

————— *Bringing The Community Together* —————

K E N S I N G T O N

O U T L O O K

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JUNE 2011

A PUBLICATION OF THE KENSINGTON COMMUNITY COUNCIL

VOLUME 68 NUMBER 5



Photo: Marty Westby

## In This Economy, College is the Place to Be!

Continuing in our annual tradition, we'd like to congratulate the graduating high school seniors – those who live in Kensington or who attended Kensington Hilltop Elementary School.

Below is a list of the seniors, including their current high school and the school they will be attending in the fall. Bon voyage, seniors – and good luck!

1st row, kneeling: Alice Chen (El Cerrito, UC Berkeley); Anna Page (St. Mary's, UC Santa Cruz); Kristen Jones (St. Mary's, University of Oregon); Fernanda Manriquez (Berkeley, UC Santa Cruz); Brisa Bodell (Albany, Brown); Brooks Brorsen (El Cerrito, Sonoma State); Tianna Diaz (Albany, UC San Diego); Franny Diehl (Albany, Amherst); Nicolas Lo (Berkeley, USC);

2nd row standing: Hannah Kessel (Albany, Occidental College); Heather Bates (Albany, University of British Columbia); Cyrus Khambatta (El Cerrito, CSU Monterey); Mariana Castro (El Cerrito, Wheelock College); Tiffany Shem (El Cerrito, UC Davis); Jackie Ho (Albany, UC Davis); Miguel Mejia (Albany, Berkeley City College); Curtis Maslonkowski (Albany, Cal Poly); Michael Whittemore (El Cerrito, UC Berkeley School of Engineering); Robert Ramirez (El Cerrito, Chapman); Jamie Pines (El Cerrito, UC Berkeley);

3rd row, on stairs: Hayden Flores (El Cerrito, Chico); Daniel Baldassare (Head Royce, UC Davis); Joseph Chanowitz (Bentley, UC Davis); Aviana DesVerney (Albany, Berkeley City College); Christopher Haxo (El Cerrito, Willamette); Ryan Hamana (El Cerrito, University of Washington); Tonio Altieri-D'Alo (El Cerrito,

*see Grads, Page 5...*

## Bay View Refuse: Rate Increase Headed for Approval?

PROP. 218 HEARING THURSDAY, JUNE 9TH

At the April 14th KPPCSD meeting, General Manager Greg Harman presented to the KPPCSD Board, Bay View Refuse and Recycling Services, Inc.'s request for a 6% increase to rates for regular residential can pick up (and a 23% increase to the mini-can rate), effective Sept. 1, 2011. (KPPCSD contracts with Bay view for solid waste removal.) Greg also presented the Board with his recommendation, that of the District legal counsel, and that of HF&H Consultants LLP, the rate reviewer hired by KPPCSD, all of whom opined that, in light of the terms of the Franchise Agreement with Bay View of 9/11/97, a rate increase is not warranted at this time.

Despite these recommendations, the KPPCSD Board approved, on a 4 to 1 vote, the scheduling of a Proposition 218 hearing on the matter, to take place on Thursday, June 9th at 7pm at the Community Center. (A Prop. 218 hearing is a constitutionally mandated public hearing that, since 1996, must be held prior to the increase of property-related fees in California.) The Board has the power to grant or deny the rate increase at its discretion unless written protests are submitted by a majority of Kensington solid waste collection ratepayers, in which case the requested rate changes will not be imposed.

According to the April 14th meeting agenda prepared by the General Manager, in addition to applying for an annual CPI increase, the agreement with Bay View provides that the company can increase rates in either of two circumstances: (1) in order to achieve a 12% pre-tax profit, following a quadrennial (every-four-year) comprehensive review of revenues and expenses;

*see Rates, Page 6...*



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Todd and Ron                    524.0800

85 Ardmore Road            Kensington

Great opportunity to live in Kensington! Lovely, light-filled 4br/2.5ba with expansive backyard and mature fruit trees. Just blocks from Village and SF bus.    Offered at \$599,000.

Amy Kurzer                    527.5500

531 Beloit Avenue            Kensington

New price! Bright cottage just steps to Tilden Park! Established garden, sunny eat-in kitchen, 2br/1ba plus garage bonus space for office or workshop. Offered at \$525,000.

Todd and Ron                    524.0800

94 Purdue Avenue, Kensington.

Incredible panoramic bay & SF views from this premium lot on private section of Purdue Avenue known as "The Maybeck Estates." Direct access to Hilltop Elementary School and Tilden Park hiking trails from property.    Offered at \$495,000.

Todd and Ron                    524.0800

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LETTERS TO THE EDITOR

Bay View Rate Increase

Dear Editor:

Bay View Refuse and Recycling Services, Inc. has requested a rate increase of 6% increase in services generally, and a 23% increase in the cost of a mini can, including narrowing the cost between the large can and the mini can on a permanent basis.

