were able to provide the necessary arguments and legal cases to refute their contentions. It appears they are using the same attorney they used before the AZ. Corporation Commission on the Palo Parado Crossing hearing in Phoenix.

Our attorneys are now preparing the documents to file the legal action. They are estimating an additional \$20,000 to complete the case with the railroad trying to get a change of venue, get Federal Court authority, and possible unforeseen issues.

We are again in fundraising mode. We need donations to the legal fund to provide assurances to

our attorneys that we can and will see this through to the end. They are confident that we have a good case and we feel, after reading their brief, it sounds like we should prevail. Of course, there are no guarantees in any court case, but if you look at the savings in time and fuel for your trips north, most people who regularly use the lane would save upwards of \$500.00+ per month.

If the IRS allows \$0.58 ½ per mile, and you make 2 trips per day, 5 days per week, the average additional cost is \$128.70 per week (\$513.80 per month) using Rio Rico Drive. If you use Palo Parado, the additional cost is \$257.40 per month. Wouldn't that justify sending \$100.00, \$200.00, \$500.00 or more to the SGL Legal Fund? Getting the lane re-opened should be worth the effort. Send your check to SGL Legal Fund, P. O. Box 4467, Rio Rico, AZ 85648-4467.

Baca Float Coalition, Inc. made the commitment to see this through to a conclusion for you. Please help us do this with a donation to benefit all of us. Thank you for your continued support.

BFC Membership & Renewals

Your voice, support, and involvement have been important to the success of Baca Float Coalition. Don't forget to renew your membership and encourage others to join. Without your support we may not be able to continue an effective organization that works for the community.

An application for membership is available at the Baca Float Coalition web site (bacafloatcoalition.org)

You can mail your membership application and check to the Baca Float Coalition, P.O. Box 4467 Rio Rico, AZ 85648. If you have questions or comments, you can e-mail us at [bacafloatcoalition@yahoo.com] or you can call Co-Chair Kathi Campana at 520 313-4291 or Co-Chair Ken Hallock at 520 398-2952.



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BACA FLOAT COALITION TREASURERS REPORT

Wells Fargo Bank

Membership fund balance on 03/09/10		4,306.88
BFC deposits between 03/09/10 & 06/30/10 (Membership)		<u>750.00</u>
	Balance	\$5056.88

Operating Expenses

03/19/10 Cash transfer to SGLLF from (member) check	150.00
04/26/10 Reimbursement Kim Etherington (BFC website renewal)	<u>119.50</u>
Total Expense	\$269.50

Total Operating expenses/transfer: **-269.50**

Bank Balance:	4,787.38
Petty Cash Fund Balance:	<u>53.50</u>
06/30/10 Net Balance:	\$4,840.88

Commerce Bank

Santa Gertrudis Lane Legal fund balance on 03/10/10		11,340.34
SGLLF deposits between 03/11/10 & 06/30/10		<u>725.00</u>
	Balance:	\$12,065.34

Legal Fund Expenses

No Expenses this report period

Total Expense:	\$000.00
06/30/10 Total expenses:	<u>-000.00</u>
Net Balance:	\$12,065.34

Balance of Attorney Trust Account (\$10,000.00) as of 05/31/2010 **\$2,388.43**

Any member interested in having more information or reviewing additional records regarding the Baca Float Coalition, Inc. accounts can contact the treasurer and make an appointment.