



# Newsletter

**SPECIAL POINTS OF INTEREST:**

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- Palo Parado Update
- Membership
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## SANTA GERTRUDIS LANE UPDATE

Opening Santa Gertrudis Lane (SGL) to public use is one of two goals of the Baca Float Coalition (BFC). The Coalition was formed more than one year ago. The process to open the Lane began with exhaustive legal and historical research to support our claim of a legal right to cross the river at SGL. BFC representatives met with the land owners of the Santa Gertrudis Lane Road Maintenance Assoc. to try to work with them and secure access for those of us who have been denied it. BFC and other community efforts were rebuffed at every level. (Incidentally, this is the same Assoc. that entered into a Gentleman’s Agreement in 2002 not to deny our access. The Union Pacific Rail Road stated in an Arizona Corporation Commission meeting that they were approached by this same Assoc. to close the crossing.) Legal action became the only option.

BFC representatives met with seven legal firms before selecting a highly recommended law firm that specializes in land law. The firm reviewed the documentation we provided as well as the legal documents First United’s law firm had from the 2002 law suit. BFC paid our firm to evaluate all documentation and to issue an opinion. It was their opinion that a joint suit against the lane owners and the railroad is viable and should be moved on. Their comment on the written easement was, “our easement is black letter law”. We also have a “strong case” for a prescriptive easement based on use over a ten year period. When BFC files the suit it will be necessary to collect affidavits from those of you who have had ten years of uninterrupted crossing at SGL. These affidavits are essential to document the prescriptive easement. If you have had this access the BFC needs your name and address to get your story on this.

To guarantee a successful and legally binding resolution, and ensure our right to cross the river at Santa Gertrudis Lane, the BFC needs to have \$30,000 in the legal fund. The most accurate way to evaluate progress in accomplishing our goal, is funding raised from those of us who live in Baca Float #3 (Northeast Rio Rico) and others who support this effort totals \$21,575. It has cost \$5,309 in legal fees and fund raising expenses. BFC currently has \$16,265 on hand, which exceeds the threshold amount necessary to retain the attorney.

When the BFC has \$20,000 on hand legal action will be taken. It is up to all the people who want to use Santa Gertrudis Lane to make this possible. It’s time to make this happen. It will only happen with your support

### FUND RAISING IN FULL SWING

Fund raising efforts have begun for the Santa Gertrudis Lane Legal Fund. To guarantee a successful and legally binding resolution the Baca Float Coalition needs to collect \$30,000.

Since August 2009, when the attorney’s opinion was received, the Legal Fund has grown to \$ 16,265. To begin the legal action \$3,735 is still needed. That will give the Coalition \$20,000 for the retainer, the last \$10,000 will provide for unforeseen contingencies that might arise.

It is up to the residents that have a legal right to use the Lane to make this possible. To make a contribution, mail your check to Baca Float Coalition, Inc. P. O. Box 4467, Rio Rico, AZ 85648-4467. Please note: “SGL Legal Fund” on your check.



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

### SANTA GERTRUDIS LANE COMMITTEE NEEDS YOUR HELP

The Committee is in search of anyone that has used Santa Gertrudis Lane for 10 years or more.

Even if you have not been here ten years but know someone who has, please have them contact Ken Hallock at 520-398-2952 or by email at [bacafloatcoalition@yahoo.com](mailto:bacafloatcoalition@yahoo.com).

We need your help finding folks!



# Chili Cook-off

~~December 12~~

12:00 to 3:00 PM

at the Rio Rico Community Center

Cash Prizes for the Best Chili

Watch your email for more info!

### CHEFS & VOLUNTEERS

We are in need of Chefs and Volunteers. There will be a cash prize for first and second place for the best chili. For all chili submissions there is a \$10.00 chef entry fee.

If you are interested in showing off your cooking skills or volunteering in the Baca Float Coalition's Chili Cook Off contact Ken Hallock at [bacafloatcoalition@yahoo.com](mailto:bacafloatcoalition@yahoo.com) or 520-398-2952.

All proceeds go to the Santa Gertrudis Lane Legal Fund.

