



# City of Saint Paul

City Hall and Court House  
15 West Kellogg Boulevard  
Council Chambers - 3rd  
Floor  
651-266-8560

## Meeting Minutes - Action Only

### City Council

*Council President Amy Brendmoen*  
*Councilmember Mitra Jalali*  
*Councilmember Rebecca Noecker*  
*Councilmember Jane L. Prince*  
*Councilmember Dai Thao*  
*Councilmember Chris Tolbert*  
*Councilmember Nelsie Yang*

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Wednesday, May 4, 2022

3:30 PM

Council Chambers - 3rd Floor

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#### ROLL CALL

**Present** 7 - Councilmember Amy Brendmoen, Councilmember Dai Thao, Councilmember Chris Tolbert, Councilmember Rebecca Noecker, Councilmember Jane L. Prince, Councilmember Mitra Jalali and Councilmember Nelsie Yang

#### COMMUNICATIONS & RECEIVE/FILE

- 1 [AO 22-21](#) Amending CDBG Project Budgets: funding for HUD program year 2021 Acute Intervention Project.  
  
**Received and filed**
- 2 [AO 22-23](#) Establishing an account code for one NENDC recommended project through their North End Neighborhood STAR Program funded via Resolution 17-1005.  
  
**Received and filed**
- 3 [AO 22-24](#) Amending the ARP Right Track budget to adjust account budgets.  
  
**Received and filed**

#### CONSENT AGENDA

Items listed under the Consent Agenda will be enacted by one motion with no separate discussion. If discussion on an item is desired, the item will be removed from the Consent Agenda for separate consideration.

#### Approval of the Consent Agenda

*Councilmember Yang moved approval.*

**Consent agenda adopted**

**Yea:** 7 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali and Councilmember Yang

**Nay:** 0

- 4     [RES 22-634](#)     Ratifying the assessments for Replacement of Lead Water Service Line on Private Property during October to December 2021 at 842 Jenks Ave. (File No. 2201LDSRP1, Assessment No. 224007)

**Adopted**

- 5     [RES 22-636](#)     Approving the Memorandum of Agreement for the 2022 Wage and Fringe Adjustment between the City of Saint Paul and the United Association of Plumbers, Local 34.

**Laid over to May 11, 2022 for final adoption**

**Yea:** 7 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali and Councilmember Yang

**Nay:** 0

- 6     [RES 22-638](#)     Approving Municipal State Aid roadway system revisions in Saint Paul made necessary by the Ramsey County Lexington Parkway Realignment Project from Montreal Avenue to Shepard Road.

**Adopted**

- 7     [RES 22-639](#)     Authorizing the Department of Parks and Recreation to partner with the Minnesota Department of Natural Resources (DNR) to submit a United States Department of Agriculture Forest Service (USDA-FS), State Urban Forest Resilience (SUFR) grant application for a total of \$488,400 to address the critical need to restore and improve urban forests due to catastrophic losses from Emerald Ash Borer (EAB), which requires a minimum 1:1 match, of which the City of Saint Paul will be responsible for \$100,000 satisfied by budgeted CIB funds for citywide tree planting.

**Adopted**

- 8     [RES 22-644](#)     Authorizing the Department of Parks and Recreation to accept a disc golf practice basket, valued at \$400, for the Highland Disc Golf Course, donated by Dan Betlock.

**Adopted**

- 9     [RES 22-653](#)     Approving the Memorandum of Agreement for the 2022 Wage and Fringe Adjustment between the City of Saint Paul and the International Association of Sheet Metal, Air, Rail and Transportation Workers, Local 10.

**Laid over to May 11, 2022 for final adoption**

**Yea:** 7 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali and Councilmember Yang

**Nay:** 0

- 10     [RES 22-655](#)     Authorizing the City to enter into Subordinate Funding Agreement #6 to the Master Funding Agreement with the Metropolitan Council for the Gold Line Bus Rapid Transit Project.

**Adopted**

- 11     [RES 22-658](#)     Authorizing the execution of a drainage and utility easement along Mississippi River Boulevard.

**Adopted**

- 12     [RES 22-659](#)     Accepting a dedication of easement for public sewer purposes and a temporary construction easement from Lakewood Group Three, LLC for the improvement and expansion of existing sewer facilities and pumping station; and authorizing compensation for the easements to Lakewood Group Three, LLC.

