



OFFICE OF THE CITY COUNCIL

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FINANCE COMMITTEE BUDGET HEARING #3 MINUTES

August 17, 2023

9:00 a.m.

Location: City Council Chamber, City Hall – St. James Building; 117 West Duval Street,
In attendance: Council Members Nick Howland (Chair), Randy White, Raul Arias, Kevin Carrico, Reggie Gaffney Jr., Ju’Coby Pittman, Will Lahnen

Excused: None

Also: Council Members Terrance Freeman, Jimmy Peluso, Ron Salem; Kim Taylor, Brian Parks, Heather Reber - Council Auditor’s Office; Mary Staffopoulos and Carla Lopera – Office of General Counsel; Barbara Hobson – Legislative Services Division; Eric Grantham – Public Information Division; Mike Weinstein and Angela Moyer – Finance and Administration Department

Meeting Convened: 9:00 a.m.

Chairman Howland convened the meeting and the attendees introduced themselves for the record.

Page references from this point refer to Auditor’s Budget Hearing #3 handout.

Tax Collector

Tax Collector Jim Overton introduced members of his management team in attendance. He said his budget includes several small facility improvement enhancements. His biggest issue is employee retention – they have lost numerous employees in the last year, including 5 in the last week, in part because salaries are not attractive compared to other employers. He asked for the committee’s consideration of his office’s original request, not included in the mayor’s budget, to increase the salary account by \$1.1 million to aid in retention. CM White expressed concern about the loss of employees and recommended increasing the department’s salary account to provide more competitive salaries. CM Pittman echoed the concern for the loss of institutional knowledge when experienced employees leave. Mr. Overton said the administration will be studying salary competitiveness across the city workforce, but his need is immediate and they have already studied their competitive disadvantage compared to neighboring counties. CFO Mike Weinstein said the Tax Collector’s request is justified but there are similar needs in other departments as well so there is a matter of equity to be considered in granting some requests but not others.

CM Arias said the City's starting salary in the Tax Collector's Office is too low at \$16.99 an hour. Mr. Overton said their request is to increase it to \$18.65 as a start. In response to a question, Mr. Weinstein said that no other City departments got salary increases in excess of the union negotiated cost of living increase. Mr. Overton noted that the Duval County Tax Collector's Office is different than any other tax collector in the state in that it is part of the consolidated city government; other tax collectors deal directly with the Florida Department of Revenue and not with their county government. Mr. Weinstein noted that the Tax Collector's employees are almost all union members and the City will be negotiating with all of the unions in the coming year. CM Carrico said this issue is citywide and demands a comprehensive solution. He would like to have a policy discussion with top administrators from mayor's office about the salary issue. Mr. Weinstein and Council Auditor Kim Taylor recommended that this issue be taken up in the Hearing #7 wrap-up session in the discussion of how to utilize the Special Council Contingency fund. CM White recommended tabling the Tax Collector budget while the administration looks at potential funding options. CM Lahnen asked about the timeline for the administration's study of salary competitiveness; Mr. Weinstein said he hoped it would be complete by the end of 2023 in time to inform the collective bargaining process next year. Mr. Overton noted that the state has not increased the fee for driver's licenses in 20 years and the current fee does not come close to covering the cost of issuance, so the City is subsidizing the rest of the cost. Chairman Howland noted that the administration has set aside \$25 million in unallocated contingency funds (\$12M operational funds, \$13M federal ARP funds) that could be allocated as the Council sees fit.

The Chair tabled the Tax Collector's budget to a future meeting.

Supervisor of Elections

Supervisor of Elections Jerry Holland introduced members of his management team in attendance. He explained that his budget varies widely from one year to the next depending on how many elections are scheduled in each fiscal year. Kim Taylor reviewed the proposed budget. CM Peluso asked about the ability to hire part-time employees for short terms during elections. Mr. Holland said the SOE has a number of devoted seasonal employees who like working elections. Poll worker pay has increased and that is helping somewhat, but recruitment of sufficient workers is always a challenge. He talked about renewing the lease for the operations center at Imeson for 2 years while planning to move to a new location in or near downtown. He prefers a City-owned site at Jefferson and Davis Streets but is open to considering other sites that developers or property owners may propose.

