

1 1.) "Zone" means a zone of the District established by the
2 provisions of the District Act, and for purposes hereof,
3 shall include any sub-zone therein.

4 ARTICLE III

5 ESTABLISHMENT OF BENEFIT ASSESSMENT AREAS

6 Section 1. Formation of Benefit Assessment Areas.

7 Pursuant to the District Act or the Benefit Assessment
8 Act, as specified in a resolution stating its intent to establish
9 a Benefit Assessment Area, the Board of Supervisors may establish
10 a Benefit Assessment Area.

11 Depending on whether the Act pursuant to which the
12 Board of Supervisors is establishing the Benefit Assessment Area
13 so requires, the Board of Supervisors, prior to the initial levy
14 of a Benefit Assessment, shall place before the voters within the
15 proposed Benefit Assessment Area a proposition as to whether the
16 District shall be authorized to levy the Benefit Assessment as
17 proposed; the proposition may be considered at a state-wide,
18 county-wide or special election as specified by the Board of
19 Supervisors. The proposition must be approved by that percentage
20 specified in the Act requiring the election, and the election
21 results must be confirmed by resolution of the Board of
22 Supervisors.

23 Section 2. Amendment to Benefit Assessment Areas.

24 The boundaries of a Benefit Assessment Area may be
25 amended; provided, however, the boundaries of a Benefit Assessment
26 Area established to pay the principal of and interest on bonded
27 indebtedness incurred to finance the construction of flood control
28 improvements may not be amended once bonded indebtedness has been

1 incurred. To amend the boundaries of a Benefit Assessment Area,
2 the Board of Supervisors is to comply with the provisions of the
3 Act pursuant to which the Benefit Assessment Area was established.

4 Section 3. Termination of a Benefit Assessment Area.

5 The Benefit Assessment Area established for Zone Six
6 of the District to pay for the construction of flood control
7 improvements will terminate at the conclusion of the fifteenth
8 fiscal year following the fiscal year in which the Benefit
9 Assessment Area was established unless it is extended, consistent
10 with the terms of the Benefit Assessment Act under which it was
11 initially established, by the Board of Supervisors.

12 A Benefit Assessment Area established to pay the
13 principal of and interest on bonded indebtedness incurred to
14 finance the construction of flood control improvements shall not
15 terminate until the bonded indebtedness actually incurred has been
16 satisfied and shall have the term specified in the resolution
17 establishing said Benefit Assessment Area.

18 A Benefit Assessment Area established to pay for the
19 construction of flood control improvements shall have the term
20 specified in the resolution establishing said Benefit Assessment
21 District.

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1 ARTICLE IV

2 REPORT OF CHIEF ENGINEER, HEARING THEREON;
3 CONFIRMATION OF BENEFIT ASSESSMENT BY THE
4 BOARD OF SUPERVISORS

5 Section 1. Report.

6 The Chief Engineer shall cause to be prepared annually
7 a written report for each Benefit Assessment Area regarding the
8 Benefit Assessment to be levied and shall file each report with
9 the Clerk of the Board of Supervisors.

10 Section 2. Content of the Report.

11 Each report shall contain the District's estimate of
12 the amount needed during the ensuing fiscal year to pay for
13 construction of the identified flood control improvements or to
14 pay the principal of and interest on the outstanding bonded
15 indebtedness. Said estimated amount shall be apportioned
16 consistent with the basis stated in the resolution establishing
17 the Benefit Assessment Area to each Parcel within the Benefit
18 Assessment Area. The report shall identify all related
19 administrative costs of the District and said costs are to be
20 apportioned to each Parcel within the Benefit Assessment Area.
21 Only Parcels not otherwise exempted by this Ordinance shall have a
22 Benefit Assessment levied on them. The report shall identify all
23 Parcels by Assessor parcel number on which a Benefit Assessment is
24 to be levied and the amount of the assessment.

