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San Diego office tower raises an uproar

An office building that lies in the middle of a flight path is rekindling political scandal.

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San Diego

One might think it would be impossible for a developer to erect a building so tall that it blocks a flight path to an airport.

Not in the topsy-turvy political world of San Diego, where the construction of a new office tower is spawning allegations of corruption and municipal incompetence. It's the latest brouhaha in the saga of a near-bankrupt city reeling from years of scandals and mismanagement.

The crux of the matter – and the catalyst for a \$40 million lawsuit and the crumbling of the mayor's reputation – is an ordinary 12-story office building that somehow managed to be approved, built, and nearly finished even though it is 20 feet taller than the Federal Aviation Administration (FAA) says it should be. It is, after all, smack in the middle of a flight path that private pilots use during bad weather.

How did it get built in the first place? Good question. The developer, the city, and the FAA are all busy pointing fingers, while the city attorney is using the case to cast his biggest enemy – the mayor – as a crook.

Razing the roof?

The latest twist came last week when the developer reluctantly agreed to tear down the top two floors of the office tower. But that's far from the end of the matter, since at least two investigations are ongoing and the developer is in no rush to break out the wrecking ball.

"There's so much in this that we don't know. It's hard to come to firm conclusions about what actually went on," says Brian Adams, a political scientist at San Diego State University.

But he says one thing is clear: Mayor Jerry Sanders, a former police chief who was elected in 2005 on a platform of reform and good government, has lost his halo.

"He didn't come out of this looking efficient and businesslike," Mr. Adams says. "For the first time since becoming mayor, he really stumbled on an ethical issue."

Mayor Sanders has found himself in hot water over his relationship with Sunroad Enterprises, developer of the building. Sunroad gave a reported \$3,600 to the mayor's campaign, and critics charge that Sanders sat on his hands as construction of the office tower continued despite warnings by the city attorney. He only recently began aggressively taking on the developer.

In the line of flight

The building sits next to a freeway about a mile from Montgomery Field, a community airport. According to the FAA, the building is too tall and juts too far into airspace. But the FAA doesn't have the power to stop construction, and the city approved the tower before trying to stop it months later.

The developer, whose spokeswoman didn't return messages seeking comment, has fought to keep the building intact, even filing a \$40 million lawsuit against the city.

The office-tower saga has been front-page news here for months, coming on the heels of several years of municipal scandals and indictments. Among other things, two council members were convicted on charges that they were bribed by strip clubs (one prevailed on appeal and is awaiting retrial) and a third died before being tried.

In addition, the city went through four mayors in a matter of months, was hit with a multibillion-dollar pension-fund deficit, and came dangerously close to bankruptcy. Budget cuts have hit a variety of services, including libraries that are now open past 5:30 p.m. only twice a week.

Critics charge that the troubles are the result of a long-standing culture of corruption. Their champion, a whirling dervish of a city attorney named Mike Aguirre, has hurled accusations at the mayor and demanded a prosecution of a Sunroad executive on illegal lobbying charges, but a judge blocked him.

An internal inquiry

In response to the city attorney, the mayor "called his bluff" and asked the state attorney general to launch an investigation, says Sanders's spokesman Fred Sainz.

Meanwhile, the city's new eight-employee ethics office, overseen by the mayor, is investigating the mayor's office and scheduled to release a report Thursday.

The idea of a cozy let's-investigate-ourselves arrangement has set tongues wagging, but Mr. Sainz says, "We might as well learn from our own mistakes. I don't think there's anything wrong with that."

More legal wrangling looms on the horizon, but there's still hope for the city, says Thad Kousser, a political science professor at the University of California at San Diego. "The lesson of Sunroad is that there's a lot more sunshine in San Diego government right now."

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