The KIC Board believes that Bay View's request is an attempt to circumvent the existing agreement and will not benefit Kensington ratepayers. Increasing the cost of the mini can will work directly against Kensington's efforts to fulfill the state mandate to reduce landfill requirements. AB 939 requires a 50% reduction in trash that is sent to the landfill. New legislation may increase that required reduction to 75%. Maintaining the low mini can rate provides an economic incentive for Kensington to meet these mandates.

While KIC believes we receive good service from Bay View, it's clear from reading the Agreement and the Rate Adjustment Analysis, that Bay View is being compensated fairly. Furthermore, Bay View agreed to the method of calculation and review for rate adjustment. No provision in the Agreement supports Bay View's current request for more money. KIC urges you to send letters in opposition to the rate changes, to KPPCSD prior to June 9th.

Sincerely,

Melissa Holmes Snyder, President of KIC,  
on behalf of the entire KIC Board.

More on Refuse Rate

Dear Outlook Editor,

Regarding the proposed increase in fees for weekly garbage collection: I fail to see the rationale for increasing the fee for mini cans by 23 percent, and all other, larger cans by only 6 percent. Some of us with mini cans, holding 20 gallons are smaller households on fixed incomes and we also have the smaller cans because very little of what we throw out goes into the garbage. The rest is either recycled or composted. Why should we be penalized for being good citizens and protecting the environment? If it was possible to have garbage collected only every three weeks, that would be sufficient for me. I am not against a fee increase; I am only against the unfairness of the proposed fee increase. However if the Service District and Bay View Refuse do not rectify the situation, I will have to vote with those who are against any fee increase.

Valborg Thomas

Food Sovereignty II

Editor:

I wholeheartedly agree with Michael Jackson's comments regarding food sovereignty, in the May issue. I'd like to see small-scale urban farming, including keeping bees and hens, become legal in Kensington, too. Reducing "food miles," the distance from farm to table, is one step in the right direction away from fossil-fuel dependence and towards local resilience. Our neighbors in Albany and El Cerrito have recently eased regulations in this area. We should follow suit.

I'm working to establish a local offshoot of the worldwide, grassroots Transition Movement here in Kensington. Re-localizing and re-skilling in the face of challenges such as peak oil and climate change are positive steps we can take towards a more sustainable, prosperous future. I welcome others interested in these topics to contact me at [transition.kensington@gmail.com](mailto:transition.kensington@gmail.com), or "like" Transition Kensington on Facebook.

Police 'Crackdown' Over?

Is the "crackdown" over? Kensington Police were ticketing local residents, it appeared, with abandon in April. Our friendly, helpful police force has suddenly turned punitive, apparently due to a few loud malcontents who are probably retired and move more slowly. Citing speeders on curves on The Arlington (where accidents have occurred) can be fully justified. But it is of doubtful value otherwise (except monetarily). It is a near \$200 ticket and close to \$300 if one attends traffic school to keep one's record clear. It is wrong to cite cars going over the speed limit moderately on Franciscan Way where there are no intersections and often no dog walkers, runners, or bikers. If any one of these is present one should be much more careful. This is a slope where it is difficult to restrain a heavy car to under 30 mph without constant braking going down the hill. There are no houses on the west side of the street, only dead people, and little to no activity from the houses on the East side. Yet a Kensington Police unit partially hidden can often be seen at Sunset Drive and Franciscan Way lying in wait for prey. As if this is not enough, a patrol car has been seen on the north side of Franciscan Way, hidden by being over the rise, to trap the autos going uphill. Autos slow down to make the 90 degree turn at Sunset Drive and Franciscan Way so there is little speed, or incentive to speed, at this point. So, what is the point? Kensington patrol cars have twice been observed by me stopping cars on Colusa Ave. near St. Jerome's School. This is not in Kensington the last time I checked. Is there some kind of unholy alliance between Kensington Police and El Cerrito Police for Kensington Police to cite motorists in El Cerrito? A Kensington Patrol car has also been spotted on the uphill side of Sea View near the lower curve, so obviously he was not pursuing a speeding motorist out of Kensington.

If this is a hidden tax to extract more money from errant motorists for the KPPCSD, what are Kensingtonians to do? Should we all buy radar detectors? Let our Kensington Police return to pursuing real criminals and being the friendly, helpful members of our community we have all known in the past and expect in the future.

Anonymous

KPD Gender Equality

Dear Outlook Editor,

As a young engineer in a male-dominated field, I watched qualified young women engineers bear a cross no male had to face: the presumption that gender preference, not skill, was a major factor in hiring.

I fear the recent KPPCSD moves to institute or imply affirmative action may set up a similar negative presumption on the police force.

I urge the KPPCSD to instead aggressively recruit to bring additional female applicants to the table. Then, hire strictly on merit. This reduces potential entanglement in proposition 209, and ensures that when a woman officer is finally sworn in, she, her co-workers, and the public know that an unquestionably qualified candidate was selected.

