



# Newsletter

## TWO ROADS, TWO REASONS

### PALO PARADO ROAD

#### SPECIAL POINTS OF INTEREST:

- Palo Parado Road Update
- Santa Gertrudis Update
- Legal Fund Formed
- What Can I Do?
- Where to Join

#### Brief History

The Palo Parado Road crossing has been used as a ranch access to the west side of the Santa Cruz River since the early 50's. Ranchers used the area next to Palo Parado as a place to gather and feed cattle. Rio Rico residents started to use the Palo Parado Road as a quick way to get to the I-19 corridor.

After 1967 when Gulf American began the Rio Rico development, Palo Parado began appearing on real estate plats in conjunction with a proposed industrial park in the area where horses and cattle currently graze. Until the late eighties, Gulf American and its successors General Acceptance Corporation (GAC) and Avatar were legally committed to building a bridge at Palo Parado.

The county supervisors released them from that bond under suspicious circumstances. Use of the Palo Parado crossing has increased over time and daily use has increased to an estimated 1400 vehicle trips a day.

Earlier this year Union Pacific Railroad (UP) threatened to close the crossing at Palo Parado due to the increased use and their concern for safety of vehicles using the crossing. UP rehabilitated the tracks in order to increase train speed and number of trains using the line.

Responding to the threatened closure, Santa Cruz County agreed to accept Palo Parado Road as a public roadway in February 2008. First United (Santa Cruz River Access, LLC) and Avatar donated the easement to the county, and First United agreed at their own expense to improve the road to county standards from the end of Caballero Court to about 200 feet west of the Union Pacific tracks.

The County applied to ADOT for funding to construct railroad-crossing safety signage and crossing arms at the improved crossing. The County qualified for and was granted the funds pending a signed easement agreement between Santa Cruz County and Union Pacific Railroad.

#### Where We Are Today

The Union Pacific signed the interim easement agreement on December 2, and Santa Cruz County has provided UP with the completed engineering drawings for the work to be completed at the crossing. In the agreement the county agreed to improve Palo Parado Road to an all-weather crossing with a bridge within seven years. A meeting will take place in early January with the Santa Cruz County, ADOT, Arizona Corporation Commission, First United (the Developer), GRG (the contractor), and Union Pacific at Palo Parado.

#### What Needs To Be Done

In order to complete Palo Parado Road to an all-weather crossing, several tasks must be done, including acquiring permits, performing environmental studies, and finishing the design process. We must come up with the money to build the permanent crossing identified in the Design Concept Report. The cost is estimated to be between 6 to 8 million dollars. The current financial crisis presents a challenge to identifying funding sources. A local group is exploring the option of forming a local improvement district where property owners would provide some of the financing. A sales tax hike is a possible, although likely unpopular choice.

Writing letters to our elected local, state and federal officials asking them to help find funding to complete the project will let them know how important this crossing is to the residents and users of this crossing for public safety, economy, school district savings and convenience.

# SANTA GERTRUDIS LANE

## A Brief History

Santa Gertrudis Lane has been used as a river crossing for over three hundred years. There is documentation relating how Spanish soldiers and others crossed the river there, at the narrow part of the river. In 1899 when Santa Cruz County split off from Pima County, this crossing was referred to as a county road. The newly elected Board of Supervisors (BOS) in 1900 referred to the crossing as a county road and discussed road maintenance.

In 1935 the Pendleton easement was prescribed in the legal and recorded deeds of sale to Misters Strong and Mallory, giving both location and condition of persons covered by the deeded easement. Those of us who reside in Baca Float No. 3 (the northeast corner of Rio Rico) are inheritors of this easement. It is a condition of our property ownership.

During the 1920's the BOS established the width of all county roads as 60 feet. Santa Gertrudis Lane was included in the list. The residents of Santa Gertrudis Lane petitioned the County to make the lane a county road in the late 60's. Circa 1980 the county designated Santa Gertrudis Lane a primitive road. Primitive Road signs were in evidence until 1998. This brief history outlines both a legal and prescriptive right to cross Santa Gertrudis Lane over an unbroken THREE HUNDRED YEAR period.

