

CITY COUNCIL MINUTES

City Council Chambers
September 13, 1994

The meeting was called to order at 5:07 p.m.

Present on roll call: 9 - Baarsma, Crowley, De Forrest, Evans, Kirby, McGavick, Miller, Silas, and Mayor Moss.

The Flag Salute was led by Council Member Silas.

CONSENT AGENDA

Approval of the minutes of the Tacoma City Council meetings of August 23 and 30, 1994.

RESOLUTIONS:

Resolution No. 32744

Setting Tuesday, September 27, 1994, at approximately 6:00 p.m. as the date for a public hearing by the City Council concerning the adoption of a proposed curfew ordinance.

Resolution No. 32745

Setting Tuesday, October 11, 1994, at approximately 6:00 p.m. as the date for a public hearing by the City Council concerning the amendment of the Community Development Block Grant Statement of Objectives.

Resolution No. 32746

Setting Tuesday, October 18, 1994, at approximately 9:00 a.m. as the date for a hearing by the Hearing Examiner on the request to vacate East D Street between East 68th and East 69th Streets, East West Street between East D and East E Streets and portions of adjacent streets. (Jeffrey W. Edwards; File No. 124.1006)

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Hearing Examiner Agenda for Tuesday, September 13, 1994.
- b. Minutes of the meeting of the Citizens' Affirmative Action Advisory Committee, July 14, 1994.
- c. Minutes of the meeting of the Landmarks Preservation Commission, August 24, 1994.
- d. Minutes of the meeting of the Commission on Children, Youth and Families, August 11, 1994.
- e. Minutes of the meeting of the Tacoma Planning Commission, August 15, 1994.
- f. Total Service Delivery Report of the Tacoma-Pierce County Humane Society, June 1994.
- g. Monthly Financial Reports for Belt Line Division, Light Division, Water Division, Data Processing Fund, Fleet Services Fund, Self-Insurance Claim Fund and Geographic Information System Fund, July 1994.

Mayor Moss moved to suspend the rules to consider Substitute Resolution No. 32744. Seconded by Deputy Mayor Miller. Voice vote was taken and carried. The motion was declared adopted.

Council Member Baarsma amended a sentence in the last paragraph of page 10 of the August 23, 1994 minutes by removing the words "pleading him." The corrected sentence should read, "He strongly urged that a message be sent to Senator Gorton not to be a part of a filibuster to kill the crime bill."

Deputy Mayor Miller moved that the Consent Agenda, including Substitute Resolution No. 32744, Resolution Nos. 32745 and 32746, and the amended August 23, 1994 minutes, be approved. Seconded by Council Member Evans. Voice vote was taken and carried. The Consent Agenda including the amendment to the August 23, 1994 Council minutes, Substitute Resolution No. 32744 and Resolutions Nos. 32745 and 32746 was declared approved.

REGULAR AGENDA

ANNOUNCEMENTS, PRESENTATIONS AND APPOINTMENTS:

- a. Presentation of Fire Department citizens' awards.

Mayor Moss and Assistant Fire Chief Eileen Lewis presented citizens' certificates of appreciation to Randall Phillips, Darryl Knox, Robert Rodriques for helping a victim in a vehicular accident. Mayor Moss and Assitant Fire Chief Lewis then presented a certificate of appreciation to Rich Amos for his help with a distressed victim and his dog who were in the bay.

- b. Presentation of an employee recognition award.

Mayor Moss and Assistant Fire Chief Eileen Lewis presented a service award to Thomas Brooks for 30 years of service with the City of Tacoma.

COMMUNICATIONS:

- a. Hearing Examiner submitting Shoreline Management Substantial Development/Conditional Use Permit No. 141.575 to allow paving, storm drainage improvements, a truck wash area, a 1,280-square foot addition to an existing shop/storage building, fencing and landscaping at an existing trucking business located at 1501 Portland Avenue. (Intercity Express, Inc.; File No. 141.575)

Deputy Mayor Miller moved to concur in the Findings, Conclusions and Recommendations of the Hearing Examiner. Seconded by Council Member Crowley. Roll call vote was taken, resulting as follows: Ayes: 9 - Baarsma, Crowley, De Forrest, Evans, Kirby, McGavick, Miller, Silas, and Mayor Moss. Nays: 0. The motion was declared adopted.