Bryce Nesbitt  
Ardmore Road, Kensington

More Letters, Page 5...



# K E N S I N G T O N C O M M U N I T Y   E D U C A T I O N

## SUMMER DAY CAMP

(KCC) Summer Camp is for children entering first grade through sixth grades in fall 2011. The camp runs from June 13th through August 19, 2011, Monday through Friday from 9:00 a.m. to 5:00 p.m. Campers may enroll on a weekly basis. Extended daycare 8-9am and 5-6pm is available for an additional fee.

The price for one week of camp is \$205 (except Week 4, July 5th- 9th, \$160.00). Our camp has a maximum of 62 children per week. Each week campers will enjoy: Field trip by private bus to points of interest around the Bay Area such as Scandia, Water World, the Exploratorium and the Jungle. Special interest activities include carpentry, art, golf, engineering and cooking.

### Registration

**On-going KCC Summer Day Camp Registration: Walk-ins welcome.** Parents may register their children on a space-available basis. Camp schedule and registration forms are available on-line on the *AboutKensington.com* website, with a Camp Video under “Children Services.” For more information, call the KCC office at (510) 525-0292.

## KIDS AFTER SCHOOL

Located in the East Bay hills at 59 Arlington Ave., the Kensington Community Council’s After School Enrichment Program (KASEP) spring classes are underway and continue through June 3rd. KCC office hours are Monday-Friday, 10:00am - 4:00pm. We can be reached at 510-525-0292 or [kccrec@yahoo.com](mailto:kccrec@yahoo.com). Check out the new video of KASEP Programs produced by Dona Turner Videos, smile while you watch our KASEP kids in action: *AboutKensington.com* website, under “Children’s Services.”

KASEP fall registration will be held on Tuesday, September 13; the first day of the fall session is Monday, September 26th.



KASEP Cooking Class: The Next Julia Child?

### \*Special Activities Schedule:

#### Week 1: June 13 – June 17

- Carpentry with Sandy Thacker
- Field Trip to The Jungle

#### Week 2: June 20 – June 24

- Dynamic Engineering with Lance Akiyama
- Field Trip to Lake Anza

#### Week 3: June 27 – July 1

- Art for Fun with Jeanne Rehrg.
- Field Trip Oakland Zoo

#### Week 4: July 5, 6, 7 & 8

- (July 4th holiday)
- Golf with Alex Brown
- No field trip



Future Olympians Take a Break

#### Week 5: July 11 - July 15

- Gymnastics with Judy Baker
- Field Trip to Scandia

#### Week 6: July 18 - July 22

- Gymnastics with Judy Baker
- Field Trip to The Exploratorium

#### Week 7: July 25 – July 29

- Cooking with Vicky Brodt
- Field Trip to Water World

#### Week 8: August 1 - August 5

- Sports & Games with Kim Roots
- Field Trip to Lake Temescal

#### Week 9: August 8 - August 12

- Recycle sculpture with Jeanne Rehrg
- Field Trip to Pier 39 / Alcatraz/Aquarium

#### Week 10: August 15 - August 19

- Wearable Art with Marge Essel
- Field Trip to The Jungle



Melissa Lambie, KCC Summer Camp Director

## RECREATIONAL CLASSES FOR ADULTS

### HOOP POWER

#### Weekly Morning Hoop Dance Class

**Tuesday Mornings, 8:45 – 9:45am**  
**Drop-ins Welcome! \$12 per class or \$40 per month. Kensington Community Center/Youth Hut**

Fun and fitness, movement and meditation are all found in hoop-dance. We will start with basic waist hooping, moving on to more intermediate moves both on and off the body, all while discovering your own dance in a hoola-hoop and the soothing, meditative aspects of hooping.

No hoop experience necessary. This is a beginning class. Please wear comfortable clothes and bring water. Hoops provided for class and will be available for purchase.

Kaye Anderson is the founder and lead hooper of Hoop Power. She is also a clinical social worker who has been working with children, teens, and families for over 15 years.

Questions: [kayelcsw@hotmail.com](mailto:kayelcsw@hotmail.com) or 919-2783. Registration: 525-0292 or [kccrec@yahoo.com](mailto:kccrec@yahoo.com).



Stan Cohen's Wednesday Artists

### ACRYLIC PAINTING

**Wednesdays, 9:45am - 1:30pm**  
**\$32/month (\$36/nonresidents)**  
**Community Center**

Stan Cohen (533-3003) leads this informal but professional workshop for established and serious beginning adult artists. Mornings are devoted to developing painting, with assistance available. Afternoons are reserved for class critique. Enrollment is limited. Instructor approval required.