### SANTA GERTRUDIS LANE LEGAL FUND

The Santa Gertrudis Lane Legal Fund is seeking contributions from members, residents, businesses, and developers.

Now that the decision has been made to go to court to ensure our legal right to use the Lane, the BFC current fund raising campaign to make sure there is enough money to get the job done!

Watch for announcements and materials regarding fund raising activities. All stakeholders need to make an investment to make the pay-off a possibility—access to the Santa Gertrudis Lane crossing!

Start thinking about how much it would mean to you—how much you would save - if the Lane is open !

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RIO RICO RESIDENTS THAT USE SANTA GERTRUDIS LANE WILL SAVE APPROXIMATELY:

**\$514.80 PER MONTH\*** IN TRAVEL EXPENSES WHEN THE LANE IS REOPENED!

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

\* ACCORDING TO IRS MILEAGE REINBURSEMENT FIGURES

### BACA FLOAT COALITION, INC.

By our numbers and loyal members, Baca Float Coalition, Inc. has achieved a great deal of credibility among county government, local organizations, and even our U. S. Congressman. The Co-Chairs have been asked to do presentations about our organization to service groups, Chambers of Commerce and other local organizations. We have been asked by Santa Cruz County to lobby for funding for the Palo Parado Bridge from our state and federal representatives. We have been asked by the county to contact local organizations and environmental groups to request they lobby for the P.P. Bridge. We were even requested by Congressman Grijalva to send a letter in support of his requested allocation to fund the Palo Parado Road and Bridge Project. Our members have made a difference and the Congressman has stated that the letters and e-mails he receives make a difference in how projects are promoted by himself and his staff.

We couldn't have achieved this recognition without the members. There is power in numbers when requesting the government respond to the needs of a group of people. The more members we have, and the more vocal they are, the better our chances of achieving our goals. Please remember to renew your membership and add your voice to our efforts.

Thank you for your past support and continued participation.

Kathi Campana, Co-Chair

## PALO PARADO ROAD MOVING FORWARD

Palo Parado Road improvement work has lain idle until recently when Union Pacific Railroad completed the work to improve their crossing at Palo Parado. Approximately 80 feet of track have been replaced and concrete pads have been installed between the tracks at the crossing. Now Santa Cruz County is moving forward with the road upgrade work from Caballero Court to two hundred feet west of the railroad right-of-way.

The County now has decided that the Public Works Department will complete the road upgrade work from the end of Caballero Court to 200 feet west of the Union Pacific right of way. The estimated cost to complete the upgrade work is approximately \$75,000. The County does not have the funds to complete the upgrade work and is asking developers, contractors, community organizations, and individuals to raise the funds to cover the cost.



First United Realty, Avatar Holdings, Morningstar Ranch, and Brasher Real Estate have committed to supporting the project and agreed to donate a total of \$50,000 toward the project. GRG Construction and Mike Karem have agreed to donate in kind services and materials totaling \$34,176 to the effort. However, the County is saying the upgrade work is short about \$25,000 and is asking organizations and individuals to raise the remaining funds.

A number of individuals in the community have offered financial donations and Baca Float Coalition has agreed to collect those donations and deliver them to the County to be deposited to the "Palo Parado Railroad Fund" account that has been established by the County Finance Director. The county has told us that a donation to this project can be tax deductible and they would provide a letter acknowledging the donation. Anyone donating should get advice from a tax advisor before claiming a tax deduction.

In addition, the Baca Float Coalition Board of Directors has voted to donate \$2,000 to help the road upgrade effort.

BFC believes that Palo Parado Road is an important project to this community and want to assist the county in moving this effort forward.



Donations can be mailed to the Baca Float Coalition, Post Office Box 4467, Rio Rico, AZ 85648, or contact Baca Float Coalition Treasurer, Ron Campana at our e-mail address [bacafloatcoaliton@yahoo.com](mailto:bacafloatcoaliton@yahoo.com) or telephone 520 281-8250 for information. Your check should be made out to the "Palo Parado Railroad Fund".

Once the county has achieved commitments to cover the cost of the work, they will schedule the project. The Public Works Department estimates that it will require about six weeks to complete the work and Palo Parado Road would have to be closed to traffic for part of that time. More information will be available once the county moves forward with scheduling the upgrade work.

