

MEMBERS PRESENT: Chairman Dini  
Vice Chairman Schofield  
Mr. Craddock  
Mr. DuBois  
Mr. Jeffrey  
Mr. May  
Mr. Mello  
Mr. Nicholas  
Mr. Polish  
Mr. Prengaman  
Mr. Redelsperger

MEMBERS ABSENT: None

GUESTS: Mr. Silvio Petricciani, Airport Authority Trustee  
Mr. Edward Arri, Federal Aviation Admin.  
Mr. Perry Hayden, City of Reno  
Ms. Betty Morrie, Airport Authority Trustee  
Mr. Laurence Martin, Federal Aviation Admin.  
Mr. Bill D. Hester, Pres. Huffaker Hills Homeowner  
Mr. Bob Kendro, Airport Authority  
Ms. Helen Stevenson, Airport Authority  
Mr. Bob Mandeville, Airport Authority  
Mr. Don Gladstone, Reno City Attorney's Office  
Mr. Fred Davis, Greater Reno Chamber of Commerce  
Mr. S. Cleary, Nev. Assoc. of Realtors  
Mr. David Henry, Washoe County  
Mr. G. P. Etcheverry, Nev. League of Cities

Chairman Dini called the meeting to order at 8:05 A.M. He stated he had two BDR's for introduction. BDR-20-1192\* allows the Board of County Commissioners to elect a vice chairman. The present law does not allow for a vice chairman who could call a meeting in the absence of the chairman. Mr. May moved to introduce the BDR, seconded by Mr. Jeffrey. The second is BDR-27-1194\*\*. As you will recall, last session we passed a bill letting the counties sell gasoline to senior citizens. The program was called Elderport in Las Vegas. They want to be able to maintain their vehicles for them, too. Motion carried.

The first bill to be considered this morning is AB-8. Mr. May has a subcommittee report. Mr. May described the bill as requiring right of way for irrigation ditch and its maintenance. On February 5, 1981, Mr. Chairman, you appointed me, you and Mr. Redelsperger as a subcommittee of three to consider the context of AB-8. After some deliberations, we decided that to force this into the statues without a permissive role, might be

\*AB 289

\*AB 291

716

some problems. We then decided that perhaps some enabling legislation might be more in order whereby any county feeling the need to adopt such ordinance may do so, those counties in the state who were not faced with the particular problem would not then be affected by a mandatory state law. The language which I will read to you in a second was presented to Dr. Dale Beaumont, the dean of the College of Agriculture in Reno, to Mr. Chuck White, president of the State Farm Bureau, and one or more members of the various irrigation districts throughout the state. They have scrutinized it and I will read a letter from Dr. Beaumont regarding this. The text of the wording for the amendment is as follows: "The governing body may adopt, by ordinance, such requirements as they feel are necessary regarding existing right-of-way or easements for any existing irrigation ditch; easements of sufficient width for the maintenance or dredging of same, access for dredging or maintenance, rechaneling, providing, however, the point of ingress and egress for the same are not changed and providing that the normal flow of water is not disturbed, fencing underground carrying ability and such other items as may be deemed necessary." If adopted, this would allow any county feeling the need for such an ordinance that would require a public hearing for the citizens of that county.

Mr. Dini indicated that this could also be adopted under city law. A copy of the wording is attached as EXHIBIT A.

Mr. Perry Hayden, from the City of Reno, and Mr. Gardella testified. Mr. Gardella said he represented the Truckee Meadows Water Users Assoc. and supported the bill and understood the language of the amendment. SB-163 ties in well with AB-8. We have a peculiar situation in Washoe County in that we have no irrigation district as such. They are all independent ditches. In the Truckee Meadows at one time there were thirty-five ditches that were active. At the present time, there are about five that are active. These ditches were dug in the early 1970's. At that time, there were no easements or rights of way considered and as the town grew, encroachment on the ditches was very severe, to the point where it is impossible for those ditches that are left to exist without cleaning and they are very badly abused by the general public. They are used as dumping ditches for garbage, lawn clippings, etc. It is almost impossible for them to clear those ditches. About twenty years ago, this situation became apparent and we went to the County Commissioners and the councils and asked them to put in an ordinance which would protect the ditches. However, those ordinances were not enforceable and we find ourselves in a very tough situation now. I read AB-8 and I feel it will protect those water rights. It apparently came up in Douglas County where the situation is very similar to that

