

**OPINION**

**BART TAX**

[From page previous page]

30 years. It seems to us that a decision the day after voter certification would hurt no one, especially since it involved additional taxes for the next three decades.

Unfortunately the suit, which we agree was filed late in the game, first went to the Santa Clara County court system, only to have state attorneys claim on Monday the suit had been filed in the wrong court — it had to be heard in the San Francisco judicial system, because of its proximity to the state attorney general's office. Ironic.

The plaintiffs, opponents of Measure B (The Transportation Solutions Defense and Education Fund, a nonprofit group focused on Bay Area transportation and environment), may want to appeal Busch's decision, since a higher court could demand a recount. Just because the votes have been

certified doesn't mean they can't be recounted.

The court's ruling doesn't explain the sudden surge in "yes" ballots that were counted after it appeared Measure B was failing.

Our guess is that after election night, Durazo and his staff decided to disqualify an unusual number of ballots for one reason or another. Could it possibly be that they decided to raise the county's standards for a properly marked ballot? This is not so far-fetched an idea. Remember Florida in 2000?

We ask that the county allow opponents of Measure B and the media to inspect all disqualified ballots in this election.

If Durazo did his job correctly, he should have no problem complying with this simple request. What would be the harm?

**LETTERS**

[From previous page]

would be of most benefit to Palo Alto's electric ratepayers. Some of the options discussed included giving money back to ratepayers, leaving the money in the reserve fund, purchasing more renewable energy, encouraging the efficient use of energy and exploring ways to fund investments in the electric utility.

The article also mischaracterized the discussion at the Utilities Advisory Commission meeting held Nov. 5. The UAC discussed the various ways that it could advise the council to utilize the funds in the reserve.

What was presented to, and approved

by, the Finance Committee on Tuesday was the recommendation to continue to hold funds in reserve. Once an appropriate alternate use of the funds is identified, the issue will return for further consideration by the UAC and the Finance Committee, and then council can consider it for approval. The City Council will make the final decision on the use of the funds in the reserve and changes, if any, to the electric rates. The benefit to ratepayers is a key guiding principle.

**Valerie O. Fong**

director of utilities, city of Palo Alto



**Applications for Vacancy on the San Mateo County Board of Supervisors Now Available**

The San Mateo County Board of Supervisors is seeking applications to fill the vacancy for the Supervisor representing District 2 for the remainder of the term ending January 3, 2011.

Applicants must be a registered voter at the time of appointment in District 2, which in general includes areas of Belmont, Foster City and San Mateo.

Applications are now available and must be submitted no later than 5 p.m. on December 11.

The Board will hear presentations from applicants on December 15 and will potentially make an appointment on December 16.

For an application and additional information, please visit [www.co.sanmateo.ca.us/boardvacancy](http://www.co.sanmateo.ca.us/boardvacancy) or call (650) 363-4123. Applications are also available at the Clerk of the Board of Supervisors, First Floor, 400 County Center, Redwood City.

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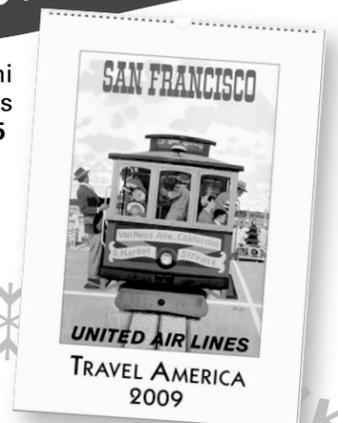
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