**Adopted**

- 13     [RES 22-661](#)     Amending Council File RES PH 21-246 to reduce the assessment for Replacement of Lead Water Service Line on Private Properties during April to June 2021. (File No. 2103LDSRP, Assessment No. 214003)

**Adopted**

- 14     [RES 22-662](#)     Accepting the offer of the Minnesota Public Facilities Authority to purchase a water revenue note in an aggregate principal amount not to exceed \$46,000,000, providing for the issuance of the water revenue note, Series 2022, and authorizing execution of a project loan agreement with the Minnesota Public Facilities Authority.

**Adopted**

- 15     [RES 22-663](#)     Establishing the rate of pay for Lead Operating Engineer.

**Laid over to May 11, 2022 for final adoption**

**Yea:** 7 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali and Councilmember Yang

**Nay:** 0

- 16     [RES 22-664](#)     Amending Council File RES PH 22-6 to reduce the assessment for Replacement of Lead Water Service Line on Private Properties during July to September 2021. (File No. 2200LDSRP, Assessment No. 224000)
- Adopted**
- 17     [RES 22-666](#)     Amending Council File RES PH 21-247 to reduce the assessment for Repair of Sanitary Sewer Line on Private Property during April to June 2021 at 224 Isabel St W. (File No. SWRP2103, Assessment No. 213003)
- Adopted**
- 18     [RES 22-667](#)     Amending Council File RES PH 22-72 to reduce the assessment for Repair of Sanitary Sewer Line on Private Property during October to December 2021 at 1173 Laurel Ave. (File No. SWRP2201, Assessment No. 223001)
- Adopted**
- 19     [RES 22-673](#)     Approving Ordinance Permit 20210010406 for Stormsewer Conveyance Infrastructure installed by Project Paul, LLC (a wholly-owned subsidiary of Ryan Companies US, Inc.) ("Ryan") on the Ford (Highland Bridge) Site.
- Adopted**
- 20     [RES 22-674](#)     Approval of a Liquor Off Sale and waiving the three-hundred (300) foot separation distance requirement from a protected use in order to issue a Liquor Off Sale license to Creative Libations LLC (License ID #20210000871) at 1545 7th Street West.
- Adopted**
- 21     [RES 22-681](#)     Approving the Mayor's appointments of Quentin Turner to a three-year term on the Heritage Preservation Commission.
- Adopted**
- 22     [RES 22-685](#)     Approving the Mayor's reappointment of Emily Peterson to the Human Rights and Equal Economic Opportunity Commission and designating her to serve as chairperson.
- Adopted**
- 23     [RES 22-686](#)     Approving the Mayor's appointments of Bethany Gladhill, Jon Jee Schill, Georgina Chinchilla Gonzalez, Cheniqua Johnson, and Shannon Forney to the Cultural STAR Board.
- Adopted**
- 24     [Min 22-12](#)     Approving the minutes of the Saint Paul City Council meetings of August 4,

11, 18, and 25, 2021.

**Adopted**

- 25     [RES 22-601](#)     Approving the Memorandum of Agreement between the City and the Saint Paul Police Federation for the purpose of establishing an additional incentive of personal release time for employees who are assigned as Field Training Officers (FTO) during Police Department Recruit Academies.

**Adopted**

- 26     [RES 22-635](#)     Approving the Memorandum of Agreement for the 2022 Wage and Fringe Adjustment between the City of Saint Paul and the Electrical Workers Local 110.

**Adopted**

- 27     [RES 22-705](#)     Accepting the gift of the cost of travel expenses for the Bloomberg Harvard City Leadership Initiative for HREEO Director Kristien R. E. Butler, Human Rights and Equal Economic Opportunity (HREEO), HREEO Deputy Director Andrea Ledger, and Public Works Director Sean Kershaw to attend “Leading City Procurement Reform” Program in Cambridge, MA from May 9, 2022-May 13, 2022.

**Adopted**

**FOR DISCUSSION**

- 28     [RES 22-680](#)     Recognizing Beverly Farraher’s award from the National APWA as a Top Ten Public Works Leader of the Year.