one in Truckee Meadows in that those are independent ditches. As the town grows, they will encroach upon them and they will have the same problem. The same thing, I think, will exist in Mason Valley if Yerington grows. In Fallon, the ditches are owned by the district and they have protected them. I hope that you will come up with some legislation to protect rights of way and easement. The easements and rights and way that are within the City of Reno, what is left of them, cannot be corrected. They will have to be done some other way, but in the new developments, it will be of great help. I also hope that you will include an amendment which would include easements and rights of way for drains, either manmade or natural drains, and either dry or intermittent, because of the flood system. When water is delivered in Washoe County for irrigation, it must be drained off and they use the natural channels and these drain eventually into the river. Those natural channels, in many cases, have been subdivided and there is no further way for the water to get away. Within the city, they generally can afford to pipe those and have a drainage system. But in many cases, this happens so early, before the city gets there, the system is destroyed. You must consider the system from both the drainage angle and the irrigation angle. This same situation is going to happen in the Douglas County area, particularly on the west side in the Genoa area where you have irrigation and you have the side streams coming off the mountains that must be protected to get the flood waters down into the main stream channel. When there are buildings allowed in the easements or rights of way that were there naturally, there is always damage to the buildings.

Mr. Dini said that in 1966 that the City of Reno adopted an ordinance. Has that worked out all right.

Mr. Gardella answered that for some reason it was never enforced. According to what I could gather, the Planning Commission did all their planning with land and not with water and land and drainage.

Mr. Redelsperger stated that local planning boards now have the authority to cover irrigation and drainage ditches. You have that under NRS 19. The health division also covers that.

Mr. Gardella answered that it should be locally, but it hasn't been. The problem is the people who live next to the ditches, as they move in they build bridges over the ditches and there is no protection.

Mr. May said that the bill drafter told me that the subdivision law prohibits cities and counties from exerting influence or custodial care over these, so by giving them explicit authority, they will have full authority.

Mr. Perry Hayden spoke in favor of AB-8. He stated that some of the wording is not very clear. On Page 1, Lines 8 through 9, The feeling of the Engineering Division of the City of Reno is that it could be clearer by putting the sole responsibility to the ditch company for the maintenance of both the right of way and the ditch. They feel that once the map is issued, the responsibility of the maintenance of the right of way and the ditch does not fall back to the state governing body.

This was the end of testimony on AB-8.

Mr. Dini stated that we would now discuss AB-2 and AB-186. He said that the committee has already heard from all the proponents of these bills and unless there is additional testimony from Mr. Mello and Mr. Prengaman...

Mr. Prengaman indicated there Mr. Hester would like to speak.

Mr. Bill Hester, resident of Huffaker Hills and president of the Huffaker Hills Home Owners Association, testified that his area lies centered at the end of the Cannon International Airport runway about 2.5 miles south of the runway. There are 1,200 people living in this community with approximately 52 units under construction. I wish to speak in favor of AB-186. In the past years of the airport expansion, we have found it extremely difficult to find a voice within the decisions that are made at the airport. Recently, there has been an effort to put together a citizen's committee to study the noise problems, but actually this has come a little bit too late to help us. When I have approached the City Council they have been able to more or less pass the buck on me, saying that 'well, we don't really have much control over that'. When I brought up the fact that the members are appointed by the City Council, they said that is true. I told them that they can remove someone. They said 'yes, but this would have to be under the conditions that they were not doing their job properly.' I asked what would constitute the reason for their not doing their job properly. They told me that it would be hard to define. Although, they are supplying airline service quite well, they are not doing a good job in protecting the citizens that they come in contact with. There is a 500 foot extension of the runway to the south. This is not absolutely required for the efficient operation of this airport under the current traffic that it handles and under the traffic it would handle in the future. There are some that would argue that point. They have no proof of this. It would allow a jet to take off with a heavier load which would mean, \$1 or \$2 off a ticket, at the most. Our community was already in existence when the airport began its expansion plans, so it is not a matter of us encroaching upon the airport as the airport exists today.