In response to a request from CM Carrico, Mr. Holland said the vote tabulation equipment is at the end of its useful life and he would like for it to be replaced before the 2024 elections. If the equipment fails then ballots have to be safely stored and counted at the end of the day on other equipment, and that builds voter distrust in the system. The time to make the conversion is preferably by the end of this calendar year so that the new equipment can be in place for the 2024 presidential elections. Mr. Holland noted that counties across Florida are replacing the voting equipment purchased in the wake of the 2000 election and said he considers this an emergency. He explained that he was unable to make his case for this enhancement during the budget preparation process because he did not take office until July 1st. The enhancement request is \$2,238,565. In response to a question from CM Arias, Mr. Holland said there would be a credit from the manufacturer on the old equipment toward the purchase of the new equipment. Mr. Carrico asked if ARP funds could be used for the purchase; Ms. Taylor said they could. Mr. Weinstein said the problem could be solved via appropriation legislation separate from the budget bill. The pending ARP legislation is 2023-513.

At the request of CM Pittman, Mr. Holland described a lawsuit filed against the Supervisor of Elections 2 days before he took office alleging a violation of the Equal Protection Clause of the U.S. Constitution regarding the disparity in the number of voting precincts in each council district. The number of precincts currently ranges from 10 to 19 despite the fact that the districts all cover basically the same population.

Mr. Holland said he has negotiated with the plaintiff's attorney on a settlement agreement that would provide for a median of 11 precincts per district with a span of 1 higher or lower, so 10 to 12 precincts in every district. He reported that the SOE will be adding 5 new early voting sites for next year.

The Chair tabled action on the Supervisor of Elections' budget until a later meeting.

Courts

Chief Judge Lance Day introduced members of his management team in attendance. He said that the problem-solving courts are being very successful at diverting many people from jail and helping give them opportunities to recover their lives outside of the judicial system.

In response to a question from CM Lahnen, Chuck Patterson of the Court Administration office explained that the Court Cost Courthouse Trust Fund fee has been \$30 since 2010 and is set by the state. CM Pittman asked about a change in the location of the Teen Court program in the last budget; Stacey Peterson of the Teen Court said Ms. Pittman was thinking of another diversion program that is funded by the Kids Hope Alliance. CM Arias asked about the projected reduction in the revenue to the Teen Court from a traffic violation fee. Mr. Patterson said that the projections come from the Budget Division based on historical patterns and the revenue varies up and down throughout the year. Ms. Moyer said that this fund's revenue has come in under budget for the last couple of years so the decision was made to reduce the projection so there would not be a shortfall in actual collections leaving a negative balance in the fund. In response to a question from CM Pittman about what happens if the teens involved can't pay the applicable fees, Judge Day said the priority should be restitution to victims rather than payment of administrative fees. Kim Taylor said that her office reviews all the fee revenue projections in the budget for reasonableness and many of the fees have a tendency to vary widely from year to year, so they always recommend budgeting conservatively so there are no shortfalls. Collecting court-imposed fees is always challenging, and the state takes precedence over the City when partial fee payments are distributed.

In response to a question from the Chairman, Kim Taylor said that an increase in funding for Jacksonville Area Legal Aid from the Court Costs \$65 Fee will somewhat offset the funding that was recommended for JALA through the City Council Strategic Priorities process. That offset will increase the Special Council Contingency fund which could then be reallocated for other purposes. Judge Day reported on a flood in the courthouse in July that ruined a courtroom and damaged the Clerk of the Courts office. In response to a question from CM Carrico, Judge Day explained the location and use of the law library.

Recording Fees Technology Fund

Motion: on p. 18, tentatively approve Auditor's recommendation to approve the amounts for the Courts, State's Attorney, and Public Defender shown on the summary page. All amounts were agreed to by the three parties and are funded by using the proposed cash carryover of \$263,085 and a transfer from fund balance in this fund of \$298,088 –

CM Arias asked about the rationale for the reduction in recording fees. Ms. Taylor said a large portion of the recording fees is generated by mortgage refinancings, which have dropped substantially as interest rates have risen. The projection for next year is based on the actual trend in the current fiscal year.

The motion was approved unanimously.

Public Defender's Office

Public Defender Charlie Cofer introduced his staff in attendance. Mr. Cofer said the Public Defender, the courts and the State Attorney hope to be able to get the City's revenue estimates on the recording fees trust fund earlier in the budget process; this year they were surprised by the downturn in revenues. Ms.

