



A Tradition of Stewardship
A Commitment to Service

AGENDA

NAPA COUNTY BOARD OF SUPERVISORS

Tuesday February 26, 2019 9:00 A.M.

Brad Wagenknecht
District 1

Ryan Gregory
District 2

Diane Dillon
District 3

Alfredo Pedroza
District 4

Belia Ramos
District 5

Minh C. Tran
County Executive Officer

Jose Luis Valdez
Clerk of the Board

Jeffrey M. Brax
County Counsel

GENERAL INFORMATION

The Board of Supervisors meets as specified in its adopted annual calendar on Tuesdays at 9:00 A.M. in regular session at 1195 Third Street, Suite 305, Napa, California 94559. The meeting room is wheelchair accessible. Assistive listening devices and interpreters are available through the Clerk of the Board of the Napa County Board of Supervisors. Requests for disability related modifications or accommodations, aids or services may be made to the Clerk of the Board's office no less than 72 hours prior to the meeting date by contacting (707) 253-4580.

The agenda is divided into three sections:

CONSENT ITEMS - These matters typically include routine financial or administrative actions, as well as final adoption of ordinances that cannot be both introduced and adopted at the same meeting. Any item on the CONSENT CALENDAR will be discussed separately at the request of any person. CONSENT CALENDAR items are usually approved with a single motion.

SET MATTERS - PUBLIC HEARINGS - These items are noticed hearings, work sessions, and items with a previously set time.

ADMINISTRATIVE ITEMS - These items include significant policy and administrative actions and are classified by program areas. Immediately after approval of the CONSENT CALENDAR, if the time for hearing SET MATTERS has not arrived, ADMINISTRATIVE ITEMS will be considered.

All materials relating to an agenda item for an open session of a regular meeting of the Board of Supervisors which are provided to a majority or all of the members of the Board by Board members, staff or the public within 72 hours of but prior to the meeting will be available for public inspection, at the time of such distribution, in the office of the Clerk of the Board of Supervisors, 1195 Third Street, Suite 305, Napa, California 94559, Monday through Friday, between the hours of 8:00 a.m. and 5:00 p.m., except for County holidays. Materials distributed to a majority or all of the members of the Board at the meeting will be available for public inspection at the public meeting if prepared by the members of the Board or County staff and after the public meeting if prepared by some other person. Availability of materials related to agenda items for public inspection does not include materials which are exempt from public disclosure under Government Code sections 6253.5, 6254, 6254.3, 6254.7, 6254.15, 6254.16, or 6254.22.

ANY MEMBER OF THE AUDIENCE DESIRING TO ADDRESS THE BOARD ON A MATTER ON THE AGENDA please proceed to the rostrum and, after receiving recognition from the Chair, give your name and your comments or questions. In order that all interested parties have an opportunity to speak, please be brief and limit your comments to the specific subject under discussion. Time limitations shall be at the discretion of the Chair or Board.

AGENDA AVAILABLE ONLINE AT www.countyofnapa.org

1. **CALL TO ORDER; ROLL CALL**
2. **PLEDGE OF ALLEGIANCE**
3. **APPROVAL OF MINUTES**
4. **PRESENTATIONS AND COMMENDATIONS**
5. **DEPARTMENT HEADS REPORTS AND ANNOUNCEMENTS**
6. **CONSENT ITEMS**

Law & Justice

- A. Chief Probation Officer requests approval of and authorization for the Chair to sign an agreement with Mark A. Clementi, Ph.D, for a maximum of \$15,000 for the term March 1, 2019 through June 30, 2019 with the provision for automatic annual renewal, at the same maximum rate, to provide pre-employment psychological and arming evaluation services, return to duty/fitness psychological evaluations, and critical incident stress debriefing services.
- B. District Attorney requests approval of and authorization for the Chair to sign a Certification of Assurance of Compliance document that authorizes the District Attorney to apply for and sign grant subawards with the California Office of Emergency Services for a maximum of \$250,000 for the term April 1, 2019 through March 31, 2020 for the Child Advocacy Center Program.