25 The Benefit Assessment for the fiscal year for each
26 Parcel in the Benefit Assessment Area shall be set forth in the
27 assessment rolls incorporated by reference into the report.
28 Copies of the assessment roll shall be made available to the

1 public by being placed on file at various locations in the
2 District, including the office of the Clerk of the Board of
3 Supervisors, the District's office, and those offices of the
4 Assessor and such other offices that are designated in the
5 report. In addition to said assessment roll, the official
6 Riverside County Assessor's map books shall be referred to and by
7 such reference incorporated in the report so that each property
8 owner will be thereby notified that, by reference to the map books
9 and the assessment roll, the area of his or her parcel and its
10 land use may be verified. The report shall contain a table of
11 Benefit Assessment rates for the fiscal year allocated according
12 to Benefit Assessment Area and land use classification.

13 Section 3. Resolution Accepting Report and Noticing Public
14 Hearing.

15 Upon the report being filed with the Clerk of the
16 Board of Supervisors, the Board of Supervisors is, by resolution,
17 to accept, if appropriate, the report and to set a date, time and
18 place for a hearing on said report. Prior to the date of the
19 hearing, a notice specifying the date, time, place and purpose of
20 the hearing and identifying those locations at which a property
21 owner may review the report shall be published in a newspaper of
22 general circulation within the Benefit Assessment Area pursuant to
23 the provisions of Section 6066 of the California Government Code.
24 In addition, the District shall cause the notice of the hearing to
25 be posted in at least three public places within the boundaries of
26 the Benefit Assessment Area at least seven (7) days prior to the
27 date of the hearing.

28 ////

1 Section 4. Hearing.

2 The Board of Supervisors shall hear the matter on the
3 date and at the time specified in the notice, or as continued for
4 good cause. At the hearing, the Board of Supervisors shall hear
5 and consider all testimony, oral and written, presented, including
6 all written protests. At the conclusion of the hearing, the Board
7 of Supervisors may revise, change, reduce or modify any Benefit
8 Assessment and shall make its determination upon each Benefit
9 Assessment identified in the report. Thereafter, by resolution it
10 shall confirm the Benefit Assessments. Such confirming resolution
11 shall be adopted no later than August 10 of each fiscal year in
12 which the Benefit Assessment is to be levied and collected.

13 Section 5. Enrollment.

14 The District shall provide certified copies of the
15 confirming resolution and the roll of confirmed Benefit
16 Assessments, in an acceptable format, to the Auditor-Controller of
17 the County on or before August 10 of each fiscal year.

18 ARTICLE V

19 LEVY OF BENEFIT ASSESSMENT

20 Section 1. Determination of the Amount to be Assessed.

21 The District is to estimate for the fiscal year in
22 which the Benefit Assessment is to be levied the anticipated
23 construction costs to be incurred or the projected debt service
24 costs to be realized and the related administrative costs for each
25 Benefit Assessment Area. This estimate of costs is to be
26 apportioned among the Parcels within each Benefit Assessment Area
27 on the basis specified in the resolution adopted by the Board of
28 Supervisors establishing the Benefit Assessment Area. The Benefit

1 Assessment levied and collected within each Benefit Assessment
2 Area may be applied toward any costs lawfully incurred on behalf
3 of the Benefit Assessment Area. Benefit Assessments levied and
4 collected pursuant to this Ordinance may not be applied toward any
5 other costs or expenses of the District nor may they be applied to
6 the costs of a Benefit Assessment Area other than the Benefit
7 Assessment Area for which they were levied and collected.

8 Section 2. Determination of Proportionate Storm Water Runoff and
9 Amount of Benefit Assessment to be Levied.

10 If the resolution adopted by the Board of Supervisors
11 establishing a Benefit Assessment Area specifies that
12 proportionate storm water runoff shall be the method for
13 apportioning the Benefit Assessment, the Benefit Assessment shall
14 be determined as follows:

15 a.) Benefit Assessment Unit. The District shall
16 express the proportionate storm water runoff factor as a decimal.
17 The standard against which all property is to be measured shall be
18 a single-family residential parcel of 7,200 square feet (1/6 acre)
19 in size to which a runoff factor of 0.40 is ascribed and shall be
20 called a Benefit Assessment Unit (BAU).

