

# Definitions

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**Accrue** – To accumulate or save.

**Acquisition Project**– Any project that gains ownership or control of real property. Acquisition projects can also include subsequent clean up and security activities of the acquired property.

**Advancement** – Cash payment made to grantees in advance of completing work. Grantees may request advancement when a grant's initial investment exceeds a jurisdiction's ability to front costs prior to receiving funding.

**Adverse Site Conditions** – Unforeseeable conditions of a site. These conditions could include overhead or underground utilities, toxic contamination, natural disasters, etc.

**Advisory Board** – Refer to entry for Citizens Oversight Advisory Board.

**Agency** – Any non-profit or public park/community services organization.

**Agency of Record** – the public park agency that is assigned the funds for each Study Area. For Study Areas that are located within incorporated cities, the city Community Services Agency or Parks Department is the Agency of Record. For the Study Areas located within the unincorporated areas of the County, the Los Angeles County Department of Parks and Recreation is the Agency of Record.

**Amendment Request** – Written request for RPOSD to accept changes to a grant's budget, scope, name, timeline, or performance period.

**Amenity** –A desirable or useful feature or facility of a building or place.

**Americans with Disabilities Act (ADA)** – The federal law as codified in Chapter 126, Title 42, of the U.S. Codes. Prohibits discrimination against individuals with disabilities in all areas of public life, including jobs, schools, transportation, and all public and private places that are open to the general public.

**Annual Allocation** – Grant funds awarded annually using a formula. Annual allocations are non-competitive.

**Appropriate Access** – Access that is clearly visible and welcoming to the public.

**Assessor** – The County of Los Angeles Office of the Assessor.

**Assignment and Assumption of Grant Agreement (AAGA)** – A legal agreement that allows grantees to transfer all grant obligations from a private agency to a public agency or from one public agency to another.

**Award Recipient** –One that receives a grant award.

**Award Type** – Indicates the type of grant program the award is from: either annual allocation or competitive grant, it will also include, if appropriate the identification of bond funds, if they are included in the grant.

**Beaches** – A public beach or shoreline area bordering the Pacific Ocean owned, controlled, or managed by a public agency, within the County of Los Angeles.

**Blackout Period** – Period of time during which payment requests will not be processed. The blackout period is June 15th through July 15th.

**Board Action** – Any action taken by the Board of RPOSD.

**Board of Regional Park and Open Space District (RPOSD)** – The County of Los Angeles Board of Supervisors, acting as the governing body of the Los Angeles County Regional Park and Open Space District.

**Bond** – A debt instrument bearing a stated rate of interest that matures on a certain date, at which time a fixed sum of money plus interest is payable to the bondholder.

**Bond Funds** – funds derived from the act of issuing bonds to pay for specific capital projects. These funds have restrictions on what they can be used to fund and the time frame for which they must be expended.

**BOS** – The County of Los Angeles Board of Supervisors.

**California Environmental Quality Act (CEQA)** – A statute that requires state and local agencies to identify the significant environmental impacts of their actions and to avoid or mitigate those impacts, if feasible.

**Organizational Capacity Review** – Review by RPOSD staff of information demonstrating organizational capacity, including a financial audit statement and operating structure showing number of staff, staff roles, labor hours, etc.

**Capital Project** – Any project to build, restore, retain, or purchase any equipment, property, facilities, including buildings, park facilities, infrastructure, information technology systems, or other equipment, that is funded on a non-repeating, or non-indefinite, basis and that is to be used as a public asset, or for the public benefit. Any and all funds used for a Capital Project shall be used in accordance with the rules and regulation of the fund source. A Capital project is further defined as a project with a budget larger than \$20,000 and that is approved by the governing body.

**Case Manager** – refer to the entry on Technical Assistance Program Case Manager.

**Citizens Oversight Advisory Board** – Established in Section 7 of Measure A. Also referred to as "Advisory Board." Composed of five members appointed by the Board of Supervisors and charged with reviewing all expenditures of the special tax; ensuring that this program is integrated in the annual independent audit of RPOSD; publishing a complete accounting of all allocations each year; and submitting to the County periodic evaluations of the program.