*Sean Kershaw, Director of Public Works, congratulated Beverly Farraher and introduced other speakers from the American Public Works Association (APWA).*

*Nick Ageler, Rosemount Director of Public Works and APWA-Minnesota Chapter President, congratulated Farraher.*

*Mark Hanson, Coon Rapids City Engineer and APWA-Minnesota Awards Committee Member, congratulated Farraher.*

*Scott Grayson, AWPA CEO, congratulated Farraher.*

*Farraher thanked testifiers, councilmembers, and other staff.*

*Council President Brendmoen thanked Farraher and highlighted parts of the resolution.*

*Councilmember Noecker moved approval.*

**Adopted**

**Yea:** 7 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali and Councilmember Yang

**Nay:** 0

- 29**     [RES 22-687](#)     Authorizing the City to transfer \$4,477,000 of American Rescue Plan funds to specific accounts for recipients of the Tourism Recovery Support Program grants.

*Nicolle Goodman, Director of Planning and Economic Development, gave a staff report.*

*Councilmember Noecker thanked Goodman and spoke in favor.*

*Councilmember Prince thanked Goodman and spoke in favor.*

*Councilmember Tolbert thanked Goodman and spoke in favor.*

*Councilmember Jalali thanked Goodman and spoke in favor.*

*Council President Brendmoen thanked Goodman and spoke in favor.*

*Tolbert moved approval.*

**Adopted**

**Yea:** 7 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali and Councilmember Yang

**Nay:** 0

- 30**     [APC 22-1](#)     Public hearing to consider the appeal of Dayton's Bluff District Council to a decision of the Planning Commission approving a reestablishment of nonconforming use for Elite Auto Sales LLC at 847 Hudson Road. (Public hearing closed April 20, 2022.)

*Councilmember Prince moved to grant the appeal and spoke in favor.*

*Councilmember Tolbert spoke against Prince's motion.*

*Councilmember Jalali said it was a difficult decision and asked for additional details from staff.*

*Bill Dermody, City Planner, provided additional information.*

*Jalali spoke against Prince's motion.*

*Council President Brendmoen said it was a difficult decision and spoke in favor of Prince's motion.*

*Noecker spoke in favor of Prince's motion.*

**Motion of intent, appeal is granted**

**Yea:** 5 - Councilmember Brendmoen, Councilmember Thao, Councilmember Noecker, Councilmember Prince and Councilmember Yang

**Nay:** 2 - Councilmember Tolbert and Councilmember Jalali

### ORDINANCES

An ordinance is a city law enacted by the City Council. It is read at three separate council meetings and becomes effective after passage by the Council and 30 days after publication in the Saint Paul Legal Ledger. Public hearings on ordinances are held at the second reading.

#### Final Adoption

- 31**    [Ord 22-18](#)            Amending Section 160.04 of the Legislative Code to add Juneteenth to parking meter holidays.

*Councilmember Thao moved approval.*

#### **Adopted**

**Yea:** 7 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali and Councilmember Yang

**Nay:** 0

### EMERGENCY ORDINANCE PUBLIC HEARING

See below for ways to testify.

- 32**    [Ord 22-19](#)            Pursuant to City Charter 6.06, an emergency ordinance for the specific purpose of curing any potential procedural issues with the original enactment of Emergency Ordinance No. 20-36 on November 18, 2020, to facilitate the establishment of a day-use service facility to provide services to the City's unsheltered population during the Covid-19 pandemic emergency at the site of former Fire Station 51 at 296 West Seventh Street commonly known as "Freedom House."

*Council President Brendmoen spoke to the ordinance and asked if City Attorney staff was present.*

*Kyle Kroll, Attorney representing nearby businesses, spoke during the public hearing.*

*Councilmember Prince made some corrections based on dates.*

*City Council took a brief recess.*

*Prince clarified that this would extend at least until the term of the lease which is May 24.*

*Brendmoen confirmed Prince's statement.*

#### **Adopted**

**Yea:** 7 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali and Councilmember Yang

Nay: 0

#### PUBLIC HEARINGS

See below for ways to testify.

- 33**     [Ord 22-22](#)     Establishing a Qualifications and Examining Committee for the position of Police Chief in accordance with City Charter §12.12.1.
- Council President Brendmoen moved to approve the changed Version 1 and close the public hearing.*
- Amendment approved, public hearing closed, laid over to May 11, 2022 for final adoption**
- Yea:** 7 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali and Councilmember Yang
- Nay:** 0
- 34**     [RES PH 22-100](#)     Authorizing the Police Department to accept and amend the 2022 Special Fund Budget for the State of Minnesota, Department of Public Safety, Byrne Justice Assistance Grant (JAG).
- Councilmember Jalali spoke to the resolution.*
- Councilmember Thao moved approval.*
- Adopted**
- Yea:** 7 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali and Councilmember Yang
- Nay:** 0
- 35**     [RES PH 22-101](#)     Approving the application of Hampden Park Co-Op for a sound level variance in order to present amplified sound on Saturday, May 14, 2022 at 928 Raymond Ave.
- Councilmember Jalali moved approval.*
- Adopted**
- Yea:** 7 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali and Councilmember Yang
- Nay:** 0
- 36**     [RES PH 22-106](#)     Approving the application of Jan Hohn for a sound level variance in order to present amplified sound on June 25, 2022 at 1190 Summit Ave - Back/Side yard