Date: March 5, 1981

Page: 5

It could very well have been a different situation if the men and women involved in the planning of this expansion, would have been looking at it from the direction of a public servant more than from the direction of a businessman. The people on the board look at it from a different perspective than a public servant would who would be responsible to the voters in their district.

Mr. Dini asked if he lived there when the City of Reno operated the airport? Mr. Hester stated that it was hard to tell because at the airport was not the problem it is today. It did not go through the expansion at that time. The expansion did not happen until the airport had already been transferred to the Airport Authority. However, if they would have had to answer to the voters, it might have had more impact on them and what happened.

Mr. Craddock asked what his position was, what he did?

Mr. Hester answered that he is in the process of completed his work experience to sit for the state Architectural Board exams.

Mr. Craddock asked if this qualified him to answer all the questions in this particular instance of what we should be doing at the airport.

Mr. Hester answered that he has had training in city planning, urban, also, that goes along with my profession. In that aspect, yes, I feel that I am able to make some comments on it that are not completely ignorant of what happens in these situations.

Mr. Polish asked that if he was selected to be on the Authority as an elected official, what would you do.

Mr. Hester answered that he would take every step that he could possibly take. I would keep the airport operating as it is to supply the economic community with the base they need, but I would make a very strong ploy and I would take every attempt I could to have it relocated out of the valley, other than try to build an airport in the middle of that valley with the city trying to grow within the same valley. The people of the valley are guilty of indifference at the beginning of this, because like many citizens, we are busy with the business of life and we didn't really totally understand what was happening.

Mr. Mello asked if the property values of homes have gone up.

Mr. Hester answered that they have not gone down, compared with the northwest where homes sell for generally about \$15,000 more.

Mr. Mello asked if it is easy to sell the homes in Huffaker Hills.

Mr. Hester answered that it is a factor that makes them not enjoy the area. Other than that, it is a very nice area to live in. The one fear that people have is that if they did decide to sell

their home, what would happen. If they suddenly had to sell their home, what influence would the airport have. Homes are selling out there, that really isn't the problem.

Senator Raggio spoke in opposition to AB-186 and in favor of AB-2. He gave a background of the airport from the time it was known as Hubbard Field. It grew in spite of itself and, frankly, it didn't grow too well through any real organized or planned development. I served as a member of the special committee created by this Legislature and we spent the better part of the interim studying airports, management and operation of airports and the committee represented a broad spectre of the entire community. There were divisions of thought; in fact the final report which recommended an airport authority structured along the lines of the present Authority, was divided. There was a majority opinion and a minority opinion. We analyzed the operations of airports throughout the country and the impression of the majority of the members of the committee that the better managed airports, for the most part, and the trend was to have an airport authority management appointed by persons who had no other public duties. I have no problem with giving Sparks additional representation on the Authority if they can justify population increases. But I am very concerned about the effort to now again politicize the Washoe County Airport Authority. Because that is precisely what this bill would do. We have come a long way, whether you agree or not, in that Reno airport. The airport became a very political operation during the time it was management by the Reno City Council. Many things happened as a result of that type of an operation that I believe were unfortunate. There were contracts let that would certainly, I don't think, otherwise have been let for concessions that were let, I think, because of very undue political pressure on the part of certain members of the city council. There were contracts that were obviously 'sweetheart' contracts that, I think, a managing board removed from that type of pressure would never have considered. One or two of the councilmen felt it was their domain and it became a real management problem. What I am saying to you is that we went through all this; we analyzed, we sifted through it, and we came up with a solution which has been in force in many and most progressive airports to come up with an appointive authority, appointed by and through elected bodies. This was not appointed by the Governor, these people are appointed by elected representatives of the area involved. There is, to that extent, responsibility and there is communication and input available from the local electorate. But it is insulated enough so that the people who have the tough job of managing an airport, and it's big business today, don't have the myriad duties of a councilman or a commissioner. That's their specific charge and responsibility. I think it is a progressive step and it ought to be maintained. To do otherwise would be a step backwards.