## Current Status

Santa Gertrudis Lane is currently closed and gated. The Santa Gertrudis Lane Assoc., LLC, (residents of the Lane) approached the Union Pacific Railroad and asked them to close this public road. We now know from recent verbal comments of railroad officials and testimony before the Arizona Corporation Commission, that the railroad was approached by the lane resident's representative to close Santa Gertrudis Lane. This is a breach of a contract arrived at in November 2002, and a violation of the 2002 Gentlemen's agreement when the Santa Gertrudis Lane Assoc., LLC agreed to stand down from their opposition to public use in the future. We cannot continue to revisit this issue every four or five years. Our legal right to cross Santa Gertrudis Lane must be resolved.

On a recent fall afternoon members of the Santa Gertrudis Lane Committee hand delivered letters to all residents along Santa Gertrudis Lane requesting their attendance at a meeting to discuss their concerns about keeping the lane open for our use. Only about half of the residents invited attended the meeting, while expressing their support for a bridge at Palo Parado, most were adamant about keeping the lane available for their use only. A follow up letter was sent to all the residents asking how we could mitigate their concerns. The Coalition never received a response.

The Baca Float Coalition, LLC, Board of Directors met and approved establishing a legal fund to retain an attorney to address the issue of access on Santa Gertrudis Lane. To date, we have interviewed attorneys to handle the issue. Once sufficient funds have been raised to cover the cost of the retainer and a back-up reserve, we will be authorizing the attorney to proceed with the necessary action to protect our deeded and recorded right to use Santa Gertrudis Lane.

For additional information, contact Ken Hallock, Santa Gertrudis Lane Committee Chairperson, at [kentubac@yahoo.com](mailto:kentubac@yahoo.com) or Kathi Campana at [kathicampana@yahoo.com](mailto:kathicampana@yahoo.com).

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## LEGAL FUND FORMED

The Baca Float Coalition has established a legal fund to address the issue of access to Santa Gertrudis Lane. This issue must be resolved through the civil court process. Funds are being raised to allow our legal representatives to bring this issue to a final conclusion and open the gate once and for all.

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.

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?

## Letter Requests Financial Help

On October 16, 2008 the Santa Cruz Board of Supervisors (BOS) sent a letter to our elected official, both state and federal, requesting assistance in securing funds necessary to build the bridge on Palo Parado Road.

The Supervisors informed the official as to action all ready taken on the project so far.

2002—a corridor study completed; bridge identified in the county's capital improvement plan

2004—all weather access identified in county's comprehensive plan as an objective in the county's transportation plan

2006—Rio Rico Properties granted public easement across their property for county road/bridge

2008—BOS declared Palo Parado a public road & rail crossing; a Design Concept Report completed, bridge design to 30% completed, final report accepted by BOS; Union Pacific Railroad recognized Crossing as public; interim agreement signed by Santa Cruz County and Union Pacific.

The county has not identified the financial resources to actually construct the bridge.

You might ask, "What can I do?" Send an email or letter to our representatives asking their help to put in a request to obtain bridge funding. The Coalition hopes that our Supervisor, Mr. Maynard, does some personal lobbying of state and federal officials asking for their support and assistance.

You can contact Mr. Maynard at: [jmaynard@co.santa-cruz.az.us](mailto:jmaynard@co.santa-cruz.az.us) or Phone: (520) 375-7812 to request he lobby our state and federal officials.