*Councilmember Noecker moved approval of Version 2.*

**Adopted as amended (time extended to 11:30 pm)**

**Yea:** 7 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali and Councilmember Yang

**Nay:** 0

- 37**     [RES PH 22-108](#)     Authorizing the Department of Public Works Garbage Program to accept funds for Liquidated Damages from WM (formerly Waste Management) in the amount of \$11,850.

*Susan Young, Program Administrator at the Department of Public Works, gave a staff report.*

*Councilmember Prince thanked Young and other Public Works staff.*

*Councilmember Noecker thanked Young and other Public Works staff.*

*Young gave additional remarks.*

*Councilmember Yang moved approval.*

**Adopted**

**Yea:** 7 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali and Councilmember Yang

**Nay:** 0

- 38**     [RES PH 22-114](#)     Approving adverse action against the Cigarette/Tobacco license held by New Hope Grocery LLC, d/b/a New Hope Grocery, for the premises located at 1132 Payne Avenue.

*Stephen Earnest, Assistant City Attorney, gave a staff report.*

*Councilmember Thao asked if it was likely that the sale was an organized operation, and if the company had other locations in St. Paul.*

*Earnest addressed Thao's questions.*

*Kurt Robinson, Attorney representing the license holder, spoke during the public hearing.*

*Councilmember Yang spoke in favor and moved approval.*

**Adopted**

**Yea:** 7 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali and Councilmember Yang

**Nay:** 0

**39**     [ABZA 22-1](#)

Considering the appeal of Muna Ali to a decision by the Board of Zoning Appeals (BZA) denying zoning variance requests to exceed the maximum 20 square foot enclosed entrance size allowed by 48 square feet and to exceed the maximum allowable open covered porch projection by 8.3' at 664 Blair Avenue. (Public hearing closed May 4, 2022)

*Bob Coughlin, representing the appellant, spoke during the public hearing.*

*Councilmember Thao moved to close the public hearing and lay over for one week.*

**Laid over to May 11, 2022**

**Yea:** 7 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali and Councilmember Yang

**Nay:** 0

**40**     [RES PH 22-62](#)

Approving the petition of Kevin Vu to vacate the north-south alley in Block 4, the Strand Addition. (Petitioner requests this to be withdrawn.)

*Council President Brendmoen moved to lay over for four weeks.*

**Laid over to June 1, 2022**

**Yea:** 7 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali and Councilmember Yang

**Nay:** 0

#### **LEGISLATIVE HEARING CONSENT AGENDA**

**Items listed under the Consent Agenda will receive a combined public hearing and be enacted by one motion with no separate discussion. Items may be removed from the Consent Agenda for a separate public hearing and discussion if desired.**