**Closing Documentation** – Documentation required to be submitted by a grantee prior to the grant closeout.

**Community Engagement Plan**—All Measure A grant programs require community outreach and engagement. A Community Engagement Plan must be submitted with each grant application. The Community Engagement Plan must provide the following information: dates, frequency, and outreach methods used or planned to be used; dates of all engagement (planned or completed); scope of planned and/or conducted engagement activities; language access verification and supporting documentation. This plan may need to be updated over the course of a grant.

**Community-based Organization (CBO)** – A nonprofit organization that represents a community and/or provides educational or related services to members of that community.

**Competitive Bid Contract** – A contract awarded through a competitive process. These contracts are typically awarded through public agencies to ensure that a fair competitive process takes place between the applicants.

**Competitive Grant** – Grant funds that are available on a competitive basis, with grants awarded only to those applicants that best conform to the grant program's guidelines.

**Competitive Grant Evaluation Panel** – A multidisciplinary team with diverse backgrounds and expertise in various aspects of park, recreation, and open space issues that is charged with assisting RPOSD in evaluating competitive grant applications.

**Comprehensive Annual Financial Report** – A set of financial governmental statements containing financial reports of a state, municipal, or other governmental body that complies with the accounting requirements set by the Governmental Accounting Standards Board (GASB).

**Concurrent Participatory Engagement (CPE)** – Community engagement that is conducted concurrently with other public meetings or events. CPE may include but is not limited to: meetings scheduled around community plans, regularly scheduled council and/or commission meetings, or special community events that aim to engage the community and solicit feedback that pertains to spending priorities within a Study Area.

**Conservation Corps** – A nonprofit organization that seeks to preserve and protect the environment and provide job skills training and educational opportunities to youth. Conservation Corps may be certified by the California Conservation Corps.

**Contingency Costs** – An amount that is included in a grant budget to represent uncertainty.

**Contract** – A formal and legal written agreement between two or more people and/or organizations.

**Conversion Request** – A request by a Grantee for change in use, sale, or disposal of Grant-funded property.

**County** – Los Angeles County.

**County Cultural Facility** – A building owned and/or operated by the County of Los Angeles which shall be used for the programming, production, presentation, and/or exhibition of natural history and any of the arts and/or cultural disciplines. These disciplines include music, dance, theatre, creative writing, literature, architecture, painting, sculpture, folk arts, photography, crafts, media arts, and visual arts.

**Day**– the RPOSD business day. RPOSD works on a 4/10 schedule, from 7:00 am to 5:30 pm (PST). A work week is four, 10–hour days, Monday through Thursday.

**Dedicated Participatory Engagement (DPE)** – Community engagement dedicated to discussing specific project(s) with Measure A funding needs. These meetings must focus entirely on parks and open space projects, plans, or priorities and may not include agenda items that do not pertain to specific projects, plans, or priorities. Examples of acceptable DPE include but are not limited to: public workshops or meetings; design charrettes; collective design/visioning; community mapping; model making; and participatory budgeting.

**Deed Restriction** – Rules and regulations pertaining to the use of land in a neighborhood that is recorded by the grantee/property owner within the Los Angeles County Registrar–Recorder/County Clerk.

**Design Charrette** – A short, collaborative meeting during which members of a team quickly collaborate and sketch designs to explore and share a broad diversity of design ideas.

**Development Project** – A project that includes construction, enhancement, or refurbishment of park or open space elements. Development projects are capital projects.

**Director** – The Director of the Los Angeles County Regional Park and Open Space District.

**Disclosure Form** – A legal form that expresses what information will be collected and with whom it will be shared.

**District** – refer to entry on Los Angeles County Regional Park and Open Space District.

**Door-to-door Canvassing** – Knocking on doors to engage in personalized contact with individuals.

**Eligible Project Types**– A project that meets the requirements of a specific grant program. Eligible project requirements vary by grant program and shall include at least the following: Acquisition Projects, Development Projects, Planning and Design Projects as well as Program Projects.

**Escrow** – A contractual arrangement in which a third party receives and disburses money or documents for the primary transacting parties, with the disbursement dependent on conditions agreed to by the transacting parties.

**Expenditure Plan** – A plan that attributes dollar amounts towards various funding categories. The amounts attributed to each funding category may change from year to year due to changes in tax revenue and policy changes.

**Financial Audit** – An evaluation of an agency's or organizations financial reports.

**Fiscal Year (FY)** – A twelve–month period used for financial and accounting purposes. The County of Los Angeles' fiscal year begins on July 1 and ends on June 30.