Public Safety

- C. County Fire Chief requests approval of and authorization for the Chair to sign an agreement with Napa Communities Firewise Foundation for a maximum of \$100,000 for the term March 1, 2019 through June 30, 2019 for community outreach and assistance in the creation and continuation of Fire Safe Communities and Councils to mitigate the effects of and to survive wildland fires.
- D. County Fire Chief requests adoption of a resolution amending the Napa County Fire Services Advisory Committee bylaws to move the time and date of the meetings to increase attendance and to clarify various sections without changing the intent.
- E. Sheriff requests approval for the following actions related to the purchase of a capital asset for use by the Sheriff's Office Specialized Weapons and Tactics (SWAT) Team:
 1. Approval of Budget Transfer No. SHE004, moving \$10,766 from the Law Enforcement Supplies appropriations to the Equipment appropriations within the Sheriff's budget with offsetting revenue from the Sheriff's RASCLEAP special revenue fund (4/5 vote required);
 2. Establish a capital asset in the amount of \$10,766 for a Zistos Under-the-Door surveillance camera; and
 3. Requests a waiver of competitive bidding requirements and sole source award for the purchase of a Zistos Under-the-Door surveillance camera from Curtis Blue Line, West Sacramento, CA, for a total of \$10,766.

- F. Sheriff requests approval for the following actions related to the purchase of a capital asset for use by the Sheriff's Office Investigations Bureau and the Napa Special Investigations Bureau (NSIB):
1. Approval of Budget Transfer No. SHE005, moving \$7,306 from the Law Enforcement Supplies appropriations to the Equipment appropriations within the Sheriff's Budget with offsetting revenue from the Sheriff's RASCLEAP special revenue fund (4/5 vote required); and
 2. Establish a capital asset in the amount of \$7,306 for a dedicated Forensic Recovery Computer with Retina 5K Display from Apple, Inc.

Human Services

- G. Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 10 to Agreement No. 170669B with Buckelew Programs, Inc. increasing the amount by \$19,688 for a new annual maximum of \$374,090, amending Compensation Exhibit B, and amending the Terms and Conditions, for the term October 1, 2018 through June 30, 2019 and each automatic renewal thereof, for operation of the Supportive Living Program.
- H. Director of Health and Human Services requests approval of and authorization for the Chair to sign a revenue agreement with the Department of Health Care Services (DHCS) for a maximum of \$50,999 for the term July 1, 2018 through June 30, 2019 for Federal Projects for Assistance in Transition From Homelessness (PATH) Formula Grant funds.
- I. Director of Health and Human Services requests approval of and authorization for the Chair to sign the following revenue agreements with the California Department of Public Health Tuberculosis Control Branch:
1. Real-time allotment in the amount of \$11,431 for the term July 1, 2018 through June 30, 2019 for Tuberculosis Control Local Assistance Funds; and
 2. Allotment in the amount of \$1,375 for the term July 1, 2018 through June 30, 2019 for Additional Food, Shelter, Incentives and Enablers.
- J. Director of Health and Human Services requests approval of and authorization for the Chair to sign a revenue agreement with St. Joseph Health Northern California, LLC dba Queen of the Valley Medical Center for an annual maximum of \$30,000 for the term January 1, 2019 through December 31, 2019 and two additional one year terms for designation as a Stroke Receiving Center.
- K. Director of Health and Human Services requests approval of and authorization to apply for the County Medical Services Program (CMSP) Health Systems Development Grant (HSG) for the terms July 1, 2018 through June 30, 2019, July 1, 2019 through June 30, 2020, and July 1, 2020 through June 30, 2021 for a maximum of \$100,000 per fiscal year and a total maximum of \$300,000 for funding for CMSP outreach and expansion to eligible residents of Napa County.

- L. Director of Health and Human Services requests adoption of a resolution authorizing:
1. County's participation in the California Mental Health Services Authority (CalMHSA) Inter-Member Transfer Program;
 2. Transfer of \$23,474 to CalMHSA, as required by the Inter-Member Transfer Program Participation Agreement (Participation Agreement), for the first quarter with continuous funding thereafter, in an amount determined after first quarter assessment of actual services;
 3. CalMHSA to act on behalf of County to transfer funds to receiving county, consistent with the provisions of the Participation Agreement and Welfare and Institution Code section 14717.1; and
 4. Deputy Director of Health and Human Services Agency (HHS)/Acting Mental Health Director or the Mental Health Director to sign the Participation Agreement on behalf of County.