The upgrade work will allow Santa Cruz County to officially accept the upgraded road and crossing into the county maintained road system. The county has already qualified for the ADOT funding program to install the railroad approved safety lights and gates at a cost of approximately \$250,000. That funding will come from the Federal Highway Administration through the ADOT 130 funding program.

In fact, in the past week Santa Cruz County has been informed that the Arizona Corporation Commission, at their September meeting, added the Palo Parado Road Railroad crossing to the 2009 Array for upgrading the crossing with railroad approved safety lights and gates. This is yet another step toward making Palo Parado Road an all-weather crossing.

Palo Parado Road still has a long way to go before it is improved to an all-weather crossing. Some may believe that the effort is moving too slow and not much is being accomplished, but consider that Palo Parado has been addressed as an important issue for the residents and property owners in Northeast Rio Rico many times in past years, but has never developed into a working solution to improve the crossing.

What is different today is that the Baca Float Coalition was formed as a community action organization funded by members, who added their support and voice to the effort. Baca Float Coalition is working every day to keep the issue of Palo Parado in front of the county and our elected representatives. Baca Float Coalition has been lobbying local, state, and federal elected officials through personal contacts and letters addressing the importance of the Palo Parado Road crossing. With community involvement and support, progress is being made.

Our congressional representatives, Congressman Grijalva and Congresswomen Giffords, have submitted funding requests for the Palo Parado Road through the Transportation and Infrastructure Committee. The committee will be considering the Transportation Re-Authorization Act for a vote sometime in December 2009. We are hoping that Santa Cruz County will have an advocate in Congressman Grijalva and Congresswoman Giffords when those requests are addressed.



**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.

**~MEMBERSHIP & RENEWALS~**

Baca Float Coalition Inc. reached our first year as a community based organization in July. Your voice, support, and involvement have been important to the success of Baca Float Coalition. We started sending out notices to renew memberships in July, but have been falling behind in renewals. You may have received a reminder that your membership is due for renewal and have not renewed for any number of reasons.

We recognize that the economy is not as good as we would like and progress for Baca Float Coalition efforts have not resulted in enough real success for some. Without your support we may not be able to continue an effective organization that works for the community. Baca Float Coalition needs your support. Don't forget to renew your membership and encourage others to join.

An application for membership is available at the Baca Float Coalition website [www.bacafloatcoalition.org](http://www.bacafloatcoalition.org) You can mail your application and check to the Baca Float Coalition, P.O. Box 4467, Rio Rico, AZ 85648. If you have questions or comments, e-mail us at [bacafloatcoalition@yahoo.com](mailto:bacafloatcoalition@yahoo.com) or you can call Co-Chair Kathi Campana at 520-313-4291 or Co-Chair Ken Hallock at 520-398-2952

**BACA FLOAT COALITION MEETING SCHEDULE**

To find out when the next Baca Float Coalition Board of Directors meeting is, call: Kathi Campana at 520-313-4291

TREASURER REPORT: 10/30/09

Wells Fargo Bank (Baca Float Coalition, Inc.)

Membership fund balance on 08/31/09		5,067.88
BFC deposits between 09/01/09 & 10/30/09 (Membership)		<u>625.00</u>
	Balance:	\$5,692.88
<u>Organization/Operating Expenses</u>		
No Expenses this report		
	Total Expense:	\$000.00
	Total Operating expenses/transfer:	-000.00
	Bank Balance:	5,692.88
	Petty Cash Fund Balance:	<u>53.50</u>
	10/30/2009 Net Balance:	\$5,746.38

Commerce Bank (Santa Gertrudis Lane Legal Fund)

Santa Gertrudis Lane Legal Fund balance on 08/31/09		6,722.34
SGLLF deposits between 09/01/09 & 10/30/09		<u>9,675.00</u>
	Balance:	\$16,397.34
<u>Legal Fund Expenses</u>		
09/16/2009 Post Office (Stamps for Salero mailing)	\$132.00	
	Total Legal expenses:	<u>-132.00</u>
	10/30/2009 Net Balance:	\$16,265.34

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