**Funding Program** – refer to entry on Grant Program

**Gentrification** – Changes of neighborhood population from lower to higher income.

**Geographic Information System (GIS)** – A framework for gathering, managing, and analyzing data to create visual maps.

**Good Standing**– Good Standing is when an agency or organization is in compliance with all requirements stated in the guidelines, policies, and procedures of RPOSD for both Proposition A and Measure A. Good Standing is required of grantees to get payment requests processed and receive any grant funds from RPOSD. Grantees who lose Good Standing must make notable progress toward resolving issues to have Good Standing restored. Agencies and organizations without Good Standing will not have payment requests processed or reimbursements issued for all grants with RPOSD.

**Grants Administration Manual** – The Grants Administration Manual(s) is the document that details the policies and procedures for administering grants awarded by RPOSD. It shall also include any subsequent amendments or changes issued by the RPOSD.

**Grant Officer** –RPOSD employee tasked with assisting registrants and grantees throughout the registration, application, and grant administration processes. Grant Officers are assigned to registrants and are the primary point of contact between registrants/grantees and RPOSD.

**Grant Award** – The total available funds given to eligible grant applicants.

**Grant Calendar** – Indicates the year and quarter in which each competitive grant program cycle opens for accepting grant applications.

**Grant Closeout** – The process submitting all required documentation and receiving confirmation that all work required under a grant agreement has been completed by the grantee and that all applicable administrative requirements are met.

**Grant Agreement (GA)** – The legally binding agreement between RPOSD and grantee, signed and authorized by both parties, that details the scope of work, budget, and timeline agreed upon by the two parties.

**Grant Boundary Map** – A map that shows the project’s general area and delineated the boundaries of grant-funded property, inclusive of reasonable public access such as roads and walkways.

**Grant Management System (GMS)** – The electronic database and software that maintains and processes all RPOSD grants and programs.

**Grant Performance Period** – The period of time that the Grant Agreement is in effect. Length of Grant Performance is determined by the timeline provided by the grantee and included in the grant agreement.

**Grant Program** – A funding program with distinct goals and requirements. Measure A includes twelve distinct grant programs, six of which are annual allocations, and five of which are competitive. The Planning & Design funds grant program is part of Technical Assistance and contains competitive and selective elements.

**Grant Status Update Report** – Documentation from the grantee that reports the status of an ongoing grant twice a year for the purpose of updating RPOSD. Required to maintain Good Standing.

**Grantee** – An award recipient with a fully executed Grant Agreement.

**Grantee Labor Costs** – Grantee costs that pertain to accounting, design, project management, or services directly related to the work included in the grant agreement.

**Greenway** – A capital project that incorporates elements of water conservation and reclamation, urban greening, or public safety in a linear park, urban trail and/or active transportation corridor.

**Heat–Island Reduction** – Reduction of increased ambient temperatures that occur in highly developed areas and are attributed to increased hardscape surface area.

**High–Need or Very–High–Need Study Area** – Areas designated as such in the Los Angeles Countywide Comprehensive Parks & Recreation Needs Assessment.

**Inclusive Outreach** – Outreach that seeks to engage people whose interests are affected by the project plans, particularly those groups who typically experience barriers to participation such as ethnic minorities, non–English speakers, and members of low–income communities.

**Information Sharing (IS)** – Community engagement that educates and informs community members of potential and ongoing projects, facility needs and challenges, funding opportunities, and available programs and services.

**Interpretation & Education** – A visitor serving amenity, activity or program that enhances the ability to understand and appreciate the significance and value of natural, historical, cultural and recreational resources that may utilize educational materials in multiple languages, digital information, and the expertise of a naturalist or other skilled specialist.

**IRS Form 990 (Return of Organization Exempt from Income Tax)** – A legal form that provides financial information about a nonprofit organization.

**Joint/Shared–Use** – Shared management of facilities, land, utilities, programs, or other common elements between two or more parties.

**Joint/Shared–Use Agreement** – Legal contract between two or more parties that sets forth the terms and conditions for joint/shared use of facilities, land, utilities, programs, or other common elements.

**Joint Powers Authority (JPA)** – A legally created entity that allows two or more government agencies to jointly exercise common powers.