Community Resources & Infrastructure

- M. Director of Public Works requests approval of and authorization for the Chair to sign an agreement with ADKO Engineering, of Roseville, CA for the term February 26, 2019 through June 30, 2023 to provide preliminary engineering and environmental services on the following 2017 storm repair projects:
1. \$58,000 for Berryessa/ Knoxville Road - MPM 20.50 to 22.00;
 2. \$34,000 for Dry Creek Road - MPM 7.75;
 3. \$34,000 for Dry Creek Road - MPM 10.5;
 4. \$25,947 for Dry Creek Road - MPM 10.75;
 5. \$34,000 for Mt. Veeder Road - MPM 4.75;
 6. \$34,000 for Dry Creek Road - MPM 7.51;
 7. \$14,000 for Mt. Veeder Road - MPM 4.0; and
 8. \$15,000 for Mt. Veeder Road - MPM 5.1.
- N. Director of Public Works requests Approval of Budget Transfer No. DPW025 as outlined in Attachment A of this agenda item for road repair work needed for eight 2017 storm repair projects and design cost for two SB-1 funded projects (4/5 vote required).
- O. Director of Public Works requests the adoption of a resolution amending the Napa County Bylaws Manual Part II, Section 3 Airport Advisory Commission, effective February 26, 2019.
- P. Director of Public Works requests approval of Budget Transfer No. DPW029 appropriating \$849,554 in the Traffic Mitigation Fund - Airport Industrial budget (Fund 2440, Sub-Division 1220050) with its available fund balance to transfer to Traffic Mitigation Fund-American Canyon budget (Fund 2440, Sub-Division 1220051) to return funds to the correct budget. (4/5 vote required)

General Admin & Finance

- Q. Assessor-Recorder-County Clerk ex-officio Registrar of Voters requests approval of and authorization for the Chair to sign the following agreements with Southtech Systems Inc. for the term of February 26, 2019 through June 30, 2020 with automatic extensions for two additional years:
1. An agreement for an annual amount of \$10,415 to provide an e-filing system for Fair Political Practices Commission required Statements of Economic Interest (Form 700); and
 2. An agreement for an annual amount of \$9,411 to provide an e-filing system for Fair Political Practices Commission required campaign reports.

- R. Assessor-Recorder-County Clerk ex-officio Registrar of Voters requests adoption of the following resolutions providing approval of and authorization for the Chair to sign revenue agreements with the California Secretary of State for the term of February 26, 2019 through June 30, 2021:
1. A resolution approving a revenue agreement in the amount of \$499,500 for voting system replacement reimbursement as appropriated by Assembly Bill 1824, Chapter 38 (Stats. 2018) pursuant to California Elections Code sections 19400 and 19402;
 2. A resolution approving a revenue agreement in the amount of \$25,000 to use federal funds under Section 101 of the Help America Vote Act (HAVA) for improved voter accessibility; and
 3. A resolution approving a revenue agreement in the amount of \$25,000 for the use of federal funds as approved by the U.S. Election Assistance Commission (EAC) under the Help America Vote Act (HAVA) to improve cyber security and infrastructure related to the statewide voter registration system (VoteCal).
- S. Auditor-Controller requests the Board accept and instruct the Clerk of the Board to file the quarterly report of donations received for the quarter ended December 31, 2018 including acceptance of donations totaling \$3,948.44 received by the Auditor-Controller on behalf of the Animal Shelter and Health & Human Services.
- T. County Counsel requests approval of and authorization for the Chair to sign Amendment No. 1 to Agreement No. 190183B with the law firm of Goodin, MacBride, Squeri & Day, LLP for specialized legal services to represent the County in California Public Utilities Commission ("CPUC") proceedings, increasing maximum compensation from \$67,000 to \$120,000.
- U. Director of Human Resources requests approval of and authorization for the Chair to sign Amendment No. 3 to Agreement No. 170123B with Claremont Behavioral Services, Inc., doing business as Claremont EAP for the term of February 1, 2019 through June 30, 2020 for a maximum amount of \$150,000 to provide Employee Assistance Program (EAP) services to volunteer firefighters and extra help employees.
- V. Director of Human Resources and Director of Health and Human Services request adoption of a resolution, as follows, effective February 23, 2019, with no net increase to full-time equivalents, and no increase to the County General Fund:
1. Amend the Table and Index of Classes by:
 - a. Deleting Eligibility Worker I;
 - b. Deleting Eligibility Worker II;
 - c. Deleting Eligibility Worker III;
 - d. Deleting Eligibility Supervisor;
 - e. Adding Eligibility Specialist I*;
 - f. Adding Eligibility Specialist II*;
 - g. Adding Eligibility Specialist III; and
 - h. Adding Eligibility Supervisor.
 2. Amend the Departmental Allocation List for the Self-Sufficiency Services Division of the health and Human Services Agency by:
 - a. Deleting Forty-Two 1.0 FTE Eligibility Worker II;
 - b. Deleting Nine 1.0 FTE Eligibility Worker III;
 - c. Adding Forty-Two 1.0 Eligibility Specialist II*; and
 - d. Adding Nine 1.0 FTE Eligibility Specialist III.

