



REGIONAL CENTER OF THE EAST BAY
Board of Directors Meeting
MINUTES

Monday, February 22, 2016 7:05 p.m.
500 Davis Street, CA
Approved 3/21/16

RCEB BOARD MEMBERS PRESENT:

Anne Struthers, President	Morena Grimaldi
Evangeline Iyemura, Vice-President	Chi Lee
Mike Treppa, Budget & Finance Committee Chair	Gwen Nash-Butler, CAC
Steve Whitgob, Treasurer	Carmen Quinones
Rose Coleman, Secretary	
Nyron Battles, CAC Vice-Chair	
Sister Marygrace Puchac, PVAC	

ABSENT:

Marie Parra [excused]

STAFF PRESENT:

Jim Burton, Executive Director
Lisa Kleinbub, Director of Health & Behavioral Services
Nancy Kubota, Director of Finance & Administration
Steve Robinson, Director of Community Placement & Sonoma Developmental Ctr Closure Plans
Ronke Sodipo, Director of Community Services
Pam Thomas, Director of Consumer Services
Melanie Fowler, Associate Director of Adult Services
Evelyn Hoskins, Associate Director of Federal Programs
Elvia Osorio-Rodriguez, Associate Director of Children Services
Priscilla Gomez, Manager of Transportation
Gabriel Mendoza, Case Manager
Sandra Regan, Case Manager
Meredith Rosenberg, Case Manager
Michi Toy, Executive Assistant

GUESTS:

Kathy Hebert	Todd Struthers
Sandi Soliday, ACDDC	Joshua Sullivan, CCCDDC

CALL TO ORDER

President, Anne Struthers called to order the regularly scheduled meeting of the Regional Center of the East Bay at 7:03 p.m.

WELCOME AND INTRODUCTIONS

Self introductions were made and a quorum was present.

CONSENT AGENDA / MINUTES

M/S/C “The Board moves to approve the February 22, 2016 Agenda with the addition of an Executive Session - Personnel Issue at the end. [Battles/Lee] Unanimous

M/S/C “The Board moves to approve the Minutes from January 25, 2016 as presented.” [Battles/Lee] Unanimous

PUBLIC COMMENT

There were no public comments during this period.

COMMITTEE REPORTS

EXECUTIVE COMMITTEE: Anne Struthers

There were no contracts to approve this evening.

Ms. Struther’s reminded the board that we are moving up the March board meeting by a week to March 21st.

BUDGET AND FINANCE COMMITTEE- Report from February 22, 2016 - Steve Whitgob

Purchase of Service

Our Purchase of Services projections remain stable with more than ½ of the fiscal year expenditures in base.

Based on our expenditures through January 2016, RCEB is currently projecting a balanced Purchase of Services budget. Five regional centers including RCEB, are reporting balanced projections in their POS budget. The Regional Centers statewide are projecting a significant overall decrease in the POS deficits compared to last fiscal year.

Please note that regional centers had three major rate adjustments this fiscal year. The Sick Leave Act, Federal Labor Standards Act and the State minimum wage. RCEB has almost fully implemented the Sick Leave Act rate adjustments and we are currently working to get out payments for the Federal Labor Standards Act and State minimum wage changes. RCEB expects to have most, if not all, of our work on rate adjustments completed by the end of this month.

Although both actual and estimated costs of these rate adjustments are reflected in our current projections, staff is unable to provide a true cost impact of the adjustments since we still continue to receive rate adjustment letters on a flow basis from the Department.

We have been advised that the B-2 Contract Allocation will be released shortly. The B-2 amendment should include the allocation for the mandated 5.82% increase for the Federal Labor Standards Act. The Board is advised that if the allocations for the sick leave act, minimum wage and Federal Labor Standards Act exceed the actual costs of these mandates, the Department could adjust Regional Centers' allocation at a later date.

We will continue to monitor the status of our POS projections carefully until year end.

Operations

We continue to monitor our operations budget and are pleased to report a projected balanced operations budget for current year.

Cash Flow Status

The agency is currently maintaining a stable cash flow at this time. To date, we have been receiving full reimbursement for our claims which is great news. We anticipate that DDS will begin offsetting cash advances starting in April.