- b. Hearing Examiner submitting Shoreline Management Substantial Development Permit No. 141.577 to allow the construction of a 48-inch steel transmission water main buried in the shoulder of East West Road and Wetland/Stream Development Permit No. 110.048 to allow the construction of a 48-inch water transmission line across the Blair Ditch and across Wapato Creek at the site located in the right-of-way for State Route 509 extending from Milwaukee Way east to Taylor Way. (Department of Public Utilities/Water Division; File Nos. 141.577 and 110.048)

Deputy Mayor Miller moved to concur in the Findings, Conclusions and Recommendations of the Hearing Examiner. Seconded by Council Member Crowley. Roll call vote was taken, resulting as follows: Ayes: 9 - Baarsma, Crowley, De Forrest, Evans, Kirby, McGavick, Miller, Silas, and Mayor Moss. Nays: 0. The motion was declared adopted.

- c. Hearing Examiner recommending denial of a request to reclassify the property located at 3326 South Chandler Street from a "R-3" Two- and Three-Family Dwelling District to a "R-4L" Low Density Multiple-Family Dwelling District. (Randy Johnson; File No. 120.1382)

Deputy Mayor Miller moved to concur in the recommendations of the Hearing Examiner. Seconded by Council Member Silas. Voice vote was taken and carried. The motion was declared adopted.

FINAL READING OF ORDINANCES:

Ordinance No. 23400

Amending Chapter 13.06 of the Official Code to reclassify the property located 224 feet north and 207 feet west of the northwest corner of the intersection of South 52nd Street and Tyler Street from a "R-2" One-Family Dwelling District to a "R-3" Two-Family Dwelling District. (Mustang Investments, Inc.; File No. 120.1114)

Roll call vote was taken, resulting as follows:

Ayes: 9 – Baarsma, Crowley, De Forrest, Evans, Kirby, McGavick, Miller, Silas, and Mayor Moss.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 25295

Amending Chapter 13.06 of the Official Code to reclassify the properties located west of Steele Street between South 24th and South 26th Streets; east of State Street between South 23rd and South 25th Streets; and south of South 25th Street between Trafton and Ferry Streets from a "PDB" Planned Business District to a "R-2T" Residential-Commercial Transitional District for disposition of the properties. (TPC Liquidating Trust; File No. 120.1346)

Roll call vote was taken, resulting as follows:

Ayes: 9 – Baarsma, Crowley, De Forrest, Evans, Kirby, McGavick, Miller, Silas, and Mayor Moss.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 25530

Amending Chapter 13.06 of the Official Code to reclassify the property located at 1619 East 29th Street from a "R-4L" Low-Density Multiple-Family Dwelling District to a "C-2" Commercial District to renovate an existing commercial building to be utilized as a restaurant. (James Wayne Boire; File No. 120.1375)

13

Roll call vote was taken, resulting as follows:

Ayes: 9 — Baarsma, Crowley, De Forrest, Evans, Kirby, McGavick, Miller, Silas, and Mayor Moss.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 25562

Authorizing the issuance and sale of Sewer Revenue Refunding Bonds, 1994 in an amount not to exceed \$50,000,000 to refund portions of the outstanding sewer revenue bonds.

Deputy Mayor Miller moved to suspend the rules to consider Substitute Ordinance No. 25562. Seconded by Council Member Baarsma. Voice vote was taken and carried. The motion was declared adopted.

Roll call vote was taken, resulting as follows:

Ayes: 8 — Baarsma, Crowley, Evans, Kirby, McGavick, Miller, Silas, and Mayor Moss.

Nays: 1. — De Forrest.

The Substitute Ordinance was declared passed.

Ordinance No. 25577

Accepting a donation of 13,000 feet of cable strand and pole hardware from TCI of Tacoma, Inc. for Neighborhood Impact on Drugs projects.

Roll call vote was taken, resulting as follows:

Ayes: 9 — Baarsma, Crowley, De Forrest, Evans, Kirby, McGavick, Miller, Silas, and Mayor Moss.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 25578

Authorizing the execution of a Fair Housing Initiative Grant Agreement with the U.S. Department of Housing and Urban Development in the amount of \$122,592; depositing in and appropriating said sum from the Miscellaneous Grants Summary Fund for educational and outreach activities on fair housing and landlord-tenant rights.