*Eligibility Specialist I/II is flexibly staffed.

- W.** Director of Human Resources requests adoption of a resolution creating a policy in Napa County Policy Manual, Part I: Section 37CC, Veterans Preference Policy, effective February 26, 2019.
- X.** County Executive Officer/Risk and Emergency Services Manager request approval of Budget Transfer No. CEO010 increasing appropriations in the Emergency Services Grants subdivision budget by \$245,790 with offsetting revenues from federally funded grants:
1. Fiscal Year 2016 Homeland Security Grant Program (HSGP) funds in the amount of \$92,278 for the purchase of equipment and workstations for the County's Emergency Operations Center, Critical Incident Exercise consultants, grant administration and establishment of a capital asset in the amount of \$5,825 for the purchase of a combination base radio/telephone.
 2. Fiscal Year 2018 Emergency Management Performance Grant (EMPG) funds in the amount of \$153,512 for the purchase of services, equipment and the establishment of a capital asset in the amount of \$15,000 for the purchase of an emergency shelter support trailer. (4/5 vote required)
- Y.** County Executive Officer requests approval of Budget Adjustment No. CEO012 appropriating one-time state revenue received from the state for SB90 mandate claims prior to FY 2003-04, as follows:
1. Revenue of \$2,098,694 in the non-departmental (10500) State SB90 Mandates Revenue account (43710)
 2. Expenditure of \$2,068,694 in the non-departmental (10500) Transfers Out to Accumulated Capital Outlay account (56110). (4/5 vote required)
- Z.** County Executive Officer/Director of Emergency Services requests adoption of a resolution notifying Pacific Gas and Electric Company (PG&E) of information needed prior to a Public Safety Power Shutdown (PSPS).
- AA.** County Executive Officer requests the appointment of the following applicants to the Napa County Advisory Board on Alcohol and Drug Programs (ABAD) with terms to commence immediately:

<u>Name</u>	<u>Representing</u>	<u>Term Expires</u>
Mario Bazan	Business Community	January 1, 2022
Susan Bohrer-Todd	Interested Citizen	January 1, 2022
Thomas Holstein	Interested Citizen	January 1, 2022
Daniel Lynch	Alcohol Industry	January 1, 2022
Douglas James	Probation	January 1, 2020
Amanda Owens	Interested Citizen	January 1, 2021

7. DISCUSSION OF ITEMS REMOVED FROM THE CONSENT CALENDAR**8. PUBLIC COMMENT**

In this time period, anyone may address the Board of Supervisors regarding any subject over which the Board has jurisdiction but which is not on today's posted agenda. In order to provide all interested parties an opportunity to speak, time limitations shall be at the discretion of the Chair. As required by Government Code, no action or discussion will be undertaken on any item raised during this Public Comment period.

9. SET MATTERS OR PUBLIC HEARINGS**A. 8:00 AM**

Board of Supervisors (BOS) - Closed Session (see Special 8:00 AM BOS Agenda).

B. 9:00 AM

Recess to the Silverado Community Services District (SCSD) special meeting (see SCSD Agenda).

C. 9:00 AM

Recess to the Monticello Public Cemetery District (MPCD) special meeting (see MPCD Agenda).