**Judgement in Condemnation** – A court document demonstrating that the grantee has applied for an order of condemnation on property to be acquired and showing the price determined by the court.

**Jurisdiction Support** – Written support to apply for, accept, and administer grant funds from an authorized representative from the head of the applying department, City Manager’s Office, Parks and Recreation department head, City Council, Board of Directors, or other leadership deemed appropriate by applicant.

**Land Acquisition** – The act of procuring the ownership of a piece of land via purchase or lease.

**Land Tenure** – The legal rules and engagements of owning land, or through an executed agreement, having control of the use of land.

**Language Access Requirement** – A set of requirements for providing language access services for community outreach and engagement. These requirements are divided into three tiers that are determined by the percent of a population that is linguistically isolated.

**Lease** – A contract by which one party shifts land ownership to another party for a specified period of time in return for remuneration of some type.

**Letter of Intent** – A written document that details the intentions of two parties to enter into a legal agreement once certain milestones or thresholds are met.

**Leveraging of Funds** – The action of using secured funds to secure commitment of additional funds.

**Local Jurisdiction** – A city, county, special district or local agency.

**Long-Range Park Planning Documents** – Planning documents that provide information on future direction and plans for park, recreation, and open spaces within a given jurisdiction. These may include and are not limited to parks master plans, community plans, general plans or other adopted planning documents.

**Los Angeles County** – May refer to the geographic unit bounded by the Pacific Ocean, Ventura County, Kern County, San Bernardino County, and Orange County; or to the Government of this area.

**Los Angeles County Regional Park and Open Space District (RPOSD)** – A Special District created with State legislation and finalized in 1992 when voters approved Proposition A, the Safe Neighborhood Parks Act. (See California Public Resources Code 5506.9). RPOSD is responsible for administering Measure A.

**Los Angeles Countywide Comprehensive Parks & Recreation Needs Assessment (PNA)** – The 2016 Los Angeles Countywide Comprehensive Park and Recreation Needs Assessment Final Report and any supplementary material adopted. Future updates to the PNA, when coupled with the Regional Recreation, Beaches, Rural Areas and Open Space Assessment shall be referred to as the Unified Countywide Comprehensive Parks Needs Assessment (UPNA).

**Maintenance** – The furnishing of services and materials for the ordinary and usual maintenance, operation, and servicing of any improvement.

**Measure A Implementation Steering Committee** – A committee of 46 representatives appointed by the Board of Supervisors to guide the implementation of Measure A. The Steering Committee's work began in April 2017 and concluded in June 2018.

**Mentor Directory** – An online listing of trained volunteer mentors who provide guidance to applicants and grantees. The Mentor Directory is an element of the Technical Assistance Program.

**Metrics** – Units of measurement used for quantitative assessment of the progress or performance of a plan, process, or program.

**Minimum Bond Issuance** – Minimum amount of bonds recommended for issuance by the Los Angeles County Treasurer and Tax Collector based on current market conditions at time of bond issuance.

**Multi-benefit Capital Project** – A capital project that maximizes or enhances recreation opportunities and one or more of the following: protection or enhancement of the natural environment; stormwater capture; water and air quality improvements; greenhouse gas (GHG) reductions; carbon sequestration; heat-island reductions; habitat protection and biodiversity; community health improvements; or any combination thereof.

**Multi-use Trail** – A path or trail which accommodates at least two modes of two-way non-motorized travel (including pedestrians, bicyclists, or equestrians).

**National Environmental Protection Act (NEPA)** – A federal statute that requires state and local agencies that are building on federal lands to identify the significant environmental impacts of their actions and to avoid or mitigate those impacts, if feasible.

**National Forest** – Protected area managed by the US Forest Service.

**Natural Lands** – An area of relatively undeveloped land which has substantially retained its characteristics as provided by nature or has been substantially restored, or which can be feasibly restored to a near-natural condition and which derives outstanding value from its wildlife, scenic, open space, parkland or recreational characteristics, or any combination thereof.

**Nonprofit Organization** – Any charitable organization described in Section 501(c)(3) of the Internal Revenue Code of 1986, as amended.

**Notice of Completion** – A document recorded by the land owner that states a capital project has been completed. Notice of Completion (NOC) is required when development elements of a capital project were performed under contract with a public agency. The NOC must be stamped by the Los Angeles County Registrar-Recorder/County Clerk.

