



BOARD OF DIRECTORS' MEETING

OCTOBER 22, 2007

Presiding: Richard Long

Board Members

Present:

Nyron Battles
Bill Dycus
Ralph Griffin
Chi Lee
Will Sanford
Steve Whitgob

Rose Coleman
Tom Florin
Mike Kuller
Carmen Quinones
Anne Struthers

Board Members

Excused:

Lauri Parks

Claudia Sladen

Staff Present:

Jim Burton
Carol Bohnsack
Francine Davis
Lisa Kleinbub
Marc Sugars

Bill Barbaria
Mary Brett
Rhonda Kimble Kelly
Nancy Kubota

Guests Present:

Patricia Albano
Barbara Garcia
Gina Jennings
Rocio Smith

Shana Cohen
Sandra Jackson
Hilda Mariscal
Todd Struthers

CALL TO ORDER:

President Richard Long called to order the regularly scheduled business meeting of the Regional Center of the East Bay at 7:05 PM. Self introductions were made.

CONSENT AGENDA:

M/S/C “The Board moves to approve the Consent Agenda as presented”
(Griffin/Florin). Unanimous.

PUBLIC COMMENT:

No public comment at this time

COMMITTEE REPORTS

EXECUTIVE COMMITTEE: Richard Long

Mr. Long reported, due to Susan Driggs’ absence, the Board minutes for the 7/23/07 and 9/24/07 meetings are overdue. The minutes will be prepared by the date of the next Executive Committee (11/13/07), and Mr. Long requested the Board allow the Executive Committee to review the minutes for approval. Once approved, these minutes will be available for distribution.

M/S/C “The Board moves to allow the Executive Committee to approve the
7/23/07 and 9/24/07 board minutes at the 11/13/07 Executive Committee
meeting”. (Struthers/Lee). Unanimous.

Mr. Long announced the Proposed Slate of Officers for 2008. Elections to be held at the November 26, 2007 Board Meeting

President: Ralph Griffin
Vice President: Lauri Parks
Treasurer: Mike Kuller
Secretary: Rose Coleman

Mr. Long announced tonight’s meeting is the public meeting to review and approve the 2008 Performance Contract Objectives. Mary Brett presented the 2008 Performance Contract Objectives. Ms. Brett summarized the agency’s performance contract and explained the methodology of how DDS measures our compliance to baseline statistics. Ms. Brett explained that the local public policy outcomes in the contract were identified specifically for our community. 4 of the 5 outcomes for 2008 are a continuation of our 2007 outcomes. A new outcome was added to the plan to address the program and training needs of our consumers with autism. Mr. Long asked for public comments on the agency’s 2008 Performance Contract Objectives

M/S/C “The Board moves to accept the 2008 Performance Contract Objectives”
(Griffin/Struthers). Unanimous

BUDGET AND FINANCE COMMITTEE: Steve Whitgob

Mr. Whitgob reported that the Budget and Finance Committee reviewed the Preliminary Fiscal Year 07-08 Sufficiency of Allocation Report (SOAR), and distributed copies of the report. Ms. Kubota explained how the SOAR report is the basis for DDS to determine if the current allocation is sufficient to cover projected expenditures for Purchase of Service (POS). Ms. Kubota also explained the methodology for establishing our POS projections, and the distinction between base and growth projections.

Mr. Whitgob reported RCEB is currently projecting a preliminary insufficiency that range between \$9.1M to \$11.9M. The Department of Developmental Services typically provides full funding for any insufficiency in the base if there are sufficient funds available in the State Budget. The agency projects an adjustment to the base allocation of approximately \$10.125M if there are sufficient funds. If the allocation is adjusted accordingly, RCEB will be projecting a Purchase of Service expenditure range between a sufficiency of \$963,643 (best case) and an insufficiency of (\$1.845M) (worst case). The SOAR report is subject to a joint review by DDS and ARCA and may be revised. The review meeting with DDS and ARCA is scheduled for November 14. The Community Placement Plans were funded in accordance to the plans the Center submitted to DDS.

Mr. Whitgob reported the agency has completed a preliminary operations budget. The agency is still waiting to receive final figures with regards to any increase in Health Benefit rates, and still anticipates meeting all other operations obligations and contracts. The operations budget will continue to be carefully monitored to ensure a balanced budget for the year.

MEMBERSHIP COMMITTEE: Ralph Griffin

Mr. Griffin reported the Committee received Ms. Shana Cohen's application for board membership and she was interviewed by the Membership Committee. The Board will take action on Ms. Cohen's application for board membership at the November 26, 2007 meeting.

PROVIDER/VENDOR ADVISORY COMMITTEE: Will Sanford

Mr. Sanford reported he was not able to attend the PVAC meeting. Mr. Burton reported there was a presentation on 401(k) and 403(b) retirement plans at the last PVAC meeting. Most service providers indicated that they wished there were sufficient funds in their rates to support retirement plans like these. Mr. Burton indicated he will cover the other items discussed at the meeting in his Executive Director's report. Mr. Sanford reported other events happening for the provider community. 1) Licensing held a conference on proposed new day program regulations. The proposed regulations may create some challenges and conflicts for day programs. The proposed regulations are attempting to protect consumers and minimize risk to persons; however there is concern that it will restrict programs from innovative trainings in the community. 2) The Beall

Hearings on the Lanterman Act have been scheduled. 3) Forums and community meetings regarding transportation issues have been held.