21 The runoff factor for each of the classes listed in subsection
22 (b) below are as follows:

| | | |
|----|---------|--------|
| 23 | Group A | 0.80 |
| 24 | Group B | 0.60 |
| 25 | Group C | 0.40 |
| 26 | Group D | (*) |
| 27 | Group E | 0.0067 |
| 28 | Group F | 0.0033 |

1 The runoff factor for each group is compared to the
2 runoff factor of the standard BAU (Group C) as described above.
3 This results in a runoff factor ratio. The runoff factor ratio
4 shall be that ratio established by comparing the BAUs assigned to
5 one of the groups listed above, compared to the standard BAU
6 represented by Group C. The number of BAUs per parcel size for
7 each of the classes listed in subsection (b) below are as follows:

| | | |
|----|---------|------------------------|
| 8 | Group A | 12 BAU/acre |
| 9 | Group B | 9 BAU/acre |
| 10 | Group C | 1 BAU/7200 sq. ft. lot |
| 11 | Group D | (*) |
| 12 | Group E | 0.10 BAU/acre |
| 13 | Group F | 0.05 BAU/acre |

14 (*) The BAU shall equal 2 units + 0.05 x (Parcel area -
15 controlled drainage area).

16 b.) Classification of Parcels. All Parcels within a
17 Benefit Assessment Area shall be assigned to one of the following
18 classifications based on land use:

- 19 Group A: Commercial or industrial use.
- 20 Group B: Institutional uses, i.e. churches, schools,
21 hospitals, or multiple family residential
22 use having four or more units per Parcel,
23 i.e. apartments or mobile home parks.
- 24 Group C: Single family residential or multiple
25 family residential having three or fewer
26 units per Parcel. Those portions of a Group C
27 Parcel exceeding one sixth of an acre but less
28 than or equal to 2.5 acres shall be assessed

1 at the Group E rate with the balance of the
2 Parcel over 2.5 acres assessed at Group F rate.

3 Group D: Dairies and livestock.

4 Group E: Irrigated groves, golf courses, cemeteries,
5 etc. and that portion of a single family
6 residential Parcel in excess of 7,200 square
7 feet (1/6 acre) but less than 2.5 acres.

8 Group F: Vacant land, unimproved land, dry farmed land,
9 grazing property, row crops, field crops, vines
10 and the portion of a single family residential
11 Parcel exceeding 2.5 acres.

12 Calculation of the BAUs to be attributed to a single
13 family residential unit on a Parcel larger than 1/6 acre is
14 cumulative with that portion of the Parcel in excess of the 1/6
15 acre which falls in either Group E or F being assigned the
16 appropriate BAU for the amount of acreage falling within either
17 Group E or F.

18 It is determined that Parcels used as a railroad, gas,
19 water, telephone, cable television, electric utility right-of-way,
20 electric line right-of-way or other utility right-of-way will
21 benefit from the flood control improvements constructed or
22 financed by the District's Benefit Assessment Program and will be
23 subject to a Benefit Assessment to be levied pursuant to this
24 Ordinance.

25 c.) Special Allowance for New Mobile Home and
26 Recreational Vehicle Parks. It is recognized that for new mobile
27 home parks and recreational vehicle parks, the occupancy rate,
28 which affects storm water runoff, may not be maximized for some

1 period following the establishment of the park. To allow for this
2 condition, the Chief Engineer may, upon successful appeal by an
3 owner of an affected Parcel pursuant to Article VII of this
4 Ordinance, reduce the Benefit Assessment on the affected Parcel
5 for the fiscal year following the establishment of the park to a
6 minimum of fifty percent (50%) of the Benefit Assessment, and for
7 the subsequent fiscal year, the Benefit Assessment may be reduced
8 by the Chief Engineer to a minimum of seventy-five percent (75%)
9 of the Benefit Assessment. For the third fiscal year following
10 the establishment of the park, the Benefit Assessment for the
11 affected Parcel will be levied, regardless of occupancy and may
12 not be reduced by the Chief Engineer. In the two fiscal years
13 following establishment of the park, the Benefit Assessment will
14 be levied and payable unless the owner of the affected Parcel
15 initiates a separate and successful appeal for each fiscal year in
16 accordance with Article VII of this Ordinance to reduce the
17 Benefit Assessment as allowed herein.

18 d.) Exempted Land Uses. No Benefit Assessment shall
19 be imposed upon property owned by a federal, state, or local
20 governmental agency or non-profit cemetery.