Moyer said that the Budget Office is dependent on getting expenditure figures from the Information Technology Division.

State Attorney's Office

Steve Siegel, Deputy State Attorney, said he hopes the new administration will meet with the State Attorney, Public Defender and the courts to discuss the use of the two court cost fees. They were surprised by the revenue decrease this year and have some thoughts about the City's responsibility for providing facilities and services to the court system. Ms. Taylor said that the development of a multi-year courts technology program would be helpful for planning and fee allocation purposes.

Military Affairs and Veterans Department

Harrison Conyers, Director of the department, introduced members of his management team in attendance.

Motion: on p. 23, revise the grant description to remove references to the Clara White Mission (which does not receive funding from this fund) and make other scrivener changes – **approved unanimously**.

CM Carrico asked if the budget for bottled water for events needs to be increased. Mr. Conyers said the budget figure is a backup in case private donations are insufficient. Generous donors have always provided sufficient water donations. In response to a question from CM Arias about veteran homelessness, Mr. Conyers said a majority of homeless veterans are from the Vietnam and Gulf War eras. The survey of homeless veterans very likely produces an under-count because it focuses on the downtown area and does not capture homelessness in more rural areas of the city. CM Peluso said he and CM Boylan have introduced a resolution regarding a J-bill addressing homelessness and he welcomes the opportunity to discuss it at a noticed meeting with anyone interested in the subject.

Parks, Recreation and Community Services Department

Department Director Daryl Joseph introduced members of his management team in attendance.

Motion: on p. 31, tentatively approve Auditor's recommendation to update the Food and Beverage schedule to include the Department's intended wording which reads:

"Items are used in educational programming for teaching purposes. These programs teach how to achieve a healthy lifestyle by using the dietary guidelines and MyPlate to establish eating patterns, manage resources and reduce the risk of certain chronic diseases. Also, this will provide food for clients and stakeholders who attend public meetings or events related to educational programs."

CM Carrico noted that the City Council recently allocated \$100 million to park system maintenance, renovations and improvements. Mr. Joseph said the impact of that investment will become apparent over the next couple of years as the master plan is implemented and projects come to fruition. In response to a question from CM White, Mr. Joseph said that there is no funding in the proposed budget for the Airstream Ventures-Lucas Oil Motocross event because it was not requested by the promoter this year. CM Arias asked about the reduction in the revenue projection for facility rental; Mr. Joseph said that a number of community and senior centers are under renovation and therefore not available for rental until that work is completed. In response to a question from CM Lahnen, Mr. Joseph said the budget for pool capital maintenance will be doubled next year. He described the difficulty in finding and hiring lifeguards this year and said they will start advertising and holding training certification classes much earlier next year. Several committee members thanked Mr. Joseph and his staff for their good work and continual cooperation with council member requests.

CM Freeman asked for information on ADA accessibility in parks countywide. Mr. Joseph said the Mayor's Disability Council and the City's Disabled Services Division both review and comment on park project plans. They eventually hope to install destination-style fully ADA accessible special purpose parks in several locations around the city. In response to a question from CM Peluso, Mr. Joseph said that lifeguard training is available in several locations around the city at heated pools. Mr. Peluso asked if the department's workforce is sufficient to staff all the needs in the growing park system. Mr. Joseph said the on-going master plan process will inform how many personnel are needed in the future. CM Pittman asked about the reasons for the many pool closures this summer. Mr. Joseph said the city has never opened all of its 34 pools simultaneously, but has pools open in all parts of the city. They experienced great difficulty this year in getting equipment such as replacement pumps. About half of the city pools are located on school campuses under joint use agreements with the School Board. Three new pools will be in service in the next couple of years – Atlantic Coast and First Coast High Schools and Blue Cypress Park. Johnetta Moore, Chief of the Social Service Division, discussed the Baker Act program. In response to a question from CM Joe Carlucci, Mr. Joseph said that his department maintains all pools, including school pools, throughout the year. CM Pittman thanked Ms. Moore and her division for aiding in finding housing for persons displaced by emergency situations.

The motion was approved unanimously.

The committee was in recess from 11:44 a.m. to 12:15 p.m.

