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Sunday, June 17, 2007

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Sanders hasn't got a shred of credibility left. 06/13/07

by Pat Flannery

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I went to Mike Aguirre's press conference on the 13th floor of City Hall yesterday. It promised to be a big one, and it was. As I set up my little home video camera I joked with the big boys to move over that YouTube was here. Gene Cubbison (NBC 7/39) quipped "*oh, oh, we're going global*". Seriously though, the Internet is a beautiful thing and is doing wonderful things for democracy.

Mike started out by telling us that he discovered Sunroad documents in Ted Sexton's airport office. These documents had been illegally moved from Sexton's city office to his airport office (Sexton is on loan to the City from the Airport Authority).

He went on to tell us that he has been told, apparently by the airport authority's legal counsel, that there are more Sunroad documents in Sexton's airport office, but they will not be turned over to the City Attorney and that Ted Sexton has left town. Wow!

I have posted below the various documents Aguirre has obtained, as they become appropriate in my narrative. They really do make a liar out of Sanders.

First Mike held up a thick wad of architect's drawings, the entire plans for Sunroad 12, discovered in the office of a guy Sanders said had nothing to do with Sunroad.

Then Mike dealt with a previously withheld [March 2, 2007 letter](#) from Sanders to Alan Bersin, Chairman of the San Diego County Regional Airport Authority. In this letter Sanders pretended that he knew nothing about the [Notice of Hazard to Aviation](#) issued by the FAA on August 11, 2006. He said that he had been "*unable to get a clear analysis of whether or not the building is a safety risk to aviation*". What a whopper. I guess he thought that letter was safely beyond Aguirre's reach in Sexton's airport office. No wonder Sexton left town in a hurry, Sanders must be livid at him.

The big lie to the people of San Diego is Sanders' repeated statements that Sexton was not brought in to help with Sunroad, when the entire letter is all about the Sunroad. Sanders' was requesting help in solving Sunroad and wanting "*changes to operations or notices that would eliminate the risk*". Here is [Bersin's reply](#) thanking Sanders for his letter "*in which you request assistance from the San Diego County Regional Airport Authority to help resolve issues surrounding the Sunroad Enterprises building near Montgomery Field*".

Nowhere does Bersin mention the "wider issues" Sanders is now peddling.

He could have solved the safety problem in a heartbeat by simply revoking the illegal permit he issued on July 7, 2006. But he could hardly do that when it was he himself who issued it. Nobody else could have, not even Escobar-Eck. Nor did anybody else authorize the "winterizing" nonsense on December 21, 2006, two days after Feldman's visit to his office. Again, Escobar-Eck would never have signed without Sanders' authority. Otherwise he would have fired her long ago. And Froman knew that!

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[Sanders' smoke](#)

What particularly galled Aguirre was that on the very day they stood together on the same platform, there on the 13th floor, May 18, 2007, the day Sanders [told the people](#) that he took full responsibility and would conduct an investigation, his hiring from the Airport Authority, Ted Sexton, was busy [finalizing arrangements](#) for a secret meeting with the FAA in Fort Worth, Texas. Now [that](#) is devious and dishonest.

Here is the [PowerPoint presentation](#) this Ted Sexton, Vice President, Regulated Operations, San Diego County Regional Airport Authority and Jim Barwick, Director, Real Estate Assets, City of San Diego, had prepared for a presentation to the FAA for four days later on May 22, 2007. Notice that the proposal said nothing about lowering the building height to 160 feet, only to "*Modify Flight Procedures to restrict circling approaches north of Runway 5/23*", exactly where the Sunroad building is located.

Why else was Sexton hired? As VP for "Regulated Operations" he knows this stuff backwards. Sanders hired him as a lobbyist for Sunroad, on City money.

Here is the rest of the PowerPoint presentations, [one segment offered a spurious "City's Flight Safety Proposal"](#) and another [offered an even more spurious "Sunroad Hazard Elimination Proposal"](#). All requested the same thing, "*changes to operations or notices that would eliminate the risk*", exactly what Sanders had requested in his letter to Alan Bersin on March 2, 2007. Now Sanders is denying the whole thing.

This would be a good time to view the 9 minute video  of Mike's lawyerly presentation of the above evidence. Between the video and the above documents you will have a very clear idea of what actually happened.

