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The story behind Sunroad warrant

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Watching the arm-flapping and name-calling that ensued last week when a search warrant was issued against a Sunroad executive, I recalled how it feels to arrive late for a movie.

The dialogue was entertaining, the characters were intriguing, but the story line was muddled. What the heck was going on anyway?

For the answer, let's start with the search warrant, the document everyone in town was talking about, though few seemed to have actually read.

Confounding expectations, the search warrant did not seek evidence that Sunroad broke the law by constructing an office building that endangers Montgomery Field pilots.

Rather, it sought evidence that Tom Story, a top city official before joining Sunroad, broke a law that governs lobbying by former city employees.

The search warrant casts a suspicious eye on Story's role in securing city approval for the towering Sunroad Centrum complex, which you can gawk at as you drive along state Route 163. And it tells a cautionary tale about how the city operates when no one's watching.

Online: To view the search warrant online, go to: <http://uniontrib.com/more/sunroadwarrant>

Such tales have become all too familiar, although this time the troubling behavior occurred on the watch of Mayor Jerry Sanders, not his predecessors. That distinction is important to remember.

But first to the search warrant, and its case against Story:

- Story left City Hall in July 2005 (though he continued getting paid into November).
- He was told by a city Ethics Commission staff member in October that for one year he was restricted from contacting city officials on any project that he had worked on at City Hall.
- Story soon was hired as Sunroad's vice president of development. His qualifications were solid: Before becoming Mayor Dick Murphy's senior policy adviser and chief of staff, he was a deputy planning director. In that role, he worked on a development agreement for the site where Sunroad is constructing its too-tall building.
- In his first year away from City Hall, Story e-mailed former colleagues

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seeking their help with his project. He also contacted city employees through intermediaries. In attached e-mails, city planners seem to bend over backward to help out Sunroad – or as one put it, to “make Tom Story happy. :)”

(Yes, that's a smiley face.)

The lobbying restriction was created precisely to prevent such favorable treatment – the kind the rest of us never get.

■ The Public Integrity Unit of the City Attorney's Office wanted to search Sunroad's offices for additional e-mails and documents reflecting on Story's possibly illegal lobbying.

So last Wednesday, they took their request to a respected judge, himself a former prosecutor, who granted it.

The next step was up to San Diego police. That's when things went nuts.

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Chief William Lansdowne refused to conduct the search. “I didn't understand what the crime was,” he told a reporter.

Evidently, Lansdowne's lack of understanding went further, because he quickly contacted Mayor Sanders to tell him about the search warrant.

In his uncomprehending state, Lansdowne must not have considered that the search could uncover wrongdoing by city employees who report to Sanders – or that Sanders might want to protect them, if only to serve his passion for keeping bad news under wraps.

By then the moment was lost. The mayor's office knew about the search warrant Wednesday. It wasn't long before everyone in town knew about it, Sunroad included.

And though few people had read it, or were aware of the crime it alleged, a consensus emerged that the warrant was based on lies and inventions.

Those criticisms evaporated the instant the search warrant was made public Friday.

The document turned out to be solidly constructed, and even novices had no difficulty finding the information that somehow eluded Chief Lansdowne. The alleged crime is spelled out on Page 2.

At this point, no one wanted to talk about the search warrant anymore. They all wanted to talk about the city attorney, and what a wild and crazy guy he is.

I met Monday with the people who drew up the search warrant – Public Integrity Unit chief Kimberly Urie, Assistant City Attorney Christopher Morris and investigator Barry A. Bruins – and they didn't seem wild and crazy to me.

They seemed like conscientious civil servants whose attempts to ferret out influence-peddling at City Hall were thwarted by the powers that be.

Urie told me a search would have netted them “a fairly large universe of documents.” Instead, Sunroad has voluntarily provided them with “a trickle” of documents, most of which are “not within the sweet spot.”

They are hopeful that Sunroad may cough up more e-mail, but resigned to the possibility that political interference has crippled a legitimate corruption investigation.

“Common sense would say that Story isn't acting alone. He couldn't accomplish what he wanted to do all by himself,” Urie said. “We want to get to the highest level of responsibility. We need to know all of the people on the city's side who were involved.”

Tom Story may be happy (insert smiley face here) with this outcome, but the rest of us should not be.

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