Roll call vote was taken, resulting as follows:

Ayes: 9 – Baarsma, Crowley, De Forrest, Evans, Kirby, McGavick, Miller, Silas, and Mayor Moss.

Nays: 0.

The Ordinance was declared passed.

FIRST READING OF ORDINANCES:

Ordinance No. 25579

Appropriating \$203,413.44 from the Labor-Management Health Care Trust Fund to pay Pierce County Medical Bureau, Inc., for recovery of second quarter 1994 underwriting losses.

The Ordinance was set over for final reading next week.

Ordinance No. 25580

Amending Sections 1.29.120, 1.29.150 and 1.29.160 of the Official Code relative to the prohibition against discrimination because of disability to comply with the Federal Fair Housing law.

The Ordinance was set over for final reading next week.

Ordinance No. 25581

Repealing Chapter 6.22 of the Official Code relative to fumigators and exterminators.

The Ordinance was set over for final reading next week.

Ordinance No. 25582

Repealing Chapter 6.06 of the Official Code relative to auctioneers.

15

The Ordinance was set over for final reading next week.

Ordinance No. 25583

Amending Title 12 of the Official Code relative to the collection of solid wastes and rates for disposal.

Deputy Mayor Miller moved to suspend the rules to consider Substitute Ordinance No. 25583. Seconded by Council Member Evans. Voice vote was taken and carried. The motion was declared adopted.

Speaking before the Council were:

- | | |
|------------------|----------|
| Mr. Schelhammer | Resident |
| Forrest Glow | Resident |
| Mr. Bill Engler | Resident |
| Evan McCord | Resident |
| No Name Provided | |

The Substitute Ordinance was set over for final reading next week.

PUBLIC HEARINGS AND APPEALS: (Began at 6:40 p.m.)

Thomas E. Schillar and Patricia S. Lowry, appealing the decision of the Hearing Examiner relative to the formation of L.I.D. No. 8578.

Mr. Rod Kerslake, Hearing Examiner, spoke on his findings relative to L.I.D. No. 8578. Deputy Mayor Miller moved to remand this matter to the Hearing Examiner, to allow the Hearing Examiner to further consider the level of protest to the formation of L.I.D. 8578. Seconded by Council Member Crowley. Voice vote was taken and carried. The motion was declared adopted. The matter was remanded to the Hearing Examiner.

Ordinance No. 25584

Amending Sections 8.70.010 and 1.23.070 of the Official Code relative to the jurisdiction of the Municipal Court.

The Ordinance was set over for final reading next week.

Ordinance No. 25585

Amending Section 1.23.070 of the Official Code relative to the powers of the Hearing Examiner.

The Ordinance was set over for final reading next week.

Ordinance No. 25586

Accepting a grant in the amount of \$4,732 from the Washington State Arts Commission; appropriating said sum from the Cultural Resources Grant Fund; and authorizing the execution of an amendment to the agreement with Tacoma Public Schools in the amount of \$12,000 for the Hillchuck Project.

The Ordinance was set over for final reading next week.

Ordinance No. 25587

Amending Chapter 12.08 of the Official Code relative to sewage disposal and drainage regulations to comply with state and federal laws.

The Ordinance was set over for final reading next week.

RESOLUTIONS:

Resolution No. 32739 (Continued from the meeting of August 30, 1994.)

Authorizing the execution of an agreement with Shapiro and Associates, Inc. in the amount of \$256,328 for the preparation of an environmental impact statement and incorporating the public participation process for the development of the western side of the Thea Foss Waterway.

Speaking before the Council was:

David Allen Executive Council

Deputy Mayor Miller moved that the Resolution be adopted. Seconded by Council Member McGavick. Voice vote was taken and carried. The Resolution was declared adopted.

17

Resolution No. 32740 (Continued from the meeting of August 30, 1994.)

Authorizing the execution of an agreement with Merritt+Pardini in the amount of \$220,872 for the preparation of an environmental impact statement, leading the public participation process and designing alternative proposals for the development of the western side of the Thea Foss Waterway.