21 e.) Credit Against Benefit Assessment. A Parcel for
22 which flood control developer fees (Area Drainage Plan fees) have
23 been paid will receive a credit against any Benefit Assessment for
24 the dollar amount of the developer fees paid and applied
25 exclusively to the construction of flood control master drainage
26 plan facilities. This credit will not be extended to a Benefit
27 Assessment Area established to pay the principal of and interest
28 on bonded indebtedness incurred to finance the construction of

1 flood control improvements unless the resolution establishing the
2 Benefit Assessment Area provides for such credit.

3 f.) Determination of BAUs per Parcel. Once a Parcel
4 is classified and its acreage is determined, the appropriate BAU's
5 per acre for its classification will be multiplied by the acreage
6 to determine the total BAUs for the Parcel.

7 g.) Determination of Benefit Assessment to be levied
8 per BAU. The aggregate number of BAUs within a Benefit Assessment
9 Area will be divided into the estimated costs for the Benefit
10 Assessment Area to determine the amount of Benefit Assessment to
11 be levied per BAU. The Benefit Assessment to be levied on a
12 Parcel is determined by the number of BAUs ascribed to the Parcel
13 and the assessment value of the BAU.

14 h.) Limitations on Annual Increase. The Benefit
15 Assessment for the Benefit Assessment Area established for Zone
16 Six of the District to pay for the construction of flood control
17 improvements may be increased in each of the fiscal years
18 following the fiscal year in which it was initially levied;
19 however, such increase is to be indexed to the rate of inflation,
20 as determined by the Engineering News Record Construction Cost
21 Index, and any increase shall not exceed ten percent (10%) in any
22 fiscal year. An increase in the Benefit Assessment in excess of
23 such inflation index can be made only after an election as
24 required by the Benefit Assessment Act; provided however, that the
25 Board of Supervisors reserves the right to increase the Benefit
26 Assessment for this Benefit Assessment Area by a percentage not to
27 exceed twelve percent (12%) in any fiscal year to meet
28 unanticipated or unreimbursed expenses caused by a natural

1 disaster.

2 Any Benefit Assessment for a Benefit Assessment Area
3 (other than the Benefit Assessment Area established for Zone 6)
4 established either to pay for the construction of or to pay the
5 principal of and interest on bonded indebtedness incurred to
6 finance the construction of flood control improvements is not to
7 be indexed nor is the Benefit Assessment to be limited as to the
8 amount that it may increase in any fiscal year.

9 ARTICLE VI

10 COLLECTION OF BENEFIT ASSESSMENT.

11 Section 1. Collection by Treasurer/Tax Collector.

12 The confirmed Benefit Assessment for each Parcel shall
13 appear as a separate item on the tax bill issued by the
14 Treasurer-Tax Collector of the County. The Benefit Assessment
15 shall be levied and collected at the same time and in the same
16 manner as the general ad valorem property taxes and shall be
17 subject to the same penalties and the Parcel shall be subject to
18 the procedures set forth in the District Act for sale in case of
19 delinquency. If, for the first year the Benefit Assessment is
20 levied, the property on which the Benefit Assessment is levied has
21 been transferred or conveyed to a bona fide purchaser for value,
22 or if a lien of a bona fide encumbrancer for value has been
23 created and attached thereon, prior to the date on which the first
24 installment of ad valorem property taxes would become delinquent,
25 the Benefit Assessment shall not result in a lien against the real
26 property but shall be transferred to the unsecured roll.

27 Section 2. Applicable Law.

28 All laws applicable to the levy, collection and

1 Chief Engineer:

- 2 1. Assessor's parcel number.
- 3 2. Gross acreage.
- 4 3. Use of property as of the preceding March 1st.
- 5 4. Measurements of any man-made, impervious area(s), if
- 6 known.
- 7 5. Information supporting a claim for the special
- 8 allowance for new mobile home and recreational vehicle
- 9 parks.
- 10 6. Copy of the tax bill containing the Benefit
- 11 Assessment.

12 Section 4. Categories of Corrections or Changes.

13 Upon approval of the Chief Engineer, corrections or
14 changes shall be made with respect to:

- 15 1. Ownership of a Parcel.
- 16 2. Address of an owner of a Parcel.
- 17 3. Subdivision of an existing Parcel.
- 18 4. Land use category of all or part of a Parcel.
- 19 5. Computation of the area of a Parcel.
- 20 6. Erroneous computation of the Benefit Assessment.
- 21 7. Special allowance for new mobile home and recreational
- 22 vehicle parks.