Chairman Howland said that during the recess the Budget Office looked at the Supervisor of Elections' enhancement request and found that there are sufficient funds available for reallocation in the current year's budget to cover that request. The Finance Committee directed the Office of General Counsel to draft legislation to appropriate the funds on a one cycle emergency.

Daryl Joseph said that Hanna Park is on track this year for its highest annual attendance. The department will be opening a pavilion there that can be used for weddings, which is close to Dolphin Plaza which can be reserved for receptions. The Plaza is also being used for family reunions and corporate events.

Motion: on p. 38, tentatively approve Auditor's recommendation that the explanation of how the Senior Time Out Program serves a public purpose on the Food and Beverage Schedule in the budget ordinance (Attachment A) be updated to: "Bi-weekly social time for neighborhood seniors." – **approved unanimously.**

Equestrian Center

CM White stated that he has seen a good deal of maintenance that needs to be done at the Equestrian Center and asked what sort of allocation would make that possible, suggesting \$250,000. In response to a question from CM Pittman, Mr. Joseph said that construction is underway on the new Greater Jacksonville Agricultural Fair relocation and the facility should be open for the 2025 fair.

Motion: on p. 39, tentatively approve Auditor's recommendation that the Equestrian Center's utility expenses be budgeted in the Public Buildings Allocation Fund as an internal service allocation to the Equestrian Center Fund. In the Equestrian Center Fund (45102), contractual services will decrease by \$182,880 which will be offset by an increase of \$182,880 in utilities allocation expenses. In the Public Buildings Allocation Fund (54101), internal service funds will increase by \$182,880 and in electricity utility bills – **approved unanimously.**

Special Events

In response to a question from CM Carrico about what qualifies as a "special event", Mr. Joseph said it is determined on a case-by-case basis considering, in part, attendance and the economic impact of the event.

The events in this fund are all City-produced events. CM Arias asked about how event budgets are determined and whether is based on attendance. Mr. Joseph described the various expenses that go into producing events. CM Joe Carlucci asked about where Jax River Jams and the Jazz Festival will be held since the traditional location on the riverfront will be under construction; Mr. Joseph said they will be looking for another downtown site that will accommodate the expected crowds.

City Venues

Heather Reber of the Auditor's Office reviewed the venues budget.

Motion: on pp. 46-47, tentatively approve Auditor's recommendations as follows:

1. In order to ensure that the Bed/Tourist Development Tax revenue is only being utilized for debt payments on the municipal stadium, move the Bed/Tourist Development Tax revenue of \$10,940,075 and the Debt Service expenditures of \$8,707,375 (representing a transfer to the City Venues – Debt Fund 47105) from this fund to the City Venues – Debt Service Fund 47105. To offset the net reduction in revenue within this fund, increase the Transfer In from the General Fund - GSD by \$2,232,700 to balance this fund. The offset within the General Fund - GSD would be a reduction in the transfer to the Stadium Reserve CIP Project. However, that amount will be replenished by appropriating the additional \$2,232,700 in the City Venues – Debt Fund to the Stadium Reserve CIP Project.
2. In order to ensure that the State Sales Tax Rebate revenue is only being utilized for debt payments on the municipal stadium, move Other Taxes revenue of \$1,333,336 revenue from this fund to the City Venues – Debt Service Fund 47105. To offset the net reduction in revenue within this fund, increase the Transfer In from the General Fund - GSD by \$1,333,336 to balance this fund. The offset within the General Fund - GSD would be a reduction in the transfer to the Stadium Reserve CIP Project. However, that amount will be replenished by appropriating the additional \$1,333,336 in the City Venues – Debt Fund to the Stadium Reserve CIP Project.
3. Revise capital expenditures for the Arena to budget Other Heavy Equipment for \$40,000 (instead of \$50,000) and Other Construction Costs for \$350,000 (instead of \$340,000) to agree with the detail schedule provided by ASM. These revisions will offset each other.

At the request of Chairman Howland, Ms. Reber explained the restriction on the use of the bed tax revenues for debt service only and the need to reallocate funds from the General Fund to ensure the proper use of the funds. CM Joe Carlucci asked if the City's insurance policies are evaluated periodically, because the increases in premiums seem to be fairly large.