Council Member Silas moved that the Resolution be adopted. Seconded by Council Member Crowley. Voice vote was taken and carried with Council Member De Forrest voting in opposition. The Resolution was declared adopted.

Resolution No. 32742 (Continued from the meeting of August 30, 1994.)

Authorizing the execution of an agreement with the National Council for Community Development, Inc. and the Grow American Fund, Inc. in the amount of \$900,000 for the Neighborhood Small Business Loan Program.

Deputy Mayor Miller moved that the Resolution be adopted. Seconded by Council Member Crowley. Voice vote was taken and carried. The Resolution was declared adopted.

Purchase Resolution No. 32747

Awarding contracts to:

1. Valley Freightliner, Inc., on their bid of \$58,859.45 for one 28,000 GVW five-yard dump truck - Specification No. G-029-94;
2. Valley Freightliner, Inc., on their bid of \$61,011.58 for one 28,000 GVW three- to five-yard dump truck - Specification No. G-028-94;
3. Gateway 2000, in the amount of \$118,759 for P5-90 computer systems - Sole Source; and
4. Associated Petroleum Products, in the amount of \$425,000; Pacific Oil Products, in the amount of \$12,000; Don Small & Sons, in the amount of \$50,000; and Reinhard Distributing Co., in the amount of \$200,000 to extend and increase their contracts for fuel - Washington State Contract No. 254-89.

Speaking before the Council was:

Wayne Schultz

Valley Freightliner

Council Member Silas moved to continue Item Nos. 1 and 2 of the Purchase Resolution for one week to the meeting of September 20, 1994. Seconded by Council Member Evans. Voice vote was taken and carried with Council Member Kirby voting in opposition. The motion was declared adopted. Item Nos. 1 and 2 will be considered at the September 20, 1994 Council meeting.

18

Deputy Mayor Miller moved to adopt Item Nos. 3 and 4 of Purchase Resolution No. 32747, including waiving formal bidding procedures on Item No. 3. Seconded by Council Member Crowley. Deputy Mayor Miller and Council Member Crowley withdrew their motion.

Deputy Mayor Miller moved to adopt Item No. 3 of Purchase Resolution No. 32747, including waiving formal bidding procedures on Item No. 3. Seconded by Council Member Baarsma. Voice vote was taken and carried with Council Member De Forrest voting in opposition. The motion was declared adopted.

Deputy Mayor Miller moved to adopt Item No. 4 of Purchase Resolution No. 32747. Seconded by Council Member Baarsma. Voice vote was taken and carried. The motion was declared adopted.

Resolution No. 32748

Authorizing the execution of the Pacific Northwest Alternating Current Intertie Capacity Ownership Agreement with the Bonneville Power Administration in the amount of \$8,815,000 for the purchase of 41 megawatts of capacity ownership rights to own a portion of a major transmission system linking the Pacific Northwest and the Pacific Southwest.

Deputy Mayor Miller moved that the Resolution be adopted. Seconded by Council Member Evans. Voice vote was taken and carried. The Resolution was declared adopted.

Council Member Kirby moved to suspend the rules to consider Citizens' Forum at this time. Seconded by Deputy Mayor Miller. Voice vote was taken and carried. The motion was declared adopted.

CITIZENS' FORUM:

Speaking before the Council were:

<u>Name</u>	<u>Address</u>	<u>Topic</u>
Helen Wilson	524 East Division Lane	Mottet Library Closing
Barbara Wright	615 Commerce Street	" " "
Ernie Wright	1115 South MLK Way	" " "
Steven Rodli	1130 East 51st Street	" " "
Douglas Delin	3565 East T Street	" " "
Bill Factory	Eastside Incubator	" " "
Linda Reiter	2208 East Sherman	" " "

19

Jimmie Lee II	4810 East K Street	"	"	"
Bonita Lee	4810 East K Street	"	"	"
Lawanna Lee	4810 East K Street	"	"	"
Adrien Query	102 East 40th Street	"	"	"
Kathleen Skrinar	Resident	"	"	"
No Name Provided		"	"	"
Charlean Eigner	Eastside Resident	"	"	"
Dick Sonntag	3565 East T Street			School bonds and EMS Levy
John Carman	2126 North Orchard			EMS Levy

Resolution No. 32749

Authorizing the execution of an amendment to the agreement with the Tacoma-Pierce County Health Department and the Town of Steilacoom to provide certain health services.