23 Corrections to the roll shall not be valid unless and
24 until approved by the Board of Supervisors. All corrections or
25 changes must be reported by the Chief Engineer to the
26 Auditor-Controller of the County, who shall process the
27 appropriate refund or additional billing, as the case may be. The
28 Chief Engineer shall give written notice to the Assessee of the

1 action taken on the application.
2 If the Assessee disagrees with the Chief Engineer's
3 determination, he may file an appeal with the Board of Supervisors
4 within 30 days after receipt of the written notice. The appeal
5 shall be initiated by a written application filed with the Clerk
6 of the Board of Supervisors for refund of all or part of the
7 Benefit Assessment. The decision of the Board of Supervisors
8 shall be final and shall complete the administrative process. Any
9 further action by the Assessee for recovery of any part of the
10 Benefit Assessment shall be by complaint for refund filed in the
11 Superior Court.

12 ARTICLE VIII

13 EFFECTIVE DATE OF ORDINANCE

14 This Ordinance shall take effect and be in force 30 days
15 after the adoption by the Board of Supervisors. Before the
16 expiration of fifteen (15) days after the effective date of this
17 Ordinance it shall be published once in The Press-Enterprise, a
18 newspaper of general circulation in the County of Riverside.
19

20 Section 2. This Ordinance shall be effective thirty (30) days
21 after its adoption.
22

23 RIVERSIDE COUNTY FLOOD CONTROL AND
24 WATER CONSERVATION DISTRICT
25 By *Walter G. L.*
Chairman, Board of Supervisors

26 ATTEST:
27 GERALD A. MALONEY
Clerk of the Board of Supervisors
28 By *Bonnie May*
Deputy

10/27/92 9.1

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STATE OF CALIFORNIA)
) ss.
COUNTY OF RIVERSIDE)

I HEREBY CERTIFY that a regular meeting of the Board of Supervisors of the Riverside County Flood Control and Water Conservation District held on October 27, 1992, the foregoing Ordinance consisting of 2 sections was adopted by said Board by the following vote:

Dated: OCT 27 1992

(Seal)

CLERK OF THE BOARD
OF SUPERVISORS

By Bonnie May
Deputy

TJD:cm
10/8/92
ID #21t

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STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) **ss.**

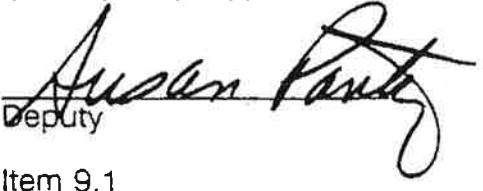
I HEREBY CERTIFY that at a regular meeting of the Riverside County Flood Control and Water Conservation District of said county held on October 27, 1992, the foregoing ordinance consisting of Two sections was adopted by the following vote:

AYES: Supervisors Dunlap, Cenicerros, Larson, Younglove, Abraham
NOES: None
ABSENT: None