CONSUMER ADVISORY COMMITTEE: Rose Coleman

Ms. Coleman reported that Mr. Burton gave his budget report to the group. A letter to the FCC was sent complaining about the radio station as the station has yet to respond to numerous letters sent by the CAC. Ms. Garcia requested a copy of the letter. The CAC have formed a nominations committee to review applicants to fill vacancies on the Consumer Advisory Committee.

SUPPORTS AND SERVICES COMMITTEE-Francine Davis for Claudia Sladen

Ms. Davis reported revisions were made to the "Family Training Services" Policy in response to the comments made at the last Board meeting. Ms. Davis reported the Supports and Services Committee is now prepared to move forward with the revised policy and submit it to the Department for final approval. Mr. Burton reported that Ms. Sladen was unable to attend tonight's meeting due to family obligations.

EXECUTIVE DIRECTOR'S REPORT: Jim Burton

Mr. Burton updated the Board on Susan's progress. Her recovery is slow due to nerve damage in her wrist, and she will not likely return until December or January.

Mr. Burton reported there are ominous signs for next fiscal year's budget. The State deficit projections range from \$6 to \$10 billion. Mr. Burton referred the Board to a Sacramento Bee article which is included in the Board packet. Revenues are slipping and below projections due to a general slowdown in the economy, in particular in the housing sector. The Governor's budget is due out in January 2008 and should be watched carefully. This is the first step in what could be a very difficult budget year. In what may be related to the foregoing, DDS was required to report to the Legislative on cost containment efforts by October 1, 2007. The report has been delayed until November or December 2007, and could include new suggested cost containment efforts.

Mr. Burton provided an update on AB1427. This was a controversial bill that was recently vetoed by the Governor. The Board packet includes a detailed summary by Marty Omoto. The Governor's veto message indicates that fiscal concerns, i.e. the state budget challenges, were the reasons for the veto.

Mr. Burton provided an update on the Capital People's First lawsuit filed in 2002. DDS and all 21 regional centers were named as defendants. The lawsuit is about people who now live in State Developmental Centers or large community residential facilities having a right to live integrated community settings. The Board packet includes a press release describing a recent successful appeal of the Alameda County Superior Court decision and therefore it will now "certify" the class suit. The lawsuit will move forward unless a settlement becomes an option or it is appealed to the California Supreme Court.

The Blue Ribbon Commission on Autism released their report. The report is titled: "An Opportunity to Achieve Real Change for Californians with Autism Spectrum Disorder".

An executive summary of the report is included in the board packet, including the web site on the front cover. In the meanwhile, 12 new children per day are diagnosed with autism. Over 60% of 1060 statewide new intakes between 7/3/07 to 10/3/07 were persons diagnosed with autism.

Mr. Burton reported the Assembly Human Services Committee, chaired by Assembly Member Jim Beall, will hold hearings on the Lanterman Act. The first hearing will be held on 10/24/07 and will focus on the Blue Ribbon Commission on Autism's report and on the Direct Support Worker staffing crisis in California. A number of people will testify including consumers, direct care staff, professionals, and advocates. Jim Burton will testify on the impact cost containment has had on Direct Support workers.

Mr. Burton updated the Board on caseload/workload issues at RCEB. The agency continues to struggle in hiring direct support professionals (i.e. casemanagers). The agency has added 7 new case management positions but with the existing vacancy number of 14, we now have 21 vacant case management positions. There is an overall shortage of social workers; Counties are paying \$50,000 to \$73,000 annually. The State provides Regional Centers with a core staffing formula of \$34,000/year for case managers. Jim met with RCEB managers recently to discuss new and innovative approaches to recruitment and retention of workers. Nonetheless, the agency continues to struggle to keep up with recruitment

Mr. Burton reported that all 15 RCEB homes for the Unified Plan (Agnews Closure) have been purchased. The constructions/remodeling of these homes are being completed and the 1st home should open next month. Placement activities are earnestly underway. Staff continues to work with the Alameda Alliance for Health to establish an excellent health care plan for consumers moving from Agnews Developmental Center.

Mr. Burton announced he recently attended the California Autism Foundation dinner event. Congressman George Miller and Diana Jorgensen were among those honored.

PUBLIC COMMENT

Ms. Rocio Smith presented a plaque from Congresso Familiar to the Board of Directors in appreciation of RCEB's support and contribution to the Congresso Familiar Conference this year. Mr. Burton commented on the significance of the Congresso Familiar conference for our Spanish speaking consumers and families. Mr. Long thanked Ms. Smith and the members of Congresso Familiar for their recognition.

ARCA REPORT-Anne Struthers

Ms. Struthers attended the ARCA meeting held on October 19, 2007 in San Diego. She reported the meeting was informative and included an update on housing issues, including a speaker from California Affordable Housing Institute; an update from Terri Delgado, DDS Director; discussion on budget issues and cost containment; and update on the Capital People's First lawsuit. Ms. Struthers also reported a motion to increase ARCA dues by 40% starting in Fiscal Year 2007-08 was approved by the ARCA Board. The next ARCA meeting will be held on January 18, 2007 in Sacramento.

ADJOURNMENT: Richard Long

Mr. Long requested Board members stay for a Closed Session of the Board to discuss a Personnel Issue.

Regular Board Meeting was adjourned at 8:41 PM.

Respectfully submitted

Rose Coleman
Secretary
RCEB Board of Directors