### WHERE TO WRITE, EMAIL, OR CALL:

#### FEDERAL

**Representative Raul Grijalva** - U.S. House District 7

**D.C. Website:** [http://www.house.gov/grijalva/...](http://www.house.gov/grijalva/)

**D.C. Webmail:** <http://www.house.gov/writerep>

**Washington, D.C. Address** 1440 Longworth House Office Building; Washington, DC 20515

**Phone:** 202-225-2435 **Fax:** 202-225-1541

**District Address** 810 East 22nd Street, Suite 102; Tucson, AZ 85713

**Phone:** 520-622-6788 **Fax:** 520-622-0198

**Representative Gabrielle Giffords** - U.S. House District 8

**D.C. Website:** <http://giffords.house.gov/>

**D.C. Webmail:** <http://www.house.gov/writerep>

**Washington, D.C. Address** 502 Cannon House Office Building; Washington, DC 20515

**Phone:** 202-225-2542 **Fax:** 202-225-0378

**District Address** 1661 North Swan, Suite 112; Tucson, AZ 85712

**Phone:** 520-881-3588 **Fax:** 520-322-9490

**Senator Jon Kyl** - U.S. Senate

**D.C. Website:** <http://kyl.senate.gov/index.cfm>

**D.C. Webmail:** <http://kyl.senate.gov/contact.cfm>

**Washington, D.C. Address** 730 Hart Senate Office Building; Washington, DC 20510

**Phone:** 202-224-4521 **Fax:** 202-224-2207

**District Address** 6840 North Oracle Road, Suite 150; Tucson, AZ 85704

**Phone:** 520-575-8633 **Fax:** 520-797-3232

**Senator John McCain** - U.S. Senate

**D.C. Website:** <http://mccain.senate.gov/index.cfm/>

**D.C. Webmail:** <http://mccain.senate.gov/index.cfm...>

**Washington, D.C. Address** 241 Russell Senate Office Building; Washington, DC 20510

**Phone:** 202-224-2235 **Fax:** 202-228-2862

**District Address** 407 West Congress Street, Suite 103; Tucson, AZ 85701

**Phone:** 520-670-6334 **Fax:** 520-670-6637

**State contacts & draft letters will soon be available on the Coalition's website.**

### VOLUNTEERS 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. There are many volunteer opportunities now available within the Coalition.

Many attributes, skills and interests are required to make the Coalition a success. Some examples are:

Friendly	Writing
Translation (Spanish)	Categorizing
Legal Knowledge	Research
Fund Raising	Like to talk to people
Creative	Photography
History	Computer skills

If you are interested in volunteering, please contact the Coalition at [bacafloatcoalition@yahoo.com](mailto:bacafloatcoalition@yahoo.com).

The Coalition is looking for a special person to fill the volunteer position of Secretary for the Coalition. The responsibilities include taking meeting minutes, maintaining files, tracking action items, and providing administrative support to the Board of Directors.

If you are interested in the position please contact Kathi Campana, [kathicampana@yahoo.com](mailto:kathicampana@yahoo.com)

The other committees looking for volunteers are:

- \* **Santa Gertrudis Lane Committee**  
Ken Hallock, Chairperson  
[kentubac@yahoo.com](mailto:kentubac@yahoo.com)
- \* **Membership Committee**  
Ken Hallock, Chairperson  
[kentubac@yahoo.com](mailto:kentubac@yahoo.com)
- \* **Palo Parado Road Committee**  
Ron Campana, Chairperson  
[ronc1247@yahoo.com](mailto:ronc1247@yahoo.com)



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

P. O. BOX 4467  
RIO RICO, AZ 85648-4467

E-mail: bacafloatcoalition@yahoo.com

The BACA FLOAT COALITION, LLC 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, LLC and lend your voice to our efforts.

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

**THANK YOU**

Those of us using Palo Parado Road may have noticed that the roadway has been absent of the litter and trash that has been present in the past. There is a member of the Rio Rico community, who has taken it upon his own initiative to clean up the roadway for all of us. You may have seen him on his quadrunner driving along the roadway picking up the litter and trash. His name is "David LaPort" and we should all thank him for his effort. So when you see David out on Palo Parado Road cleaning up, give him a wave and thank him. David is a member of the BFC.

It appears that Collins Excavating has done more grading on Palo Parado Road to smooth out the washboard surface. Anyone using this road should remember to slow down to help maintain the work that he is doing. He too has been doing this work on his own initiative and without any compensation.

Anyone that would like to help maintain or help keep Palo Parado clean, please contact the Baca Float Coalition.

**1st Annual Membership Meeting**

**Date:** January 21, 2009  
**Time:** 6:00—8:00 PM  
**Place:** Tubac Fire Station No.2  
West Frontage Rd. (Peck Canyon Exit)  
Rio Rico

**ALL** members are strongly encouraged to attend. This meeting is open to all residents, businesses, and anyone that has an interest in Northeast Rio Rico.

**CALL FOR NOMINATIONS**

It is now time to elect the new Board of Directors from the voting membership. The election will be held on January 21, 2009 and any voting member is eligible to be on the Board of Directors.

Directors serve a two (2) year term and only Voting Members are eligible to nominate, serve, or run for the Board. The first Board shall include members with one and two year terms to begin staggered terms.

Any member in good standing interested in serving on the Baca Float Coalition, LLC Board of Directors should contact Kathi Campana or Ken Hallock, the current Co-Chairpersons, and let them know of your interest.

If you are an associate member and would like to upgrade your membership and serve on the Board, please let Kathi or Ken know.

Thank you for your support.

Kathi Campana  
520-313-4291

kathicampana@yahoo.com

Ken Hallock  
520-398-2952

kentubac@yahoo.com

**Seasons Greetings**

*From the Baca Float Coalition, LLC &  
Board of Directors*

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