DATE: October 27, 1992

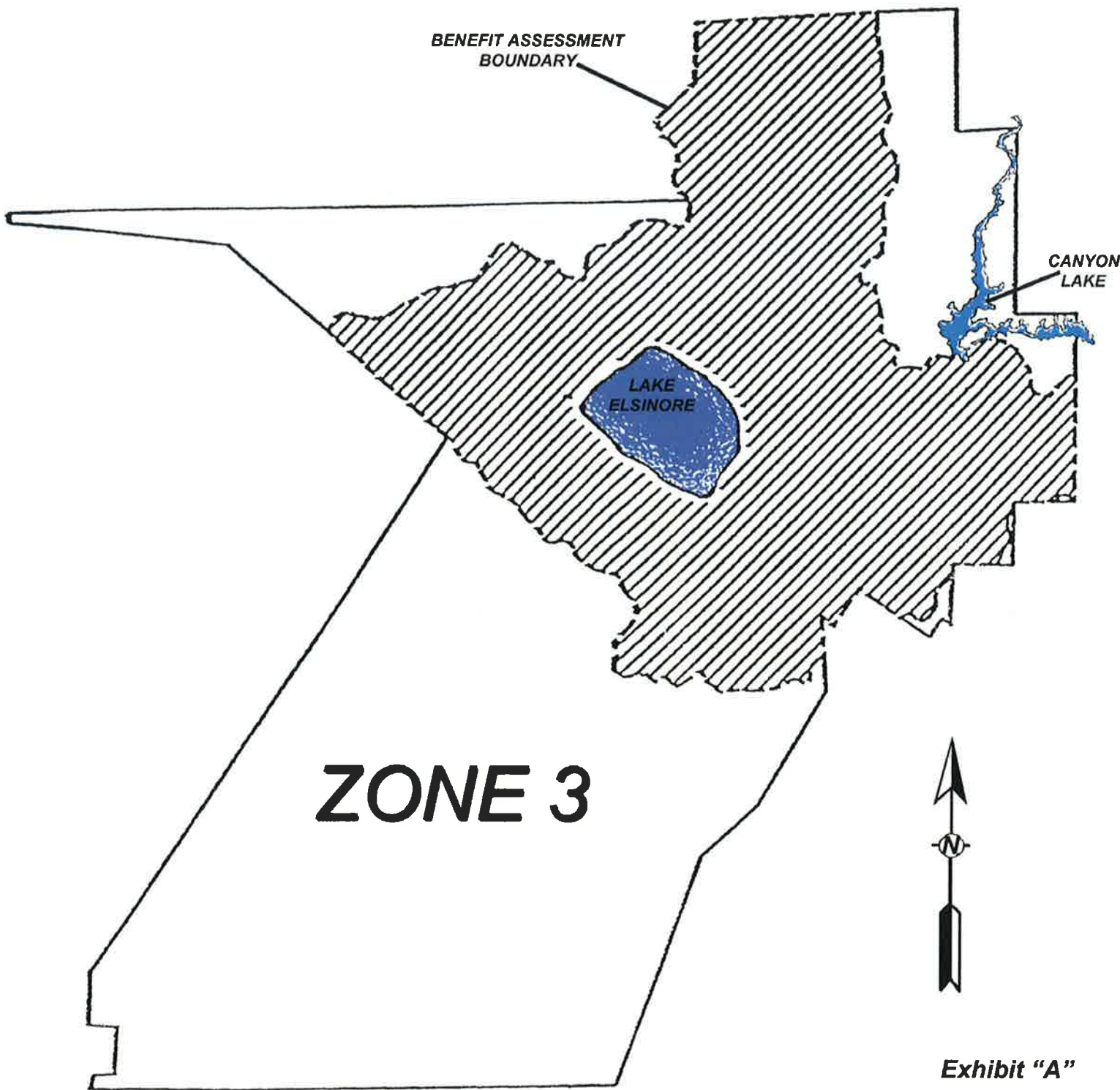
(Seal)

GERALD A. MALONEY
Clerk of the Board

BY: 
Deputy

APPENDIX C

**Map of Elsinore Valley Zone 3
Flood Control Benefit Assessment Area**





OFFICE OF
CLERK OF THE BOARD OF SUPERVISORS
1st FLOOR, COUNTY ADMINISTRATIVE CENTER
P.O. BOX 1147, 4080 LEMON STREET
RIVERSIDE, CA 92502-1147
PHONE: (951) 955-1060
FAX: (951) 955-1071

KECIA HARPER-IHEM
Clerk of the Board of Supervisors

KIMBERLY A. RECTOR
Assistant Clerk of the Board

June 23, 2016

PRESS ENTERPRISE
ATTN: LEGALS
P.O. BOX 792
RIVERSIDE, CA 92501

EMAIL: legals@pe.com
FAX: (951) 368-9018

**RE: NOTICE OF PUBLIC HEARING: BENEFIT ASSESSMENT PROGRAM FOR
ELSINORE VALLEY AREA OF ZONE 3**

To Whom It May Concern:

Attached is a copy for publication in your newspaper for **TWO (2) CONSECUTIVE
TUESDAYS: June 28 and July 5, 2016.**

We require your affidavit of publication immediately upon completion of the last publication.

Your invoice must be submitted to this office, WITH TWO CLIPPINGS OF THE PUBLICATION.