Mike Kenny, General Manager of ASM Jacksonville, said that the Ritz Theater is undergoing restroom renovations and there will be improvements to the museum portion of the building. ASM's manager of theaters said that the Ritz management produces 10-15 events per year and community promoters bring many more events.

Chairman Howland requested that all committee members be provided with copies of the City's stadium lease with the Jaguars and all of the amendments. Mary Staffopoulos of General Counsel's Office said she would facilitate that request.

The motion was approved unanimously.

Motion: on p. 50, tentatively approve Auditor's recommendations as follows:

1. Budget \$61,856 for JFRD Overtime Expense within the Daily's Place budget due to JFRD overtime expenses related to Daily's Place being inadvertently omitted from the budget. This will be offset

with an increase in the transfer from City Venues – City (47101), which will require an increase in the transfer from the General Fund/GSD to City Venues – City (47101) to balance the budget. In addition, there will be corresponding adjustments within JFRD’s General Fund/GSD budget for Overtime Salaries (\$60,972) and Medicare Tax (\$884) as well as SMG Overtime Reimbursement revenue (\$61,856).

2. Increase Contractual Services Revenue by \$90,000 for the Baseball Stadium to include revenue related to Jumbo Shrimp games. This will be offset with a decrease in the transfer from City Venues – City (47101), which will be offset with a decrease in the transfer from the General Fund/GSD to City Venues – City (47101) to balance the budget.
3. Decrease SMG Insurance expense by \$49,000 for the Baseball Stadium to reflect ASM’s projected expense. This will be offset with a decrease in the transfer from City Venues – City (47101), which will be offset with a decrease in the transfer from the General Fund/GSD to City Venues – City (47101) to balance the budget.
4. Use the net positive impact of \$77,144 on Special Council Contingency from items 1-3 above to increase the transfer from the General Fund/GSD to City Venues – City (47101) and increase Contractual Services – ASM expense within that fund to increase the amount budgeted for ASM’s performance fee. This will bring the total budget for the performance fee to \$782,031, which is capped at \$820,000 per the contract.

Chairman Howland asked for an explanation of the allocation related to counterfeit merchandise security. Mr. Kenny said it will pay for security personnel to prevent the sale of counterfeit T-shirts and the like by non-licensed vendors outside of performance venues. CM Carrico asked for a general breakout of the cost of a ticket and a food purchase among the event promoter, ASM and the City. Chairman Howland asked about the functions of the 8 new ASM employees being funded in the budget. Mr. Kenny said that 5 are IT employees and 2 are in operations.

The motion was approved unanimously.

Capital Projects – City Venues Surcharge

Motion: on p. 53, tentatively approve Auditor’s recommendations as follows:

1. Budget the Stadium projects within correct project numbers based on project type.
2. Correct the project number for the Ballpark Drainage Dewatering Systems project to Building Systems project # 001160.

CM White asked about the rationale for making improvements to EverBank Stadium when the plan is to completely rebuild the stadium in a few years. Mr. Kenny said that these projects are needed in the short term and there is a much longer list of needs not being requested at this time. CM Arias asked about how much of the new equipment could possibly be repurposed for use in the new stadium. Mr. Kenny explained that the Performing Arts Center capital improvements are funded through its ticket surcharge, not the City’s CIP process. Angela Moyer noted that there is \$1 million in the CIP for next year for improvements at the Performing Arts Center. Ms. Reber explained that the ticket surcharge at the Center increases 3% per year pursuant to the Ordinance Code. Chairman Howland asked if the construction of the stadium project would free up the \$4 million currently allocated to capital maintenance for other uses

since maintenance would be less on a new facility. Ms. Taylor said that there are always maintenance needs and the surcharge revenue goes to the VyStar Arena and 121 Ballpark in addition to the stadium, so it likely will need to continue to be used for that purpose. Mr. Howland asked about the Council's ability to control the use of these funds and to prevent their expenditure in light of the impending stadium reconstruction. Ms. Taylor said that funds could be put "below the line" and require further council authorization to spend. Mr. Kenny stated that the requested projects are absolute necessities that have been scrutinized by the Jaguars and the City administration; there is a much longer list of needs that was not requested given the upcoming stadium reconstruction.

The motion was approved unanimously.