User-Friendly Pilates (yoga) with Ernie

### USER-FRIENDLY PILATES

**Level II (Intermediate Class) with Ernie Adams.**

**Wednesdays. New session starts July 20th - August 24th, 7:30-8:30pm, 6 class series • \*\$75.00 residents/\$76 non-residents/\$15 drop-in (1st class only)-mats provided • classes held in the Kensington Community Center (Youth Hut), 59 Arlington Ave. NOTE: There is an On-going class now in session through June 29th (located at Building E, next to KCC Office, south of soccer field) that you may drop-in to (\$15) – mats provided.**

Intermediate Pilates is faster paced and more challenging than beginning level classes. We will work with perfecting Pilates core strength exercises, building endurance, and also use Foam Rollers, Pilates Mini-ball, and Therabands. Taking this class can help you get fit in a way that reduces the chance of injury, while improving posture, balance and coordination. Some experience required in Pilates or Yoga, or permission of instructor.

Pre-registration is encouraged. Please sign-up early to guarantee a space. To register, drop by KCC Office (M-F 10-4), or send checks payable to KCC, 59 Arlington Ave., Kensington 94707. Ernie will be at the studio 10 minutes before the class. Feel free to come early if you have any specific questions.

Ernie Adams is a Pilates Instructor and Feldenkrais® Movement Educator, with an extensive background as a professional dancer. He has over 17 years experience collaborating with physical therapists to treat orthopedic, neurological, dance and sports related injuries. Private sessions are also available. For more information, or to make an appointment, please contact Ernie at 619-9223, [adams@bodyinaction.com](mailto:adams@bodyinaction.com), or [www.bodyinaction.com](http://www.bodyinaction.com).

## REGISTRATION


**Tennis Court Reservations:** For weekends and holidays only, beginning at 9am. Call the KCC office for information. Court Fees: Residents – \$2 for a 45-min. singles reservation. Nonresident: \$5.

**Kensington Community Center Rental Information:** Please call KPPCSD (Kensington Police Protection & Community Services District) at 526-4141.


**KCC/KASEP Office:** 59 Arlington Ave., Building E (Across the grassy field above the tennis courts in Kensington Park), Kensington CA 94707. Email: [kccrec@yahoo.com](mailto:kccrec@yahoo.com). Telephone: 510-525-0292.



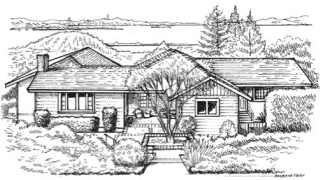
Listing Update



*14 Marchant Court, Kensington*  
A Bee Renovated home. Newly restored Traditional with panoramic views. Four bedrooms and two and one-half baths. Offered at \$865,000



*411 Boynton Avenue, Berkeley*  
Lovely Mediterranean (c. 1930). Three-plus bedrooms, two and one-half baths. Offered at \$850,000



*2 Franciscan Way, Kensington*  
Expansive four+ bedroom, three++ bath ranch home with views and state-of-the-art kitchen. Offered at \$1,195,000

Kensington Market Snapshot


As of 5/1/2011- 15 properties are currently available  
6 properties are pending  
Average days on the market - 69  
9 properties have closed escrow since 3/1/2011

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Neighborhood Notes

The Morfins are Morphin'

Peter and Emily Morfin, 28-year residents of Kensington, are happy to announce the birth of their first grandchild, Vivienne Lucia Urias Morfin, born on April 26th to their daughter, Leah Morfin and Peter Urias. Vivienne arrived the same day Leah completed a 4-year, double degree program graduating with a JD from New York University Law School and a Masters in Public Administration from the Harvard Kennedy School. Leah and Peter currently reside in Kensington, walking distance for the new grandparents!



*Tepco – El Cerrito's contribution to the world of ceramics – Sunday, June 5th, at 1:30pm at the El Cerrito Senior Center*

Kensington Hilltop Spring Carnival Has Sprung

Event co-chair, Kim Keller wanted everyone to know that this year's Kensington Hilltop Spring Carnival was a great success. The energy was high, and the mood was happy. The cakewalk music had everyone moving while they lined up to play a broad assortment of games. The quilt- and prize raffles delighted winners; Tri-tip sandwiches, sausages, and other lunches were devoured by hungry patrons while others shopped for deals at the White Elephant-, bike-, and plant sales. According to reports – and we have no reason to doubt them – kids flocked to the lollipop and cotton candy booths, and some came away with colorful tongues after eating sno-cones. There were opportunities for face painting, fortune telling, hula hooping, hair wrapping, and – for those that go in for that sort of thing – water-balloon catapulting. All proceeds benefit the Kensington Hilltop Elementary PTA. Next year's carnival will take place on Saturday, May 5, 2012. And where is Norman Rockwell when you need him?



Last Month's Kensington Car Meet & Paths Benefit

Kensington Service Station owner, Jason Simms, reports a great fundraising success with \$450 dollars raised for the Pathways Project. More than 30 cars strutted their stuff – and their struts, and Jason reports people are already excited about next year. Thanks to co-sponsors, Ace Hardware and Sugar Cone Cafe. Way to go, Jason!