Mike then leads us through the meeting with the FAA in Texas. He notes [the email that ties Ted Sexton to Tom Story](#) and the "data" Sexton shared with Sunroad, but which was not shared with the City Attorney. Sanders has been telling the media that he is fully supportive of Aguirre's civil lawsuit against Sunroad, while all the while withholding documents and "data" from him. Is our Mayor actually working against the City in a civil lawsuit by helping a defendant who happens to be a developer? It seems that way.

At the very moment that Sanders was vehemently denying that he had borrowed Ted Sexton from the Airport Authority to lobby the FAA on behalf of Sunroad, and at the very moment he was telling the people who live south of Montgomery Field that "*nothing could be further from the truth*" (a favorite expression of Sainz, which gives you some idea of who writes this stuff) Ted Sexton was writing [this email to the FAA](#).

Note the date, May 30, long after Sanders' [May 18 press conference](#). Note that Sanders only wanted to eliminate "**any public perception of a hazard**" not the hazard itself.

At that press conference Sanders said that he had merely sent a letter to the FAA proposing, among other things, that Sunroad should reduce the building height to 163 feet. [But here is Sexton's proposal](#), scheduled to be [presented to the FAA only 4 days later](#), complete with the above PowerPoint presentation.

It never even mentions reducing the building height to 163 feet!

It is clear therefore that up until just a few days ago, until he got caught by Aguirre, Sanders was using a borrowed top ranking Airport Authority official, to get the FAA to change its rules in order to accommodate the illegal Sunroad building. At the same time he was telling the people of San Diego the exact opposite. It was his promise never to tell such lies that got him elected.

Aguirre then summarizes the situation, starting with Lansdowne's refusal to serve the warrant on Tom Story, Sanders' failure to disclose what the FAA told them in Texas, whether Sanders authorized the July 7, 2006 permit and the sudden resignation Monday of the person who was supposed to get to the bottom of it all, Ronne Froman.

[and mirrors budgeting.](#)
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[Sunroad shows that the City Attorney must represent the people.](#)
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[Sanders preens while the city burns.](#)
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[The Mayor's reform image is wearing a little thin.](#)
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[Scott Peters is a menace to democracy.](#)
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[Scott Peters is delusional.](#)
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[Well done Donna, you were right all along.](#)
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[Mayor Sanders' all-embracing puppet show.](#)
03/09/07

[Viva La Jolla! Let's hope the rest of the city follow.](#) 04/05/07

[Maybe Aguirre was just sleep-walking with a guy named Sanders](#) 04/04/07

[Warrantgate: what did the Mayor know and when did he know it?](#)
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Mike admitted that the establishment, the Mayor, Police Chief and District Attorney, have tied the hands of the City Attorney and are refusing to take action against their establishment friends. It made for sobering listening. This city is in deep political trouble.

Watch the video  as Aguirre explains the present situation.

One of the documents that intrigued me was [this one](#). In it, Airport staff confirm that *"the City was obligated by State law to send all proposed projects affected by the ALUCPs within their jurisdiction to the ALUC for a Consistency Determination"*. Not only was the July 7, 2006 permit illegal but the Substantial Conformance Review was illegal.

Mike finished up by appealing to the media to "dig deep". He pointed out that we have a prosecutorial problem in San Diego and that *"corruption, at least right now, has won out"*.

This the final portion of his press conference . It should give any San Diegan cause for concern.

Donna Frye thought Aguirre's press conference was so important that she actually left her City Council seat and came upstairs to support Mike and make some points of her own, particularly about the public's right to know and the lack of information from the Mayor. She was particularly appalled at the Mayor's lack of response to her numerous inquiries over many months concerning Sunroad and the known safety issue over there.

Here is the video  of her passionate presentation.

Fred Sainz, the Mayor's PR man, took the podium after Aguirre left, to take advantage of the five cameras present (not counting mine). He tried to play the whole thing down and suggested that Aguirre was hyping it to get back at Sanders for firing 14 City Attorney's.

I think it goes much deeper than that. There is no doubt the Mayor lied to the people of San Diego. And Fred Sainz will have a tough time spinning the Mayor out of this one.

Lying is an unforgivable sin in politics. Ask Richard Nixon.