**Online Portal** – A specifically designed website that brings in information from various sources including emails, online forums, search engines, etc.

**Open space, foothill, mountain, trail, river, wetlands and stream capital projects** – Include any of the following: preservation of natural lands; scenic vistas and wildlife habitat; wildlife corridors; development and restoration of mountain and other open space hiking biking, walking and equestrian trails, especially those maintained by the County Public Works and Parks and Recreation Departments; restoration of natural vegetation and habitat; habitat and recreation facilities in and adjacent to riparian and flood control channels; and the provision of recreational opportunities and public access in mountain, foothill, river, stream and wetland areas.

**Organization** – A nonprofit or community-based organization.

**Outreach Methods** – Refers to the specific way that information is shared to the community in order to educate them or invite them to engage in further discussions. May include, but is not limited to, email blasts, social media, newsletters, publication on a website, distribution of flyers or other printed materials, local and regional print media, local radio and television, door-to-door canvassing, or phone banking.



**Park** – A tract of land with scenic, natural, open–space or recreational values; set apart to conserve natural, scenic, wildlife, cultural, historical or ecological resources for present and future generations; and to be used by the public as a place for respite, rest, recreation, education, exercise, inspiration or enjoyment.

**Parks Needs Assessment** – Refer to entry for Los Angeles Countywide Comprehensive Parks & Recreation Needs Assessment.

**Per Capita and Structural Improvements Formula** – The formula established by Measure A that determines how allocations of certain funding programs under this Measure shall be distributed. Each Study Area’s allocation percentage of the applicable funding programs shall be the arithmetic mean of Per Capita and Structural Improvements, where Per Capita is weighted two–thirds and Structural Improvements are weighted one–third and shall be calculated as follows: Allocation Percentage = [(Per Capita + Per Capita + Structural Improvements)/3].

**Perpetuity/in-perpetuity** – A bond or other security with no fixed maturity date; a restriction making an estate inalienable perpetually or for a period beyond certain limits fixed by law; the state or quality of lasting forever.

**Planning and Design Project** – A grant that is focused on the further development of a conceptual project receiving funds from RPOSD.

**Pre–Project Assistance** – The planning, design, feasibility and studies necessary to define and articulate 1) a capital park project on land that was developed for uses other than parkland, or 2) a capital project to acquire and/or restore parks and natural lands.

**Program Grant** – A project receiving funds from RPOSD’s Recreation Access Program or Youth and Veteran Job Training and Placement Program.

**Project:** definition/description of the specific project/program to be funded (land to be acquired, amenity to be designed, built or refurbished, restoration of habitat, etc.)

**Project Description** – A one to three paragraph description of the project/program to be funded. The description must include the following:

1. Identification of the applicant organization and a sentence or two about its credibility to provide park projects/programs;
2. A sentence or two explaining the issue, problem or need for the project/program;
3. A brief statement of the expected measurable outcome(s) that the project/program will produce; and
4. One or two sentences describing the methods to be utilized to achieve the outcome(s).

**Project Summary** – Two to three sentences summarizing the proposed project. They should be concise and allow for a clear understanding of the proposed project.

**Project Vicinity Map** – A map showing the project’s location including its general vicinity. The map shall be detailed enough to allow someone unfamiliar with the area to locate the project.

**Public Access** – Access that is open and accessible to the public without discrimination as to race, color, sex, sexual orientation, age, religion belief, nation origin, marital status, physical or mental handicap, medical condition or place of residence.

**Public Agency** – Any governmental agency, special district, or joint power authority, established pursuant to the laws of the State that is authorized to acquire, develop, improve and restore real property for beach, wildlife, park, recreation, community, cultural, open space, water quality, flood control, or gang prevention and intervention purposes.

**Purchase Agreement** – A legal document that records the final understanding of a purchaser who agrees to buy and a seller who agrees to sell under certain terms and conditions.

**Qualified Professionals Directory** – An online database that contains information, including offered services, location, and contact information, of a range of professionals in planning, design, outreach, community engagement, cost estimating, construction, grant writing, translation/interpretation services, and graphic design. An element of the Technical Assistance Program.

**Reasonable Operating Hours** – Operating hours that maximize public access to the greatest extent feasible.

**Regional Recreation Parks** – Facilities with unique, countywide significance that are publicly owned, consist of at least 100 contiguous acres and have three or more active recreational amenities.