D. 9:30 AM PUBLIC HEARING

Consideration and possible action regarding an appeal filed by Caldwell Vineyards Winery to a decision by the Napa County Planning Commission on October 17, 2018 to deny a modification (P17-00074-MOD) to the Caldwell Vineyards Winery Use Permit No.00318-UP to allow the following: 1) increase the winery production capacity from 25,000 gallons to 35,000 gallons per year; 2) increase the existing area of the winery caves; 3) increase the number of daily by-appointment visitation; 4) increase the number of employees; 5) modify by-appointment tasting hours; 6) modify the Marketing Plan; 7) allow for on-site consumption of wines; 8) construct a trellis shade structure; 9) increase the width of portions of the existing roadway; 10) installation of traffic calming measures on Kreuzer Lane; and 11) a request for an Exception to the Napa County Road and Street Standards (RSS). The project is located on a ±42.96 acre parcel at the terminus of Kreuzer Lane within an Agricultural Watershed (AW) Zoning District. (Assessor's Parcel Nos. 045-310-056 and 045-310-055) 270 Kreuzer Lane, Napa, CA 94558.

ENVIRONMENTAL DETERMINATION: Consideration and possible adoption of a Revised Negative Declaration. According to the proposed Revised Negative Declaration, the proposed project would not have any potentially significant environmental impacts. The project site is not on any of the lists of hazardous waste sites enumerated under Government Code Section 65962.5. Pursuant to State CEQA Guidelines Section 15072, the public review period for the notice of intent to adopt a Negative Declaration ran from December 27, 2017 to January 16, 2018. (The Revised Negative Declaration was prepared and circulated for public review and comment but was not adopted.) State CEQA Guidelines Section 15270 provides: CEQA does not apply to projects which a public agency rejects or disapproves. A denial is not subject to CEQA review. **(CONTINUED FROM JANUARY 29, 2019; APPELLANT AND STAFF REQUEST CONTINUANCE TO MARCH 12, 2019 AT 9:30 A.M.)**

E. 9:35 AM

Napa County Commission on Aging to present its annual report and work plan for 2019.

F. 10:00 AM PUBLIC HEARING

Director of Public Works requests first Reading and Notice of Intent to Adopt Ordinance No. 1437 amending Section 1.28.040 (Definitions) and Chapter 11.28 (Napa County Airport) of the Napa County Code and Adopting Rules and Regulations for the Napa County Airport.

(STAFF REQUESTS CONTINUANCE TO MARCH 26, 2019 AT 10:15 A.M.)

10. ADMINISTRATIVE ITEMS**Community Resources & Infrastructure**

A. Director of Public Works requests the following actions related to electric vehicle (EV) charging system installation for 2751 Napa Valley Corporate Drive (also known as South Campus):

1. Approval of and authorization for the Chair to sign the Customer Acceptance agreement with Pacific Gas and Electric (PG&E) to bind the County to the PG&E EV Charge Network Program Terms and Conditions, all other related documents, and agree to the terms and conditions of those documents;
2. Authorization for the Director of Public Works to submit a grant application and signed letter of commitment to the Bay Area Air Quality Management District (BAAQMD) for the purpose of installing electric vehicle charging stations, to include authorization of the submittal of the application, confirmation of matching funds, and acknowledgement that the entity will operate and maintain the station for its intended purpose for a minimum of three years;
3. Authorization for the Director of Public Works to sign funding agreements and serve as the authorized representative for signing invoices and other administrative matters for the BAAQMD grant, the PG&E program, and the MCE Clean Energy (MCE) rebate program; and
4. Waiver of competitive bidding requirements and a sole source award to ChargePoint Inc. for the EV charging station equipment.

B. Director of Public Works requests the following:

1. Award of the construction contract for the Devlin Road Segment E Project (RDS 11-06) to Ghilotti Construction Company, Inc. of Santa Rosa, California based on their low base bid of \$4,274,989 and authorize the Chair to sign the construction contract for \$3,923,269 (base bid with deduction for (1) City of American Canyon (City) Sewer and Recycled Facilities of \$115,670 which will not be constructed at the City's request, and (2) City of American Canyon Water Facilities of \$236,050, which will only be included in the contract award if paid for by the City) with the award to include the deductive item for the City Water Facilities for a total contract amount of \$4,159,319 contingent upon the City executing a cost-share agreement with Napa County, by March 15, 2019, for an amount to include the cost of constructing City Water Facilities and an appropriate share of other soft costs;
2. Adopt a resolution approving a loan from the Accumulated Capital Outlay Fund to the Traffic Mitigation - Airport Industrial Fund to construct the Project;
3. Authorize the Chair to accept and execute a reimbursement agreement to be negotiated by the Public Works Director and approved as to form by County Counsel with the City of American Canyon for the city to provide cost-sharing funding to the County for the cost of City Water Facility construction and appropriate share of other soft costs.; and

