



Memorandum

June 11, 2007

TO: Honorable Members of the City Council
FROM: Mayor Jerry Sanders
SUBJECT: Centrum 12 Office Building Update

I want to take this opportunity to update you on some developments regarding the Centrum 12 office building near Montgomery Field.

Public safety has and always will be my first priority. As such, I vigorously support the City's prosecution of the case against Sunroad so that the Centrum 12 office building is reduced in size to 160 feet and no longer poses a danger to the public. It's my job as mayor to consider all options available to the City as the operator of Montgomery Field. One of those options would have taken an increased number of planes over a residential community. In the end, it was my decision not to pursue this approach because I did not want to increase air traffic over a residential community and I also did not want to hurt the City's case against Sunroad.

With that in mind, let me now explain the various factors that went into my decision. On May 18th, I sent a letter to officials at the Federal Aviation Administration (FAA) and the California Department of Transportation; you were copied on this letter. Two of the paragraphs in the letter read as follows:

"I support your findings that the building must be reduced in size so that it is no longer a hazard to public safety. As Ms. (Karen) McDonald (an FAA official) is aware, my staff has put forward a proposal that will reduce the building height to 163 feet with the exception of the mechanical equipment enclosure room which would remain at 180 feet. The equipment enclosure room constitutes 15% of the overall roofline. The proposal also includes working with the FAA to discontinue circling instrument approaches north of the field and allowing aircraft to circle to the south. Additionally, visual course rules would be modified to ensure that aircraft remain well clear of the building. In the long-term, the City would coordinate with the FAA and the developer to fund and install a straight-in instrument approach procedure to Runway 10 Left. All of these changes are designed to de-conflict aircraft operations and the building.

“I would encourage you to consider this proposal, but I also want to make clear that I will support whatever your ultimate judgment is regarding appropriate remedial actions.”

As a result of my letter, members of my staff and an executive on loan to the City from the San Diego Regional Airport Authority, Ted Sexton, met with FAA officials to discuss the various options that would be available to the City.

The FAA told the City’s representatives that it would not support any intrusion into the airspace above 160 feet. It also told our representatives that it would heartily endorse clearing the airspace around the Centrum 12 office building. In order to do this, during times of adverse weather conditions (considered to be only ½ of 1% of all landings), the City would have to make exclusive a landing pattern that would take aircraft south of the field. Albeit rare, an acceptable landing pattern in existence now and only used in adverse weather conditions, exclusively circling aircraft south of the field would increase air traffic over the residential portions of Serra Mesa. (Ninety-nine percent of the time aircraft land “straight in,” approaching the field from the east and landing to the west.) I do not believe that this is an acceptable option. The formalization of this option would also mean that the Centrum 12 office building would no longer pose a hazard to aviation since it would no longer be a part of the approach to Montgomery Field. In my opinion, the exclusive use of a circle south approach would harm the City’s case against Sunroad.

As mayor, it’s my job to consider all options that further the goals of our city and its citizens. In the end, I have decided not to formalize, for exclusive use, a circle south approach. I did not want to increase the air traffic over Serra Mesa and I did not want to harm the City’s court case against Sunroad. The status quo will remain in place, meaning that pilots, in adverse weather (defined as Santa Ana winds from the east with low cloud cover that makes a “straight in” landing from the east difficult) conditions will have the option to circle north or south of the field and land from the west to the east. Should pilots choose to circle north, the FAA has lifted the altitude at which they have to fly from approximately 880 feet to 960 feet.

My decision makes the City Attorney’s prosecution of the case against Sunroad all the more important; I wholeheartedly support the case. I will not be satisfied until the Sunroad building is reduced in height to 160 feet. No one that broke the law should be accommodated and that’s why I did not want to make exclusive a landing pattern – albeit in limited cases – that would weaken the City’s case.

Loaned Executive Program

In late March of this year, the San Diego Regional Airport Authority entered into a services agreement with the City of San Diego to lend the City the services of Authority vice president Ted Sexton for 6 months from April 1 – September 30, 2007. Loaned executives are a best practice in the public sector. The City is receiving Mr. Sexton’s services for free. The City has had 3 loaned executives: one from the County, one from the Port and Mr. Sexton from the Airport Authority. It’s a good thing. We get the services of very competent professionals for free.

As you know, the City owns and operates two airports: Brown and Montgomery Fields. Mr. Sexton was brought on board, in large part, to help the City determine how these airports could be operated more effectively and whether or not the City should be in the airport business at all. Mr. Sexton's responsibilities while at the City are clearly articulated in agreement between the agreement and the City; I have attached a copy of that agreement to this memo. While an integral part of our discussions with the FAA, Mr. Sexton was not brought on board to manage the Sunroad building issue.

Mr. Aguirre has alleged that the service agreement that Admiral Froman signed on behalf of the City with the Airport Authority is "illegal." We wholeheartedly disagree. Mr. Aguirre and I will just have to agree to disagree on this issue. The services agreement does not require the City Attorney's review or approval. Moreover, the City Attorney was aware of the arrangement with the Airport Authority. This issue was discussed at a Rules Committee meeting in early April at which Deputy City Attorney Catherine Bradley was present. No objection was raised at the meeting when the arrangement was discussed and to date my office has not received any correspondence regarding the loaned executive program.

I will keep you apprised of any additional developments on this issue.

Thank you.

cc: City Attorney
Andrea Tevlin, Independent Budget Analyst
Ronne Froman, COO