**Registrant** – A qualified agency or organization that has initiated the registration process.

**Registration** – The process of submitting administrative information about an agency or organization required by RPOSD in order to apply for Measure A grants. Information provided during registration must be verified annually.

**Registration Meeting** – Meeting held by RPOSD to orient potential and returning registrants to the registration process. Attendance at this meeting, in person or remotely, is required to complete the initial registration process.

**Reimbursement** – Payment for an expense incurred. Measure A grants require the grantee to incur expenses and then receive reimbursement for those expenses.

**Request for Conversion** – Any change in use, sale, or disposal of Grant-funded property must be approved in advance by the Board of Supervisors. The Request for Conversion records proposed changes to the use or ownership of Grant-funded property.

**Resource Toolkits** – A collection of instructions, examples, templates, and other supporting resources made available through the Technical Assistance Program. Resource Toolkits may include, but are not limited to, the following: community engagement, creating materials for outreach, writing grant applications, preparing documents such as grant budgets, and navigating Measure A's registration and grant application processes.

**Rural Area** – encompasses all population, housing, and territory not included within an urban area.

**Servicing** – means the furnishing of: electric current or energy, gas, or other illuminating agent for any public lighting facilities or for the lighting or operation of any other improvements:

- Water for the irrigation of any landscaping, the operation of any fountains, or the maintenance of any other improvements.
- Security services for the completed project.

**Site Plan** – Depiction of the site(s) to be developed and the specifics of the development activity. The Site Plan must indicate the locations of all facilities, other structures, landscaping, and other developments proposed for the project.

**Site Visit** – An in-person visit to a project site that is within the awarded grant.

**Special Tax** – The Measure A Tax. Levied on all improved parcels and as described in the Measure A resolution.

**Steering Committee** – A committee of 46 representatives selected by the board of supervisors in Los Angeles to guide the direction of Measure A.

**Structural Improvements** – The square footage of building floor area on a parcel.

**Study Areas** – 188 regions defined in the Los Angeles Countywide Comprehensive Parks and Recreation Needs Assessment of 2016.

**Technical Assistance** – Assistance, advice, guidance, and resources provided to entities of applying for and administering Measure A grant funds.

**Technical Assistance Program Case Manager** – An individual responsible for assessing the technical assistance needs of agencies with High-Need or Very-High-Need Study Areas and delivering the required technical assistance.

**Timely Completion of Grants** – All grants must be completed within the timeline provided by the grantee. Grants that receive Bond-funding must be completed within three years from the time that the bond proceeds are made available to the local jurisdiction by the County.

**Title Insurance Policy** – A policy that ensures against financial loss in the case of defects or problems with the property title when there is transfer of ownership.

**Unanticipated/Extraordinary Expenses** – Expenses that constantly change or can't be anticipated in advance of the grant's initial budget.

**Unified Comprehensive Countywide Parks and Recreation Needs Assessment (UPNA)** – Refer to entry for Los Angeles Countywide Comprehensive Parks & Recreation Needs Assessment.

**Uniform Standards of Professional Appraisal Practice (USPAP)** – A set of recognized and ethical standards for all types of appraisal services in the United States; adopted by Congress in 1869.

**Unincorporated County** – A region of land that is not within any incorporated municipality.

**Unutilized Funds** – Grant funds awarded in excess of total grant cost.

**Urban Area** – An urban place, as that term is defined by the United States Department of Commerce, of 2,500 or more persons.

**Urban Forest** – Those native or introduced trees and related vegetation in an urban area, including: urban watersheds; soils and related habitats; street trees; park trees; natural riparian habitats; and trees on other private and public properties. Where feasible, introduced trees and plants shall be native species selected and planted in accordance with best management practices. No plants or trees identified on the California Invasive Species list maintained by the California Invasive Plant Council, or other appropriate sources, shall be planted.

**Urban Forestry** – Means the cultivation and management of trees in an urban area for their present and potential contribution to the economic, physiological, sociological, and ecological well-being of urban society.

**Veterans** – a person who served in the active military, naval, or air service, and who was discharged or released therefrom under conditions other than dishonorable.

**Webinar** – Live or recorded online meeting or training course.

**Youth** – Young adults aged 18–25, as defined in Measure A (Section 5(A)(i)(ii)).