*Mike and Otto Carver in their '23 Ford*

Paths, Pig Valves, and Echocardiograms

According to Paths Committee member, Bryce Nesbitt, progress on the Kensington paths continues on three fronts. Immediate neighbors continue to keep clear most of the paths, most of the time. Many neighbors have proudly maintained nearby sections for decades... The KIC is available to fill in gaps in maintenance coverage. The committee has built steps, trimmed, cleared, and removed graffiti. The recent work party on Stratford/Coventry path removed 800lbs of plant materials. KPPCSD continues to explore if it can formally accept ownership of the pathways that have no owner. If so, the KPPCSD would become ultimately responsible for the paths, protecting the County and neighboring homeowners in case of a liability issue. With ownership, certain problems would fall to the KPPCSD for solutions (for example the failed 12" drainage pipe from Highland Ave)... The Amherst/Arlington pathway continues to be the exception. The Diablo Fire Safe Council offered a grant to clear the heavy brush and bamboo on this path. However, the conditions of the grant required that the neighbors endorse the effort, which has not happened. Instead, those neighbors either wish to use the land for themselves, or wish the land to be left undeveloped and unused... Meanwhile new Paths Committee member, Gretchen Gilfillan was pitching in on path clearing last month, just thirteen weeks after having had a pig valve implanted in her heart to restore blood flow that, but for an echocardiogram, she wouldn't have known she was missing. Now everyone will be wanting one!



*Gretchen Gilfillan, new Paths Committee member*



*New KPPCSD Secretary, Anita Gardyne – Welcome, Anita!*



*Last month, Kensington/El Cerrito fire fighters gave instructor Rob John's Hilltop Elementary first grade class a guided tour of the fire station*

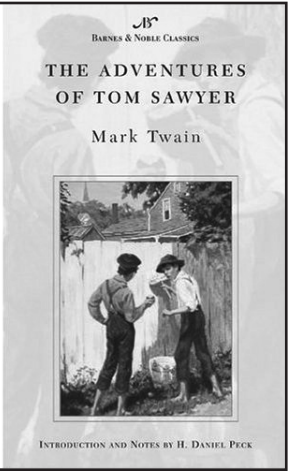


## Kensington Reads

What would happen if all of Kensington read the same book? This fall, we'll have the chance to find out as the Kensington Library holds its first One City, One Book program entitled Kensington Reads. This first-time event for our community coincides with Kensington's centennial and will provide many opportunities for Kensington to celebrate our 100th anniversary.

The title selected for the kick-off of Kensington Reads is Mark Twain's *The Adventures of Tom Sawyer*. Tom and his adventures have entertained generations of readers, and the Kensington Library invites all members of the community to become reacquainted with this wonderful tale. As with his other works, Twain's writing remains fresh and insightful. While the book was written for children, it has much for adults to revisit, or discover for the first time.

Thanks to generous gifts from the Friends



of the Kensington Library, the Kensington Community Council and The Kensington Improvement Club, several copies of *Tom Sawyer* will be available for checkout at the library, and free copies will also be available at several locations in town to read and pass on to friends and neighbors! The library's web site will also link to the book in free downloadable audio and e-book formats.

Mark Twain-themed activities and events will be planned in September for the entire community to participate in and enjoy, including a talk given by the director of UC Berkeley's Mark Twain Papers Project, Dr. Robert Hirst, and a visit from Mark Twain re-enactor, Pat Kaunert. October will feature a series of book discussions to suit everyone's schedule, with five for adults and five for children.

For more information about Kensington Reads, please check with the library or visit the Contra Costa County Library's website: <http://ccclib.org/>.

### ...Letters, from Page 2

#### Thanks, KPD!

Dear Editor,

I have been a Kensington homeowner for 43 years. On April 6th, 2011, my home was burglarized between 1 and 3pm while I was out. When I called the Kensington police to report this intrusion, an officer came within 15 minutes. On April 9th, when I discovered further details of the

break in, I called again and two officers came within 15 minutes. All three officers were very considerate, polite, and fully involved in trying to pull the pieces together to understand the crime. I'm very appreciative of our police force and their responsiveness, and wish to thank them.

Anonymous

### ...Grads, from Page 1

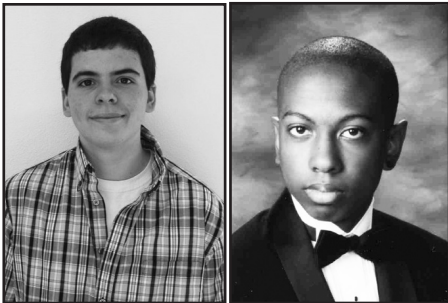
San Francisco State University); Peter Cook (Berkeley, Syracuse University); Trudy Westby (El Cerrito, UC Santa Barbara); Mitch Bovey (El Cerrito, UC Berkeley); Lena Miller (El Cerrito, John Hopkins University); Jenna Rempel (Bentley, UCLA).