PLEASE COMPOSE THIS PUBLICATION INTO A SINGLE COLUMN FORMAT.

Thank you in advance for your assistance and expertise.

Sincerely,

Cecilia Gil

Board Assistant to:
KECIA HARPER-IHEM, CLERK OF THE BOARD

Gil, Cecilia

From: PEC Legals Master <legalsmaster@pe.com>
Sent: Thursday, June 23, 2016 9:56 AM
To: Gil, Cecilia
Subject: Re: FOR PUBILCATION: Elsinore Valley Area Zone 3 Benefit Assessment

Received for publication. Proof with cost to follow.

Nick Eller

Legal Advertising Phone: 1-800-880-0345 / Fax: 951-368-9018 / E-mail: legals@pe.com

Please Note: Deadline is 10:30 AM, three (3) business days prior to the date you would like to publish. **Additional days required for larger ad sizes**

****Employees of The Press-Enterprise are not able to give legal advice of any kind****

The Press-Enterprise PE.COM / UNIDOS

From: Gil, Cecilia <CCGIL@rcbos.org>
Sent: Thursday, June 23, 2016 9:19:45 AM
To: PEC Legals Master
Subject: FOR PUBILCATION: Elsinore Valley Area Zone 3 Benefit Assessment

Notice of Public Hearing, for publication on 2 Tuesdays: June 28 and July 5, 2016. Please confirm. THANK YOU!

Cecilia Gil

Board Assistant

Clerk of the Board of Supervisors

(951) 955-8464

MS# 1010

NOTICE OF PUBLIC HEARING BEFORE THE BOARD OF SUPERVISORS
OF RIVERSIDE COUNTY FLOOD CONTROL AND WATER
CONSERVATION DISTRICT ON THE CONTINUATION
OF THE FLOOD CONTROL BENEFIT ASSESSMENT PROGRAM
FOR ELSINORE VALLEY (ZONE 3)

NOTICE IS HEREBY GIVEN that a public hearing at which all interested persons will be heard, will be held before the Board of Supervisors of Riverside County, California, acting as the governing board of the Riverside County Flood Control and Water Conservation District, on the First Floor, County Administrative Center, 4080 Lemon Street, Riverside, California, **Tuesday, July 12, 2016, at 9:00 a.m.**, relative to the Chief Engineer's Report on the Flood Control Benefit Assessment Program for Elsinore Valley (Zone 3). The Board will hear and consider all protests with regard to the program, if any, including protests with regard to the amount of the proposed assessment to be levied. At the conclusion of the hearing, the Board may adopt, revise, change, reduce, or modify any assessment and shall make its determination upon each assessment described in the report for Fiscal Year 2016-2017.

NOTICE IS FURTHER GIVEN that pursuant to statutory authorization, a written report by the Chief Engineer of the District describing the Benefit Assessment Program has been filed with the Clerk of the District's Board. The report contains a description of each parcel of property within the boundaries of Zone 3 of the District on which a benefit assessment is proposed to be levied, and sets forth the amount of the proposed benefit assessment for each such parcel. The report contains a schedule of the benefit assessment rates for Fiscal Year 2016-2017. Copies of the report, together with copies of the assessment rolls for Elsinore Valley parcels of Zone 3, and of the official Riverside County Assessor's Map Books by reference, are on file and available for review by the public at the office of the Clerk of the District's Board, at the County Administrative Center, 4080 Lemon Street, Riverside, California; the District's office at 1995 Market Street, Riverside, California; and at Lake Elsinore City Hall, 130 South Main Street, Lake Elsinore, California. By reference to the Chief Engineer's report, the assessment rolls, and the map books, each property owner may verify the area of his or her parcel, its land use, and the amount of the Fiscal Year 2016-2017 Benefit Assessment.

Please send all written correspondence to: Clerk of the Board
4080 Lemon Street, 1st Floor
Post Office Box 1147
Riverside, Ca 92502-1147

Alternative formats available upon request to individuals with disabilities. If you require reasonable accommodation, please contact Lisa Wagner at (951) 955-1063, 72 hours prior to the hearing.

Dated: June 23, 2016

Kecia Harper-Ihem, Clerk of the Board
By: Cecilia Gil, Board Assistant