Council Member Evans moved that the Resolution be adopted. Seconded by Council Member Silas. Voice vote was taken and carried. The Resolution was declared adopted.

Resolution No. 32750

Authorizing the execution of Amendment No. 2 to the Concessions Operation Agreement and the Master Agreement with Ogden Entertainment Services, Inc., for expansion of concession facilities at the Tacoma Dome.

Council Member Evans moved that the Resolution be adopted. Seconded by Council Member Crowley. Voice vote was taken and carried. The Resolution was declared adopted.

Resolution No. 32751

Authorizing the execution of an Interlocal Agreement with Pierce County to increase attorney staff for the prosecution of juveniles arrested for property crimes.

Council Member Moss moved that the Resolution be adopted. Seconded by Council Member Evans. Voice vote was taken and carried. The Resolution was declared adopted.

Resolution No. 32752

Authorizing the execution of an agreement with Tacoma School District No. 10 in the amount of \$48,005 for the Adult Crossing Guard Program from January 3, 1994 through December 21, 1994.

Deputy Mayor Miller moved that the Resolution be adopted. Seconded by Council Member McGavick. Voice vote was taken and carried. The Resolution was declared adopted.

Resolution No. 32753

Authorizing the execution of Amendment No. 98 to the Neighborhood Preservation Program Agreement with the Tacoma Community Redevelopment Authority in the amount of \$130,000 for the acquisition and rehabilitation of an apartment building located at 1210 Yakima Street to provide rental housing to low-income persons and persons with chronic mental illness.

Deputy Mayor Miller moved that the Resolution be adopted. Seconded by Council Member McGavick. Voice vote was taken and carried. The Resolution was declared adopted.

Resolution No. 32754

Authorizing the execution of an agreement with the Greater Lakes Mental Health Foundation in the amount of \$50,680 for the renovation of a building located at 6455 South Stevens.

Deputy Mayor Miller moved that the Resolution be adopted. Seconded by Council Member Evans. Voice vote was taken and carried. The Resolution was declared adopted.

Resolution No. 32755

Authorizing the execution of a lease extension agreement with the University of Washington in the amount of \$7,000 for space at 1925 Commerce Street for the Emergency Home Repair Program from October 1, 1994 through September 30, 1995.

Deputy Mayor Miller moved that the Resolution be adopted. Seconded by Council Member Baarsma. Voice vote was taken and carried. The Resolution was declared adopted.

Resolution No. 32756

Authorizing the execution of an agreement with the Metropolitan Development Council in the amount of \$20,000 for the Minor Home Repair Program.

Council Member Silas moved that the Resolution be adopted. Seconded by Council Member Evans. Voice vote was taken and carried. The Resolution was declared adopted.

21

Resolution No. 32757

De-designating the Hyde House, located at 1926 South Yakima Avenue, as a historic landmark.

Deputy Mayor Miller moved that the Resolution be adopted. Seconded by Council Member Crowley. Voice vote was taken and carried. The Resolution was declared adopted.

Deputy Mayor Miller moved to suspend the rules to consider additional Resolution No. 32758. Seconded by Council Member Silas. Voice vote was taken and carried with Council Member De Forrest voting in opposition. The motion was declared adopted.

Resolution No. 32758

Authorizing the submittal of a grant application to the U.S. Department of HUD in the amount of \$1,300,000 for the rehabilitation of the building located at 1500 Pacific Avenue for use as a human service center.

Deputy Mayor Miller moved that the Resolution be adopted. Seconded by Council Member Crowley. Voice vote was taken and carried. The Resolution was declared adopted.

UNFINISHED BUSINESS:

None.

REPORTS BY CITY MANAGER:

None.

COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL:

Council Member De Forrest indicated that two weeks ago Council Member Baarsma had requested information on analyzing the proposal from the Small Business Incubator on the T Street Gulch cleanup project. He also indicated that he had requested staff to locate a funding source for the cleanup project. Council Member

De Forrest instructed staff to prepare a resolution for next Tuesday's Council meeting that would allow the Incubator to help with the T Street Gulch cleanup project.