Not pictured: Eric Aultman (El Cerrito, UC Santa Cruz); Arek Boyolan (El Cerrito, Cal Poly); Alex Johnson (Berkeley, UC Berkeley School of Engineering); Chiara Kamesar (El Cerrito, Santa Barbara Community College); Kate Mazzera (El Cerrito, UC Santa Barbara); Alberto Santos-Davidson (Albany, Walla Walla University); Dhananjai Shastri (Int'l School in India, UC Santa Cruz); Gabriel Smith (El Cerrito, Cal Poly).



Daniel Baldassare, Michael Whittemore, Joseph Chanowitz, and Jamie Pines: the guys, all grown up!

Friends for Life: Robert Ramirez, Tonio Altieri-D'Alo, Peter Cook, Hayden Florez, Mitch Bovey, Chris Haxo and Ryan Hamana.



3 late arrivals – not forgotten! Above, left: Raphael Cabral (Berkeley, Santa Barbara City College); Above, right: Timothy Lampkin-Little (Hercules, Wilmington Univ. at New Castle, Delaware); and below...



Amin Fawzi and happy mom (Berkeley, San Diego State University). Word to the wise, grads: If, as Woody Allen says, "Half of life is showing up," the other half is showing up on time!

BFF: Trudy Westby, Alice Chen, and Lena Miller.



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Sunset view

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...Rates, from Page 1

and (2) in the event of extraordinary costs, events, or changes in scope. (Bay View received a quadrennial rate review and increase in 2009. The new rates were implemented January 1, 2010.)

Despite the 2009 comprehensive review and the rate increase approved last year, Bay View is now requesting a mid-cycle rate increase. Again, the GM, District legal counsel, and the District’s rate review consultant have concluded that Bay View’s request does not meet the agreement’s requirements for considering a mid-cycle increase (the presence of extraordinary costs, events, or changes in scope). It is Bay View’s claim that the percentage of homeowners that has moved from regular size cans at \$32.28/mo. to mini cans at \$23.73/mo. should be considered an “extraordinary event.”

Greg says the Board has three options:

1) It could deny the rate increase, in which case under the terms of the agreement, Bay View would maintain service to Kensington; Bay View could increase rates as per the increase in the CPI as provided in the agreement (this past year for which, incidentally, it first applied and then retracted its application), work to reduce its costs in order to realize a larger profit, and/or accept a possible lower profit margin depending on the economy in 2011; or, subject to the approval of the District, assign the agreement to another company.

(In the event that Bay View wished to assign the agreement to another company, the terms and conditions of the agreement would remain in effect through 2015.)

2) The Board could move forward with the rate increase proposed by Bay View; or

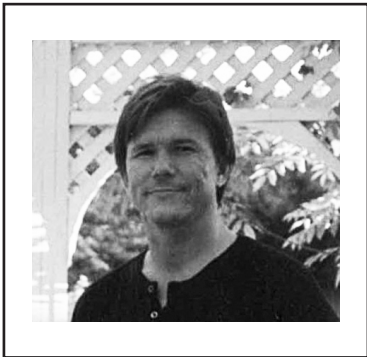
3) The Board could suggest other adjustments to the current rates.

At the June 9th hearing, Board members will decide on one of these options, as they see fit. While the decision of the directors may be influenced by testimonials both pro and con at the hearing, only written letters opposing the increase from a numerical majority of Kensington rate-payers, received by the Board at, or prior to, the hearing could compel the Board to reject the increase.

What might normally be a fairly straightforward decision about whether or not to raise the rates paid to the company that handles the town’s refuse in this case is complicated by a number of factors. While the agreed upon rate for Bay View is determined by establishing a target profit percentage (12%) over and above Bay View’s allowable costs, at least one person has discovered a possible flaw in the logic of the request – that, based upon the terms of the contract, the Board appears to be evaluating the request for a rate increase with incomplete data, resulting in an artificially low estimate of Bay View’s profit.

see Rates, Page 9...

Obituaries



Erik Flint Elliott  
1960-2011

With broken hearts we mourn the unexpected death of Erik Flint Elliott, a truly rare, poetic Viking who never let anything get him down.

Erik was a well-loved part of the Kensington community who walked, rode a skateboard, and biked up and down Arlington for the past 45 years.

He was a Boy Scout, played little league, had a paper route and attended UU church youth group. He

attended Kensington Hilltop, graduated from Kennedy High, attended College of the Redwoods, practiced Buddhism, and ran a marathon. He worked many an honest day.

Erik’s life wasn’t always easy, yet he always had a beautiful smile to give and he made friends everywhere he went.

Erik’s generosity was well-known and he provided for his family with selfless determination and genius.