721

Based on what experience I have had, it wasn't the best method of operation to have the elected officials out there on a day to day basis running the airport. I just don't think they should. I think it would be detrimental. You would have an added element of direct politics involved in the day to day operation of the airport and it is not necessary. I think the responsiveness to the electorate is there by reason of the fact that the people who do the appointing are elected. They have sufficient control over the Authority. If they come and tell the Authority that they don't like what they are doing, certainly, I can't conceive that the Authority isn't going to be responsive to them. It is the best procedure we could devise. This should probably be a regional authority. It's probably too limited as it is, because it serves much more than Washoe County. If you want to talk about people who are affected, the people in Carson City are affected by how that operation is run. People in California who are affected. It's a regional airport.

Assemblyman Bob Rusk, District 28, testified he supported Senator Raggio's feelings about AB-186. In 1977, a special committee studies the idea of an airport authority. I served as a member of that along with Bill and as has been pointed out, there was certainly a split decision that came out of that group. Members of the City of Reno felt that their airport was physically going to be taken away from them and they didn't agree with any part of that. The members of the City of Sparks were concerned and were pretty unanimous against the idea. The balance of the committee was made up of Washoe County commissioner representatives and lay people appointed to the board and we fairly unanimously supported the idea of the Airport Authority. In going through the airports as part of our study, we were able to get the executive director to tour us through the airport and then we would sit in a meeting room and got detailed information as to how these airports were being run. After we had spent a lot of time listening to the pros and cons of an appointive board, we found that they overwhelmingly did a better job as opposed to those airports that were being run by elective officials. From our perspective, it carried the marjority thinking that we were able to get from some of the better run airports in the western part of the country. I totally disagree with the comments that have been made that the people are not being represented. Under the appointed position situation where the elected officials appoint the individuals that serve on that board, they have the prerogative to select the kinds of expertise that they are looking for that they themselves wouldn't possess. I talked to Bill Farr, a long-time chairman of the County Commissioners just day before yesterday and his comments on that exact questions were: 'If the appointee that we appoint to that board is not doing the job that we think he should be, he is history. Meaning, that I'll put somebody else on that board to do the job that I think should be done.' And based on the ability of the appointing agency to represent the people, that is, their being elected by the people, filters through very well.

Date: March 5, 1981

Page: 8

Mr. Rusk indicated his support of AB-2. To add an additional member to the board from Sparks would be beneficial to Sparks. I do not endorse, obviously, AB-186.

This ended Mr. Rusk's testimony.

Mr. David Henry, Washoe County lobbyist and resident of Sparks. The chairman of the County Commissioners, Bill Farr, called me yesterday and asked me to relay to the Government Affairs Committee this morning the consensus of the Board of County Commissioners. They have been discussing the matter since AB-2 appeared and they would like me to convey to you their consensus on three particular points. (1) Number of appointees. They are satisfied with two from Washoe County. If this committee were to desire more or less representation, they would take no particular position with regard to another entity, such as Sparks asking for an increased number. They would have no objection to that sort of thing. They would, however, like to have their two members on the Authority continue. (2) They do definitely prefer the appointive status for two reasons. In the first instance, the Board of County Commissioners feel that they are on too many boards now. The second reason being that since the Commission does have the authority to remove any person that has been appointed by them, they feel that that represents a sufficient check and balance with regard to that appointment carrying out the wishes of the elected officials of the Board of County Commissioners and, as was clarified a few moments ago, it is those actions that are taken by the vote of the Board of County Commissioners.

Mr. Silvio Petrocciani, chairman of the Airport Authority of Washoe County, testified that he would like to have Mr. Bob Mandeville, our Director of Airports, give testimony, and after him, Mr. Edward Arri, FAA Tower Chief and Mr. Larry Martin, one of the controllers, who can give us some expert testimony informative and educational.