Staff recently received documents from our bank to re-establish our Line of Credit for Fiscal Year 2015-16. At the September Board meeting, the Board approved a \$49.6MM line of credit for 4 months (May through August). Although the Board's approval was forwarded to our bank, Union Bank chose to renew our Line of Credit for 6 months from April through September with no bank fees to retain and/or access the line. As you recall, this will be the last year that the agency will have a Line of Credit with no fees. Starting next year, our bank will set fees to retain and access the line.

Considering there are no bank fees that will be incurred for the longer period, Budget and Finance Committee recommends we accept the 6 month Line of Credit as long as no bank fees are incurred.

M/S/C "The board moves to approve a change of dates for our line of credit at Union Bank from the previously approved May to August months, to cover an additional two months from April to September. This is a 6 month line of credit with no bank fees incurred."
[Lee/Whitgob] Unanimous

We will keep the Board, as well as the Executive Committee, updated on our cash flow status.

DDS auditors

Staff advised the Budget and Finance Committee that DDS auditors will be on site for an estimated 5 weeks for their biennial compliance audit starting February 29, 2016.

MEMBERSHIP DEVELOPMENT COMMITTEE: Anne Struthers

We currently have 12 board members and are seeking an additional Alameda County Latino and Asian member in order to maintain ethnic representation that is consistent with our community.

Current board member, Nyron Battles has completed his second term in office. Following a ballot election tallied by board member Evangeline Iyemura, Ms. Struthers reported that Mr. Battles has been unanimously elected to serve his second term of 3 years.

PROVIDER/VENDOR ADVISORY COMMITTEE [PVAC]: Sister Marygrace Puchac

The last meeting was on February 12th where there was a presentation by retired Battalion Fire Chief, Bob Trapp. Some of the topics presented were on CPR and the Automated External Defibrillator [AED] portable device. Another important training presentation was by Gerald Tamayo, Contra Costa County Health Emergency Response Unit on residential care evacuation.

CONSUMER ADVISORY COMMITTEE: Nyron Battles/Gwen Nash-Butler

At the February 8th CAC meeting, the current state budget negotiations were summarized by Mr. Burton, and the committee also elected a new board member.

DIVERSITY and EQUITY COMMITTEE: Morena Grimaldi

The committee began this evening discussing the upcoming POS Expenditure public meetings that were mailed to interested parties and posted on our website on February 9th.

<http://www.rceb.org/post/notice-public-meetings>:

**Notice of Public Meetings
Purchase of Service Data**

In accordance with Section 4519.5 of the Welfare & Institutions Code, Regional Center of the East Bay will hold public meetings regarding data relating to Purchase of Service (POS) authorization, utilization and expenditure with respect to consumer's age, ethnicity, primary language, residence type, and disability.

Scheduled Meetings:

March 10, 2016 at 10:00 AM : Translation in Spanish

1125 Harbor Street
Pittsburgh, CA 94565

March 16, 2016 at 6:30 PM: Translation in Spanish

RCEB Concord Office
2151 Salvio Street, Suite 365
Concord, CA 94520

March 19 at 10:30 AM: Translation in Cantonese, Mandarin, Vietnamese & Mien

Garfield School
1640 22nd Avenue
Oakland, CA 94606

March 19 at 2:30 PM: Translation in Spanish

LaFamilia Neighborhood Resource Center
22366 Fuller Ave.
Hayward, CA 94541

March 22 at 6:30 PM: Translation in Spanish

RCEB San Leandro Office
500 Davis Street, Suite 100
San Leandro, CA 94577

March 20th through 31st

Virtual Meeting

A Video sharing the information will be available on our web site from March 20 through 31st.
You will be able to provide comments through an online form.

Also shared were the results of past and upcoming trainings and videos on IPP/IFSP/IEP's in Spanish and Chinese.

→ The next meeting will be on March 21st at 6:00pm in San Leandro

EXECUTIVE DIRECTOR'S REPORT: Jim Burton

State Budget– Jim Burton

Mr. Burton informed the board that these past few weeks have been extremely busy in regards to the budget, and will continue for the next few weeks. He reminded the board that there are two tracks to the budget process this year: One track being the Special Session to deal with the Managed Care Organization [MCO] tax and the second track is the standard State budget process.