He was musically gifted and his favorite thing was being with people, listening to and making music.

He was a free spirit and an animal lover who lived a simple life close to nature by choice. He was strong and tough, with the sweetest most graceful heart.

*May his fearless, loving nature live on as a beacon to the hearts of those of us blessed to have known him.*

He joins his noble dog, Ezra, in heaven.

From the Files of the KPD

Excerpt From April 2011

- 2011-2136 – On 4-5-2011, Officer Stegman responded to the unit block of Highland Blvd. to a report of arson.
- 2011-2165 – On 4/6/2011, Officer Stegman responded to the unit block of Edgecroft Dr. on a report of tampering with a vehicle.
- 2011-2319 – On 4-12-2011, Officer Stegman responded to the 600 block of Parkside Ct. to a report of attempted residential burglary.
- 2011-2460 – On 4/18/2011, Officer Stegman and Reserve Turner responded to the unit block of Purdue Ave. on a report of a theft from a vehicle.
- 2011-2468 – On 4/18/2011, Officer Stegman and Reserve Turner responded to the 300 block of Arlington Ave. on a report of an injury traffic collision.
- 2011-2505 – On 4/20/2011, Officer Stegman responded to the unit block of Ardmore Rd. on a report of a theft.
- 2011-2599 – On 4/24/2011, Officer Wilson and Reserve Armanino responded to the 200 block of Willamette Ave. on a report of a disturbance.

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# KENSINGTON CALENDAR

**June 1 The Kensington Unit of the League of Women Voters meets at 1:15pm at 631 Parkside Drive to discuss local issues. Guests are welcome. Please confirm at 527-1266.**

**June 2, 9, 16, 23, & 30 Baby & Toddler Storytime.** Stories, songs & action rhymes for young children and their caregivers. Kensington Library, 61 Arlington Ave. Two identical sessions 10:15 am & 11:15 am. Free. 524-3043.

**June 4 “The Romantics – Kensington Symphony, with Luminescence & Masterworks.** 8pm, Unitarian Universalist Church of Berkeley, One Lawson Road, Kensington. \$20/no-one turned away for lack of funds. 525-0302x302 or [www.uucb.org](http://www.uucb.org)

**June 4 Concert of Indian Classical Music.** Alam Khan – sarode, and Peter van Gelder – sitar, perform North Indian classical ragas. 8pm, Northbrae Community Church, 941 The Alameda, Berkeley. Suggested: \$20 (\$15/seniors & students) Info/tickets at 526-3805.

**June 5 Women’s Antique Vocal Ensemble performs.** 4pm, St. Albert Priory Chapel, 6172 Chabot Road, Oakland. At the door only: \$20 Students / Seniors \$10. [www.wavewomen.org](http://www.wavewomen.org)

**June 5 Tepco – El Cerrito’s Contribution to the World of Ceramics.** The El Cerrito Historical Society presents an illustrated talk by Lynn Maack and Sandi Genser-Maack, collectors of Tepco pottery. The Technical Porcelain and China Ware Co., founded in El Cerrito in 1918 by John Pagliero, produced dinnerware in a variety of wonderful patterns, from cowboy to Tiki – and much else besides. 1:30pm. Free. El Cerrito Senior Center, 6500 Stockton Ave., EC. 510-524-1737 or [davidsweinstein@yahoo.com](mailto:davidsweinstein@yahoo.com).

## Town Meetings

Kensington Community Center  
59 Arlington Ave., Kensington

**KCC - June 6th**  
**Kensington Community Council**  
7:30pm • 525-0292 • 1st Mondays

**FKL - June 7th**  
**Friends of the Kensington Library,** 7pm at the Library, 61 Arlington Avenue. 1st Tuesdays.

**KFPD - June 8th**  
**Fire Protection District**  
2nd Wednesdays 7:30pm. 527-8395

**KPPCSD - June 9th**  
**Police Protection and Community Services District**  
2nd Thursdays 7pm. 526-4141

**KPSC - June 13th**  
**Kensington Public Safety Council**  
EQ & Disaster Preparedness  
2nd Mondays 6:30pm. 501-8165

**KIC - June 27th**  
**Kensington Improvement Club**  
4th Mondays 7:30pm. 527-3062

**KMAC - June 28th**  
**Municipal Advisory Council**  
Last Tuesdays 7pm.

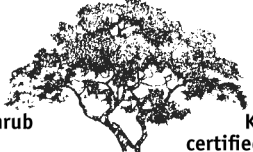
**June 5, 12, 19, 26 Farmers’ Market,** every Sunday, rain or shine. 10am-2pm. Colusa Circle at Oak View Ave. Live music and live produce. 847-0801 or [KensingtonFarmersMarket.org](http://KensingtonFarmersMarket.org)

**June 6 “Castoffs” Knitting Group.** All levels welcome and some help provided. Kensington Library, 61 Arlington Ave., 7 pm. Free. 524-3043.

