

Council continued discussion included whether District 8 should be dissolved or move forward, as well as the importance of making a decision and moving on. The Council considered the idea of accepting the \$80,000 donation from residents and moving forward with a Proposition 218 vote on District 8, with the understanding that the \$80,000 would be forfeited if the 60% threshold is not met.

MOTION: Councilmember Ward moved to dissolve District 8. The motion was seconded by Councilmember Fahey and passed by the following roll call vote.

Ayes: Fahey, Ward and Mayor Tell.
Noes: Montgomery and Aldinger.
Abstain: None.
Absent: None.

RECESS AND RECONVENE

At 8:09 p.m. the Council recessed and reconvened at 8:24 p.m. with all Councilmembers present.

Mayor Tell explained that, during discussion of Agenda Item 14 earlier this evening, he incorrectly related that the survey returns for District 8 were against utility undergrounding (61 households in favor and 60 against) and that he mistakenly applied the 60% threshold to District 8, when only a simple majority is necessary to move forward.

MOTION: Councilmember Fahey moved to reconsider Agenda Item 14 (Report on Final Survey Results for Proposed Utility Underground Assessment Districts 8,12, 13 and 14, and Consideration of an Appropriation of \$220,000 for Engineering Services for Districts 13 and 14). The motion was seconded by Councilmember Montgomery and passed by the following unanimous roll call vote:

Ayes: Montgomery, Fahey, Ward, Aldinger and Mayor Tell.
Noes: None.
Abstain: None.
Absent: None.

Senior Civil Engineer Katsouleas clarified that the Council's previous determination required a simple majority percentage of those voting, as well as a simple majority of the households for Districts 14 and below, and a 60% threshold of the number of households responding for Districts 15 and above, as long as the weighted vote is over 50%; that the District 8 survey returns included 61 households in favor, 60 households opposed and 17 households non-responsive (which equals a simple majority of 50.4% in support and 49.6% against); that District 8 could move forward to a Proposition 218 vote within one year; and that Districts 7, 9, 10 and 11 were previously dissolved.

MOTION: Mayor Pro Tem Aldinger moved to approve District 8 moving forward to a Proposition 218 vote and to accept the residents' contribution of \$80,000 toward District 8 engineering costs. The motion was seconded by Councilmember Montgomery and passed by the following roll call vote:

Ayes: Montgomery, Aldinger and Mayor Tell.
Noes: Fahey and Ward.
Abstain: None.
Absent: None.