Mr. Burton stated that it took a lot of hard work to get the Managed Care Organization [MCO] Tax Reform plan to move forward. Mr. Burton gives credit to Jennifer Kent, Director of the Department of Healthcare Services, the Governor and legislative leaders who put together a compromise on this MCO tax reform. The agreement will offset other fees and taxes charged to

minimize impact on MCO plans in order to bring in over a billion dollars in federal revenues to the state.

Mr. Burton also spoke about the agreements reached that have resulted in ABX2 1. He first credited the extraordinary grassroots efforts that have created broad bi-partisan support for this bill authorized by our own Assemblymember Tony Thurmond. He also expressed appreciation to the Governor and his administration; Michael Wilkening, undersecretary of Health & Human Services, John Doyle, Chief Deputy Director, Department of Developmental Services and many advocates who worked diligently and in good faith to hammer out this agreement. Ms. Struthers also recognized Mr. Burton for his efforts in finalizing this vital legislation. All of these efforts were successful in achieving a change in law that will put in place the most significant funding increases that we have seen in decades.

Mr. Burton gave a quick summary overview of the content of ABX2 1. It is important to note that the funding increases are permanent increases to base funding levels and in addition to proposals contained in the Governor's Budget.

FY 2016-2017 Budget Summary

I. Special Session – MCO Funding

	General Fund (Millions)
7.5% increase for Salaries & Benefits (POS)	\$169.5
7.5% increase for Salaries & Benefits (OPS)	\$ 29.7
2.5% increase for Regional Center Administrative Costs	\$ 1.4
2.5% increase for Provider Administrative Costs	\$ 9.9
5% increase for Supported Living & Independent Living	\$ 18.0
5% increase for In- & Out-of-Home Respite	\$ 10.0
5% increase for Transportation	\$ 9.0
Competitive Integrated Employment	\$ 20.0
11% restoration to Supported Employment Rates	\$ 8.5
Address Disparities	\$ 11.0
Total DDS (General Fund)	\$287.0
DHCS – 5% increase for ICF-DDs	\$ 12.0
DOR – 11% Supported Employment Rates	\$ 3.5
Total Other Departments	\$ 15.5
GRAND TOTAL	\$302.5

II. 2016-17 Governor's Proposed Budget

POS Proposals

Caseload & Utilization Growth	\$257.6 Million
Minimum Wage	\$ 62.4 Million
FSLA Overtime	\$ 54.2 Million
BHT Shift to Medi-Cal	\$ - 4.5 Million
Resources for DC Closures	\$ 26.6 Million
ARM – 4 or Less	\$ 46.0 Million
CMS Rules Compliance	\$ 15.0 Million
TOTAL	\$457.3 Million

OPS Proposals

Caseload	\$ 20.70 Million
Regional Center Staffing for DC Closures	\$ 4.10 Million
Improve Service Coordinator Ratios	\$ 17.00 Million
Program Evaluators for CMS Rules	\$ 1.60 Million
TOTAL	\$ 43.40 Million

Mr. Burton stressed that this is a significant accomplishment and thanks to all those who made phone calls, sent letters, visit their legislators, and advocated in Sacramento. However, we are not done. Today was an important hearing; the conference committee of the Special Session and we have had a solid, positive vote for the MCO tax proposal as well as the portion that relates to providing the rate increases for our developmental disability system. However, we are still not certain that enough Republicans and all Democrats will vote for the MCO tax.

The IHSS is not part of this but it is part of the negotiations of this MCO tax; there's an agreement on an on-going basis to keep the restoration of the 7% reduction in hours in place in the future. The MCO tax does bring in \$1.3B, and it is important to California now and in the future. The next step is to identify the votes that are necessary for the supermajority and a floor session will be held [possibly this Thursday]. The vast majority of Democrats are committed to doing this, and we will need to find 3 to 4 Republican members for the vote. Without the funding source from the MCO tax, there will be no rate adjustments. This needs to be approved in the legislature and signed into law by the Governor. Our goal is also to try to get money in the hands of our worker's paychecks by July 1st, to stem the tide of program closures and worker resignations. The Legislative leaders, who have attempted this before and failed, have pressed forward and did not give up. Mr. Burton added that this is an indication of a new day in our service system as we all strive to turn the system around.