Mr. Don Gladstone interrupted to say he was here on behalf of the City of Reno, and was here in behalf of someone who had a death in his family. He indicated he had a brief report to make and since the Airport Authority had a number of people to testify, if they would defer to him. Mr. Petrocciani deferred. Mr. Gladstone is an assistant City Attorney, Reno, and he was asked to make the following remarks. The Reno City Council has reviewed both AB-186 and AB-2 and has the following comments on this proposed legislation. The council does not oppose the addition of one representative from the City of Sparks, particularly if the current population of Sparks would justify equal representation with Washoe County. Secondly, the Council does not oppose the idea of requiring one of the four Reno representatives to be chairman of the Airport Authority with only the ability

723

Date: March 5, 1981Page: 9

to vote in cases where there is a tie. This vote will substantially...excuse me, the council does oppose the idea of requiring one of the four representatives to be chairman of the Airport Authority coming from Reno, with only the ability to vote in cases where there is a tie vote. This will substantially reduce the city's representation on the board for matters of vital interest to the citizens of Reno. On most matters of business, the concept would reduce the city's numerical representation to only three members, which is disproportionate to the relative population in the area. Lastly, several alternatives supported by the Reno City Council would resolve the dilemma and accomplish the intent of the legislation. First suggestion: (a) Amend the bill to strike the requirement that the chairman only votes in case of a tie. The board could consist of eight members with equal voting authority. Tie votes could occur, but this would be seldom because as a practical matter, tie votes could occur even with an odd-numbered board. Secondly, another solution is increasing the number of board members to nine, give Reno five representatives, requiring the chairman to be from Reno and leaving the provision that the chairman would only vote in the event of a tie. Again, the Reno City Council does not oppose increased Sparks representation on the Airport Authority Board, but the Council does not support current wording of AB-186 or AB-2, coupled by committee suggestion that would decrease Reno's representation and effectiveness on the Board. The two alternatives discussed above are submitted to you for consideration as proposed solutions to accomplish the intent of the bill without diluting the effectiveness of any of the communities' representations. Mr. Gladstone's testimony is attached hereto as EXHIBIT B.

Mr. Petrocianni indicated that there would be a presentation on the parallel runways, as to its safety, etc. Some questions were raised as to weight turbulence and the safety of the parallel runway and, of course, the parallel runway will only be implemented in the event of A-debt funds becoming available from the government and that is a moot issue at this time.

Mr. Mello asked if he was going to get into the different phases of your capital improvement programs and costs. Mr. Petrocianni answered "negative". Mr. Mello said that I for one would like to have it, in writing. Mr. Mello asked if he was going to about the flight patterns. Mr. Petrocianni indicated that Mr. Arri and Mr. Martin will speak to that. They have some slides to present.

Mr. Petrocianni stated that Mr. Hester named a 500' extension to the south and also a 500' extension to the north. He was wrong insofar as they were supposed to be 1000' extensions. These also were only available in the event of A-debt funds from the government. United Airlines was the one that requested this.

They would do without it in the event that governmental funds are not available. To begin with, 1000' to the south and then 1000' to the north. This was the consensus of opinion of the Authority in the event such a thing could come to pass. However, there are no funds for it, so this is way in the future. Possibly our whisper jets will be available by that time. I question whether the Legislature can legally say in your bill that the chairman must come from Reno, because in that event, how are you going to vote that man in? Who nominates him? You will open up an area of argument if each entity wants to nominate a chairman. I have polled all elected officials and no one appears to want to be on another committee. Appointed board members of the Authority can be removed immediately for cause, where to remove an elected board member would require quite a process. Insofar as the buildup of homes around the airport, this is characteristic of any place in the United States. But why have our elected planners allowed this planning to happen. We have no powers outside of the Airport Authority. Where were they when all this was being done. We can suggest to the Planning Commission and other governmental agencies, but we cannot say, you can't build Huffaker Hills, etc. There is nothing we can do; the airport is there, the runway is not going to move. Mr. Petricianni then described the heavy meeting schedules of the trustees. It is a working board.

Mr. Mello asked for the number of monthly meetings and the attendance record of each trustee.

Mr. DuBois asked for a list and the background of each member of the board.

Mr. Mandeville testified that AB-186 would be a radical and unwarranted change.

Mr. Petricciani also stated that Mr. Hester brought up the fact that lives could be in danger. Cannon has a very enviable record insofar as safety is concerned. Everybody hollers about Rattlesnake Mountain and the mountains and the valley they have to fly into. But the very fact of the terrain in this area makes the pilots for the airlines, as well as the private pilot, just a little more careful as they come in here. To execute the maneuvers in the interest and the safety of the people below on the ground and the passengers in the aircraft.