Council Member De Forrest noted that several weeks ago Council had requested information on the card room tax. Mayor Moss replied that the Council was provided information on the card room tax in the Friday Letter packet. Mayor Moss indicated that he has requested that the City Manager have a resolution prepared on a card room tax proposal for Council's consideration.

Council Member De Forrest emphasized that if the agenda materials indicate that the backup materials are on file in the City Clerk's Office, then the materials should be on file there.

Council Member Kirby expressed concern about the time of hour when the Citizens' Forum portion of the Council agenda is heard. He requested that a resolution be prepared for the Council's consideration changing the time when Citizens' Forum are to be held to 7:00 p.m. Council Member Kirby indicated he was flexible about the time designated for citizens to speak.

Council Member McGavick also agreed with Council Member Kirby.

Council Member Crowley expressed his apologies for not being able to attend the Town Hall meeting on Thursday, September 15 and next week's Council meeting when the Summer Library Reading awards will be held.

Council Member Baarsma announced that today President Clinton signed the crime bill into law. Council Member Baarsma stated that he sent thank you letters to Representatives Dicks and Kreidler and Senator Murray. Council Member Baarsma reported that he received a letter from Mr. Len Simon listing some of the key dates that will be affected by the passage of this legislation. Council Member Baarsma stated that on October 1, Attorney General Reno and her staff will be reviewing the applications of those cities not receiving funding for the community-orienting policing program. The City of Tacoma's application will be considered during this review. Council Member Baarsma noted that Tacoma's application requests matching funds for five additional police officers. Also, in October 1995, the crime bill's Local Partnership Act will go into effect and Mr. Len Simon will be notifying the City of what this will mean for the City of Tacoma. He has indicated that it could mean Tacoma would receive between \$2-\$3 million in assistance. Council Member Baarsma also noted that in October 1995 the crime prevention block grants will go into effect which will allow the City to continue a number of programs.

Council Member Silas thanked the Public Works Landfill Division for a very informative and enjoyable afternoon.

Council Member Evans reported that two weeks ago the Council adopted a resolution to include Paine field into the discussions of a major supplemental airport. Council Member Evans indicated at the last hearing he attended at the Convention Center in Seattle, there were 250 people from Snohomish, North King County, etc. and five people from Pierce County. He explained that the northern counties have established a strong campaign against any location for an airport, emphasizing they would like to keep it rural. Council Member Evans indicated that the The News Tribune made no mention of this Council's action on passing a resolution two weeks ago; however, The News Tribune did note the King County's resolution. Council Member Evans indicated that the Puget Sound Regional Council will meet next week to vote on three sites which were the product of the discussions that took place at the Convention Center. He explained that the three sites include two of which are in Snohomish County - Marysville east and Arlington. The third site is Lake Tanwax in Pierce County. The fourth site is the McChord air field which was put in a different category to be considered for future uses as a supplemental airport. Council Member Evans read a letter he received from Representative Kreidler, requesting not to adopt two recommendations that the Growth Management and Transportation Policy Boards approved at the Convention - 1) excluding Paine Field as a possible site for a supplemental airport; and 2) requesting that the Washington State congressional delegation seek a study with the Department of Defense and the FAA on the feasibility of using McChord Airforce Base as a civilian airport.

Deputy Mayor Miller noted that it is important to establish a time when Citizens' Forum will be held so that the public has advanced notice of when Citizens' Forum will be heard. Deputy Mayor Miller suggested that the Forum be held at 6:00 p.m. to coincide with the time set for public hearings. Deputy Mayor Miller urged everyone to vote in the primary election on September 20. He also urged everyone with an opinion on the Medic One levy to vote.

Mayor Moss announced that a Town Hall meeting will be held at 7:00 p.m. on Thursday, September 15, 1994 at Northeast Tacoma Elementary School, 5412 29th Street NE., in the Multi-Purpose Room.

Mayor Moss also announced that the City Council meeting of September 20, 1994 will be held at the Tacoma Dome starting at 5:00 p.m., followed by the Summer Reading Library Awards at 6:00 p.m.

On proper motion, the meeting was adjourned at 10:20 p.m.



HAROLD G. MOSS, MAYOR

ATTEST:



GENELLE BIRK, CITY CLERK

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25