Budget

Mr. Burton states that discussion has for the most part been put aside on the Governor's budget, until the Special Session is taken care of. The Governor has made his proposals, which are in addition to the ABX2 1 proposals and it is unlikely that anything significant will be added. The Senate and Assembly hearings begin in mid March and early April and it looks promising that agreement will be reached with the Legislature expeditiously. We expect that the closure of the State Developmental Centers will be a subject that will be continually reviewed by the Legislature. On Tuesday, February 23rd, there will be a joint oversight hearing of the Senate Budget & Fiscal Review Subcommittee No. 3 chaired by Senator Holly Mitchell and by the Senate Human Services Committee chaired by Senator Mike McGuire, whose district includes Sonoma Developmental Center.

Other News

Mr. Burton announced that Pam Thomas, Director of Consumer Services will be retiring at the end of March 2016. A retirement party for Ms. Thomas will be on Tuesday, March 29th and a save-the-date notice will be sent out shortly. Mr. Burton also announced that the current Director of Community Services, Ronke Sodipo will be assuming Ms. Thomas' position, so the recruitment for the position of a Director of Community Services began last week. Mr. Burton added that Ms. Sodipo has been working for 25+ years for Regional Center of the East Bay and she has a vast knowledge of the regional center system and a strong commitment to the people that we serve and their families.

Self-Determination

Mr. Burton spoke briefly of the large statewide conference he participated in regarding Self-Determination put on by the Autism Society of Los Angeles on February 19th. The conference was packed and very successful. A lot of work remains to be done with Self-Determination, in particular, to obtain Federal approval, which has become a significant obstacle.

Mr. Burton stated that our self-determination group is very focused and dedicated, and credits Vi Ibarra who chairs the committee that has met monthly since June 2015.

→ Next meeting is March 7th in San Leandro at 7:00pm.

Golden Gate Regional Center [GGRC]

Mr. Burton advised the board that Golden Gate Regional Center has found an Executive Director to take the place of retiring Executive Director Jim Shorter. Erik Zigman has been selected to fill the position. Eric has previous experience with the closure of Agnews Developmental Center in the area of quality assurance, experience as a consultant, and as a service provider, and most recently as the Executive Director of the RCH, Inc. in San Francisco.

Grassroots Day

Grassroots Day will be Wednesday, March 30th in Sacramento. It is a great opportunity to meet with our legislators and staff to discuss the issues.

PUBLIC COMMENT

Josh Sullivan, Contra Costa County Developmental Disabilities Council

Mr. Sullivan spoke of the experience both he and Ms. Soliday had at the Capitol in Sacramento today as they advocated for the two special session bills on the state fund and MCO tax reform and also wanted to acknowledge Mr. Burton’s efforts in the process. Mr. Sullivan stressed the need for the grassroots advocacy to continue, in the form of letters and phone calls to the local representatives.

Feb 24th The next CCCDDC meeting will have a panel discussion on the DD community considerations in emergency planning & response.

Feb 26th The annual Oakland Town Hall Meeting is from 10:00-12:00 in the State Building where the theme is California’s Golden Promise: 50 Years of the Lanterman Act!

Sandi Soliday, Alameda County Developmental Disabilities Council

Mar 12th The Transition Faire is from 9:30-3:00 at the College of Alameda. The registration forms will be posted on the RCEB website.

Apr 13th The next ACDDC meeting will have a focus and presentations on System Changes: CMS, Self-Determination and Developmental Center Closures

ARCA REPORT: Anne Struthers

Ms. Struthers expressed her thanks and gratitude for serving on the board and being the ARCA representative during a time of great change, as she terms-out at our next board meeting in March. There will be a vacancy for an ARCA representative that we hope to fill shortly. Mr. Burton added that Ms. Struther’s has done a fantastic job as the ARCA President, leading and bringing to consensus the 42 individuals who make up ARCA.

Executive Session – Personnel Issue

MEETING ADJOURNED

The board meeting adjourned at 8:40 p.m.

The next Board Meeting will be at 7:00 p.m. on March **21**, 2016 in San Leandro
There is a Diversity & Equity Meeting at 6:00 prior to the board meeting