**June 9 Women’s Fellowship at the Arlington Community Church.** Please join us for wine, dinner and warm fellowship. We socialize and have fun as we get to know each better. Please call the church office for more information at 526-9146.

**June 9 El Cerrito Garden Club Annual Spring Luncheon** and installation of officers. Happy hour at 11:30, and lunch at 12pm at the El Cerrito Community Center, 7007 Moeser Lane, EC. Admission \$20 - members and their guests only please. Info: 233-9365

**June 12 Knitting at the Arlington Community Church** at 11:30am. Join us as we knit shawls, hats, scarves, and mittens for those in need. You don’t have to have any experience; we’ll show you how. We pray over each article before it goes out to loved ones, those who have lost someone or need a special hug. More info at 526-9146.



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**June 13 The Legacy of Isadora Duncan Dance Performance.** Solo dancer, Lois Ann Flood, will interpret the original choreography of Isadora Duncan’s legacy, including her lyrical, dramatic, and heroic dances. Kensington Library, 61 Arlington Avenue, 7pm. Free. Info: 524-3043.

**June 13 Dick Cole Watercolor Demonstration** at the El Cerrito Art Association, Garden Room, El Cerrito Community Center, 7007 Moeser Lane, EC, 7:30pm. Free. 526-6241

**June 14 Storyteller Michael Katz.** Kick off the Summer Reading Program as Michael Katz presents folktales from around the world: Asia, Africa, Europe and North America. You can pick the place, and he’ll share the tale. The program will illustrate the uniqueness of different cultures, and intriguing similarities between them as well. The stories evoke laughter and develop cultural awareness and pride. This program is appropriate for ages 3 and up and is sponsored by the Friends of the Kensington Library. 6:30pm. Free. 524-3043.

**June 21 Berkeley Garden Club meets.** Installation of Officers, “Year in Review,” and Pie Social. 2pm at Epworth United Methodist Church, 1953 Hopkins Street, Berkeley. Free. [berkeleygardenclub.org](http://berkeleygardenclub.org)

**June 27 Book Club. Discussion of Death of the Heart** by Elizabeth Bowen. Kensington Library, 61 Arlington Ave., 7 pm. Free. 524-3043.



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...Rates, from Page 6

The calculation for the basis of the request for an increase appears to have been determined as a percentage of revenue and not as a percentage over and above allowable costs, as called for in the agreement. Using the calculation as defined in the agreement shows that, excluding the most recent year, Bay View appears to have earned considerably more than the targeted amount over the term of the contract. When calculated according to the agreement, excluding the most recent year, Bay View appears to have earned an estimated average 15% profit over the term of the agreement, 3% over the targeted profit percentage.

Additionally, claims of “hardship” on the part of Bay View are called into question when it appears that the sole company shareholder, Lewis Figone, in 2009 earned a management fee of \$113,631 and received dividends of \$90K. In 2010 that management fee rose to \$117,483, and the dividend to \$120K. One might wonder why, if the financial health of Bay View is dependent on an increase in rates, as is claimed in the letter sent by Bay View to Kensington residents, the shareholder took out profits from the company the last two years in a row. Financial hardship claims by the company are further difficult to justify while it appears that the typical Bay View employee receives annual wages and benefits of over \$90K.

The proposed increase also appears to undermine the mini-can program, a *Source Reduction Program* specifically designed to make the mini-can a financially attractive option.

The mini-can rate structure was developed to reward households that generate less waste; but the proposed fee increase for mini-cans is three times greater (\$64/yr) than the fee increase proposed for standard cans (\$21/yr). The rate increase shrinks the monthly price difference between the mini-can and the standard can from an enticing \$102/yr to a less alluring \$60/yr. (In waste-conscious El Cerrito, the spread between mini-can and standard can monthly fees is a robust \$132/yr.)

Bay View has received nothing but high marks from every corner of Kensington for its friendly, reliable service. Backyard pick up – one of Kensington’s little luxuries – is extra effort for those who do the work (accounted for when rates were initially set). Our narrow, winding streets (also accounted for) make refuse collection a challenge in any event. Recycling and the poor economy have both encouraged many residents to migrate to the smaller cans at a reduced monthly rate.

The question of whether or not Bay View is being fairly compensated for the service it provides, in compliance with the existing contract, or should be granted a rate increase, will be answered Thursday, June 9th, at 7pm at the Community Center. The public is invited to speak, and written letters to the District in support or protest of the increase are actively solicited.

The agenda packet for the April 14 KPPCSD meeting includes detailed information on issues related to the Bay View agreement and rate request and is online at <http://kensingtoncalifornia.org/kppcsd-board/past-agenda-packets>. A recording of the relevant 4/14/11 KPPCSD meeting is at <http://kensingtoncalifornia.org/kppcsd-board/board-meeting-recordings>.

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