City Venues – Debt Service

CM Lahnen asked for the total outstanding bond debt on the stadium and when that debt will be paid off. Ms. Reber said the payoff is slightly less than \$80 million over three bond issues, the last of which will be paid off by FY38. CM Carrico asked about the intended future use of the Flex Field that was replaced by the new Miller Electric Performance Facility. Daryl Joseph said it will be used in conjunction with a redesigned Metropolitan Park, especially to host youth sports events.

Sports Complex Capital Maintenance Enterprise Fund

Chairman Howland asked about the possibility of using the portion of the bed tax revenue allocated to this fund for other purposes once the stadium renovation takes place and presumably maintenance needs are reduced for a time. Ms. Reber said they could be allocated to other uses.

Finance and Administration Department

Risk Management Division

Self-Insurance

In response to a question from Chairman Howland, Ms. Taylor said the administration plans to commission an actuarial study to determine if the self-insurance premiums are sufficient. The budget is for the premiums amount to remain flat until that study is completed.

Insured Programs

CM Joe Carlucci asked about how the City procures its private insurance. Risk Manager Tracy Flynn said it is done through a broker – one broker this year after previously having several brokers for different insurance lines. She said various global crises have severely impacted the insurance market in the last year and made insurance more difficult and expensive to obtain. The City's relationship with its broker has played a large part in keeping the City's premiums down as much as possible. In response to a question from CM Joe Carlucci, Ms. Flynn said the City currently has a \$2 million deductible but may have to increase that in the future as insurance premiums continue to rise to keep rates down. The City has over 20 different policies for the many types of liability it faces. Jacksonville has a very good claims history for a big city in Florida which is keeping our premiums lower than what many other cities are facing.

General Fund-GSD Functions

In response to a question from CM Carrico, Ms. Taylor said that not all City grants run through the Grants Management Division; some departments have their own grant writers. Mr. Weinstein said that the Grants Division has other functions than just writing external grants such as managing grants made by the City and identifying grant opportunities for which other departments could apply. Chairman Howland asked for details about the 3 new positions. Ms. Moyer explained that the Council created one new position

earlier in the current fiscal year, one position is moving over from the Neighborhoods Department, and the third is a brand-new position in the Grants Office.

Chairman Howland listed several items held over for future discussion at the wrap-up session:

- Tax Collector salary enhancement request of \$1.1 million
- Supervisor of Elections enhancement request of \$2.2 from the current fiscal year for voting machine purchase.
- City venues ticket fee surcharge for capital outlay.
- Veterans Memorial Arena trust fund not fully expended for veterans' purposes.

Special Council Contingency Fund

The fund stands at +\$3,344,247 at the end of day 3. The items listed above by the Chair will be addressed at the wrap-up meeting next Friday in addition to allocating the \$7.5M for the Council Strategic Plan priorities, then the committee will take up enhancement requests. The Chair said there is a deadline of noon tomorrow for CMs to submit proposed enhancement requests of up to \$100,000. Ms. Taylor stated that in years past City Councils did maintain a substantial contingency account for use throughout the year as items may arise. In recent years the council has budgeted a \$100,000 reserve fund. The ARP funding bill, separate from the budget ordinance, will be taken up at the last Finance Committee meeting in September and by the council on budget adoption night. Ms. Taylor said that anyone interested in proposing an enhancement should be present at next Friday's budget wrap-up hearing. If any of the enhancements would involve direct contracting with an outside agency, the proponent will need to work with the General Counsel's Office to determine that the proposal has an appropriate public purpose and to develop a scope of service document that will have to be approved.

Council President Salem suggested that the Chair's instructions to council members about proposing enhancements should be specific about how much is available in the Special Council Contingency and how much can be requested per member. In response to a question from CM Carrico, Ms. Taylor said that direct contracts with third party agencies are generally done on a reimbursement basis; to make a disbursement in advance would require a Code waiver. Mr. Weinstein cautioned that direct contracts take a considerable amount of processing time and effort and noted that those contracts are one-year items included at the discretion of the Council and are not budgeted in succeeding years by the mayor. Mary Staffopoulos said that the General Counsel's Office can supply a term sheet template for council members to distribute to the agencies for which they will be advocating. Ms. Taylor cautioned that organizations that have applied for a Public Service Grant may not receive both a PSG and a direct contract through the budget.

Meeting adjourned: 2:28 p.m.

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