

The Sandpiper



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Noise and Urination!

By Paul Masters

The February Planning Commission meeting was the scene of a lively debate over which bars cause noise and public urination. Officially, the subject was an application from En Fuego Bar & Grill to extend its liquor-serving hours from 11 p.m. to 2 a.m.

Owner John Wingate said the restaurant serves only late-night drinks, since nobody orders food that late.

Harvey Shapiro, former mayor, said there is a clear problem with rowdy patrons on the street and urinating in public. He said its music is heard loudly at his home on upper 15th Street.

Paul Masters of lower 15th Street, reported that he also hears En Fuego's late-night music, that people carry drinks from bar to bar and urinate on buildings.

Tricia Smith, owner of the En Fuego building, said that urinating patrons come from the nearby deli, and noise comes from Bully's and other restaurants.

San Diego attorney Don Worley said that resident complaints are a "tremendous distortion." He questioned Masters' credibility - that he has a campaign against bars, can't possibly hear music at 15th Street, and has no evidence of rowdiness.

Joe Jelley, of Jelley Real Estate, said that Bully's was a probable source of noise and that Bully's stood to benefit financially from denial of En Fuego's application. Commissioner John Giebink reported witnessing a raucous scene at En Fuego. The matter was continued to March 11.

Masters is a 4 1/2 year resident of Del Mar and a computer writer and systems analyst.

Fairgrounds Jamboree To Draw 15-20 Thousand

Fifteen to 20 thousand people are expected at the Del Mar Fairgrounds May 10 or 17 for a Boy Scout Jamboree.

The event was originally scheduled for Jack Murphy Stadium but construction there caused a return to the Fairgrounds, where it was held until moving to the Stadium several years ago.

Tough Choices Ahead on Costs And Programming for Local Cable TV3

By Chuck Newton

TV Cable subscribers in Del Mar face a choice of higher fees or drastic reductions in service on community cable Channel 3.

That became clear in a lengthy workshop on renewal of CableVision's cable franchise, at the February 18 City Council meeting. Highlights:

Since the original franchise contract in 1981, federal laws have emasculated most local control over cable operators. It is now very difficult to cancel an existing franchise; and a cable operator can pass on to its subscribers any fees or payments required by the city.

The original franchise was granted to Daniels CableVision of Denver. Its owner, Bill Daniels, personally presented his bid for the Del Mar franchise, noting that he owned property here. In 1988, he sold the Del Mar franchise to a huge national cable conglomerate, TCI, which continues to own it.

CableVision now contributes \$126,000 a year to operate Channel 3, the city \$58,600. Under the new federal rules, if

Planning Staff Seeks Simplified Permits

At its March 11 meeting the Planning Commission is scheduled to hear staff proposals for simplifying some permit procedures, according to Jim Sandoval, Director of Planning and Community Development.

One proposal would eliminate some overlapping between the Planning Commission and Design Review Board over building permit applications in the Open Space and Bluff, Slope and Canyon zones.

Another proposed change would authorize city staff to approve permit applications in the Floodplain Overlay zone, except in those few cases where discretionary judgement is required.

The changes are designed to reduce the time and effort now required of permit applicants in the affected zones, Sandoval said.

CableVision continued to pay \$126,000, it could bill each subscriber 50¢ more a month.

CableVision says that \$150,000 of Channel 3's equipment is outdated, and the company is not inclined to pay for it. But it would lend that sum to the city and recover it by billing subscribers another 50¢ a month for 15 years, charging the city no interest.

THE DISCUSSION Franchise Cancellation

Assistant City Manager Joe Hoefgen said federal law now requires renewal of existing franchises unless there have been gross violations of the existing contract, or refusal to enter into discussions of the community's service desires. He said either would be hard to prove under the FCC rules.

Peter Kaye, co-chair of the city's Cable Television Advisory committee, CTAC, said he's pleaded for years to include UCSD's Channel 35 on local cable, as do many other cable systems in the area. But CableVision bluntly refuses. Yet, he noted, CableVision recently found room for five news channels. "Who needs them all?" he asked, pointing out that he himself is in TV news.

Brooke Eisenberg ridiculed CableVision's claim that it carries channels in response to subscriber surveys. Instead, the choices are made by TCI in Denver, she said, noting that recent changes in CableVision's lineup went into effect at the same time in other local TCI holdings.

Councilman Dave Druker and others said they also missed the channels recently discontinued.

Jerry Winterer decried CableVision's dropping classical music from its FM radio channels, noting it is still available from channel 92.1 in Escondido and 91.5 Los Angeles. "We're going to see a bunch of rooftop antennas sprouting up again if you don't watch out!" he said.

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