4. Approval of Budget Transfer No. DPW028 for the following (4/5/ vote required):
 - a. Increase transfer out appropriation by \$1,224,000 in the Accumulated Capital Outlay (ACO) Fund (Fund 3000, Sub-Division 3000000) offset by use of its available fund balance for the loan to the Traffic Mitigation-Airport Industrial Fund (Fund 2440, Sub-Division 1220050) (TMF-Airport);
 - b. Increase transfer out appropriation by \$849,554 in the Traffic Mitigation - American Canyon Special Revenue Fund (Fund 2440, Sub-Division 1220051) (TMF-Am Can) offset by use of its available fund balance to the Roads Capital Improvement Project, Devlin Road Segment E project (Fund 2040, Sub-Division 2040500, Program 10002) (Devlin Seg E);
 - c. Increase transfer out appropriation by \$4,206,606 in the TMF-Airport from its available fund balance to Devlin Segment E project; and
 - d. Increase construction services appropriation by \$5,937,791 in the Devlin Seg E project offset by \$4,206,606 transfer from the TMF-Airport, \$849,554 transfer from the TMF-Am Can, \$384,600 from CalRecycle grant, and \$497,031 from the City of American Canyon.

General Admin & Finance

- C. County Executive Officer requests approval of Budget Transfer No. CEO011 in the Affordable Housing Fund increasing appropriations in the Worker Proximity Subdivision by \$654,537 to issue new down payment assistance loans from the following sources (4/5 vote required):

1. \$62,900 from a loan paid back and the equity earned on that loan;
2. A transfer of \$246,856 in funds remaining in the Special Projects Fund at the end of Fiscal Year 2017-2018; and
3. An intrafund transfer in the amount of \$344,781 from Special Projects Fund transferred to the Affordable Housing Fund and reserved for housing programs for lodging employees.

- D. County Executive Officer requests the following actions regarding the Napa County Mental Health Board:

1. Reappointment of the following applicants for three-year terms:

<u>Name</u>	<u>Representing</u>
Kristine Haataja*	Consumer
Christine Lieber*	Family Member of Consumer

2. Appointment of two of the following applicants to represent Interested and Concerned Citizen for three-year terms:

<u>Name</u>
Robert L. Palmer
Summer Thompson**
Jill Wallace-Cooper
Justine Zilliken*

*Incumbent

**Recommended by the Mental Health Board

11. LEGISLATIVE ITEMS

12. BOARD OF SUPERVISORS COMMITTEE REPORTS AND ANNOUNCEMENTS

13. BOARD OF SUPERVISORS FUTURE AGENDA ITEMS

14. COUNTY EXECUTIVE OFFICER REPORTS AND ANNOUNCEMENTS

15. CLOSED SESSION

A. CONFERENCE WITH LABOR NEGOTIATOR (Government Code Section 54957.6)

Agency Designated Representatives: Nikki Salas, Human Resources Director

Employee Organization: Deputy Sheriff's Association (DSA Unit and Supervisory Unit of the County of Napa)

16. ADJOURNMENT

ADJOURN TO THE BOARD OF SUPERVISORS REGULAR MEETING, TUESDAY, MARCH 12, 2019 AT 9:00 A.M.

I HEREBY CERTIFY THAT THE AGENDA FOR THE ABOVE STATED MEETING WAS POSTED AT A LOCATION FREELY ACCESSIBLE TO MEMBERS OF THE PUBLIC AT THE NAPA COUNTY ADMINISTRATIVE BUILDING, 1195 THIRD STREET, NAPA, CALIFORNIA ON FRIDAY, FEBRUARY 22, 2019 BY 5:00 P.M. A HARDCOPY SIGNED VERSION OF THE CERTIFICATE IS ON FILE WITH THE CLERK OF THE BOARD OF SUPERVISORS AND AVAILABLE FOR PUBLIC INSPECTION.

Jose Luis Valdez (By e-signature)

JOSE LUIS VALDEZ, Clerk of the Board