Mr. Mandeville indicated that the proponents have drastically misrepresented airport financial position. They have twisted the conceptual approaches and documents on our airport agreements. Particularly the rental car agreements and the airline use agreements. They have unfairly indicated revenue bonds might become a liability on the taxpayers. Suggested that appointed trustees are not responsible directly to the community. The comments

that you will receive on AB-186 will provide you with sufficient data to allow you to validate the wisdom of the 1977 Legislature in adopting the Act in the first place. In order to put AB-186 into proper perspective as respects the operation of the airport Mr. Mandeville reviewed the history of the airport from the time it was being operated by the City of Reno to the present time including financial status, growth of passenger travel, etc.

Mr. DuBois asked what the bond rating is for the airport.

Mr. Mandeville answered that it is Standard & Poor BAA and Moody is A-. These are good ratings for a new entity.

Mr. Dini indicated that the bill will be rescheduled for hearing and would like the flight patterns discussed and someone from the noise abatement council here. Mr. Mandeville said that it is called the Noise Abatement Panel and Mayor Player is the vice chairman. Two meetings have been held, one in January and one in February and they are just getting themselves together. There are representatives from Sparks and Reno and the county, as well as the Authority and industry. Mr. Dini stated he would assign a subcommittee, probably himself and Paul May.

Mr. Dini stated that we had run out of time but it will be rescheduled and will also include any other pertinent information on the financial status, documented, together with a report on flight patterns and testimony from the Noise Abatement Panel so we can see for ourselves what the financial situation is at the airport, what the commitments are, what the payoff schedules are, what the commitments are from the airlines.

Mr. Mandeville stated that last Friday we did hand out copies of the 1979 audit, dated June, 1980. We will not have another one until June, 1981, as they are fiscal audits.

Mr. Dini adjourned the meeting at 10:50 A.M.

Respectfully submitted,

Lucille Hill  
Assembly Attache

726



ASSEMBLY GOVERNMENT AFFAIRS COMMITTEE

GUEST LIST

Date March 5, 1981

(PLEASE PRINT)

<u>PLEASE PRINT YOUR NAME</u>	<u>PLEASE PRINT REPRESENTING:</u>	<u>I WISH TO SPEAK</u>		<u>BILL NO.</u>
		<u>FOR</u>	<u>AGAINST</u>	
Silvio Petricciani	Airport Authority		X	186
Patty Marino	Airport Authority, Wash DC		X	186
EDWARD ARRI	FEDERAL AVIATION AUTH.			
Ferry Hayden	CITY OF RENO	X		AB 8
Laurence Martin	Federal Aviation Adm.			186
BILL D. HESTER	PRES. BOARD OF DIRECTORS 1980			
Bob Kendro	AIRPORT AUTHORITY			186
Helena Stevenson	Airport Authority			
BOB MANDEVILLE	AIRPORT AUTH.			AB 186
DEW GLADSTONE	RENO CITY CITY'S OFFICE		X	AB 186
FRED DAVIS	GREATER RENO OFC	X	X	AB 180

728

(PLEASE PRINT)

ASSEMBLY

AGENDA FOR COMMITTEE ON GOVERNMENT AFFAIRS

Thursday

Date March 5, 1981 Time 8:00 A.M. Room 214

Bills or Resolutions  
to be considered

Subject

Counsel  
requested\*

AB 8

Requires right of way for irrigation  
ditch and its maintenance.

The governing body may adopt, by ordinance, such requirements as they feel are necessary regarding existing right-of-way or easements for any existing irrigation ditch; easements of sufficient width for the maintenance or dredging of same, access for dredging or maintenance, rechaneling, providing, however, the point of ingress and egress for the same are not changed and providing that the normal flow of water is not disturbed, fencing underground carrying ability and such other items as may be deemed necessary.

Exhibit B

**THIS EXHIBIT IS MISSING FROM BOTH THE ORIGINAL  
MINUTES AND THE MICROFICHE.**