#### **Approval of the Consent Agenda**

*Councilmember Noecker moved approval.*

**Legislative hearing consent agenda adopted as amended**

**Yea:** 7 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali and Councilmember Yang

**Nay:** 0

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- 41 [RLH TA 22-88](#) Ratifying the Appealed Special Tax Assessment for property at 608 CASE AVENUE. (File No. CRT2206A, Assessment No. 228208)  
**Adopted**
- 42 [RLH TA 22-94](#) Ratifying the Appealed Special Tax Assessment for property at 1015 CHURCHILL STREET. (File No. J2206B1, Assessment No. 228113)  
**Adopted**
- 43 [RLH TA 22-91](#) Ratifying the Appealed Special Tax Assessment for property at 59 KING STREET EAST. (File No. J2207B, Assessment No. 228106)  
**Adopted as amended (assessment ratified)**  
**Yea:** 7 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali and Councilmember Yang  
**Nay:** 0
- 44 [RLH TA 22-161](#) Ratifying the Appealed Special Tax Assessment for property at 310 LAWSON AVENUE EAST. (File No. J2217A, Assessment No. 228516) (Legislative Hearing on May 3, 2022)  
**Adopted as amended (assessment ratified)**  
**Yea:** 7 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali and Councilmember Yang  
**Nay:** 0
- 45 [RLH TA 22-93](#) Ratifying the Appealed Special Tax Assessment for property at 927 LAWSON AVENUE EAST. (File No. J2217A, Assessment No. 228516) (Public hearing continued to September 21, 2022)  
**Public hearing continued to September 21, 2022**  
**Yea:** 7 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali and Councilmember Yang  
**Nay:** 0
- 46 [RLH TA 22-101](#) Ratifying the Appealed Special Tax Assessment for property at 628/630 MENDOTA STREET. (File No. J2216A Assessment No. 228515) (Public hearing continued to September 21, 2022)  
**Public hearing continued to September 21, 2022**  
**Yea:** 7 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali and Councilmember Yang

Nay: 0

- 47 [RLH TA 22-99](#) Ratifying the Appealed Special Tax Assessment for property at 975 PALACE AVENUE. (File No. J2217A, Assessment No. 228516) (Public hearing continued to September 21, 2022)

**Public hearing continued to September 21, 2022**

**Yea:** 7 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali and Councilmember Yang

Nay: 0

- 48 [RLH TA 22-86](#) Ratifying the Appealed Special Tax Assessment for property at 1446 RICE STREET. (File No. VB2207, Assessment No. 228806)

**Adopted as amended (assessment ratified, made payable over 2 years)**

**Yea:** 7 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali and Councilmember Yang

Nay: 0

- 49 [RLH VBR 22-22](#) Appeal of Norma Anderson to a Vacant Building Registration Notice and Summary Abatement Order at 1425 SEVENTH STREET EAST.

**Adopted**

- 50 [RLH TA 22-100](#) Ratifying the Appealed Special Tax Assessment for property at 609 SIMS AVENUE. (File No. VB2207, Assessment No. 228806) (Public hearing continued to May 4, 2022)

**Adopted as amended (assessment ratified)**

**Yea:** 7 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali and Councilmember Yang

Nay: 0

- 51 [RLH TA 22-165](#) Amending the previously ratified assessment to reduce the assessment for Property Clean Up services during November 1 to 10, 2021 at 1428 THOMAS AVENUE. (File No. J2214A, Assessment No. 228513)

**Adopted**

- 52 [RLH OA 22-4](#) Making revised recommendation to Ramsey County on the application of Home Buyers, LLC for repurchase of tax forfeited property at 702 WILSON AVENUE adopted by Council under File No. RLH OA 22-2.

**Adopted**

- 53 [RLH AR 22-29](#) Ratifying the assessments for Property Clean Up services during December

1 to 14, 2021. (File No. J2216A, Assessment No. 228515)

**Adopted**

- 54 [RLH AR 22-30](#) Ratifying the assessments for Property Clean Up services during December 14 to 30, 2021. (File No. J2217A, Assessment No. 228516)

**Adopted**

- 55 [RLH TA 22-171](#) Amending the previously ratified assessment to reduce the assessment for Collection of Fire Certificate of Occupancy fees billed during October 19 to November 26, 2021, at 244 MARYLAND AVENUE EAST. (File No. CRT2207, Assessment No. 228206)

**Adopted**

**ADJOURNMENT**

**Meeting ended at 5:02 pm**

City Council meetings are open for in person attendance, but the public may also comment on public hearing items in writing or via voicemail. Any comments and materials submitted by 12:00 pm of the day before the meeting will be attached to the public record and available for review by the City Council. Comments may be submitted as follows:

The public may comment on public hearing items in writing or via voicemail. Any comments and materials submitted by 12:00 pm of the day before the meeting will be attached to the public record and available for review by the City Council. Comments may be submitted as follows:

Written public comment on public hearing items can be submitted to [Contact-Council@ci.stpaul.mn.us](mailto:Contact-Council@ci.stpaul.mn.us), [CouncilHearing@ci.stpaul.mn.us](mailto:CouncilHearing@ci.stpaul.mn.us), or by voicemail at 651-266-6805. Live testimony will be taken in person in the Council Chambers, and by telephone by registering to speak by noon on the day before the meeting. The registration link is located on the City Council website at [www.stpaul.gov/council](http://www.stpaul.gov/council) or <https://forms.office.com/g/TD3xN7WHy5>.

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