



REGIONAL CENTER OF THE EAST BAY
Board of Directors Meeting

Monday, July 25, 2016 7:00 p.m.

500 Davis Street, San Leandro

Approved 9/26/16

RCEB BOARD MEMBERS PRESENT:

Kathy Hebert, President
Evangeline Iyemura, Vice President
Rose Coleman, Secretary
Mike Treppa, Budget & Finance Committee Chair
Stephen Whitgob, Treasurer
Morena Grimaldi, Diversity & Equity Chair
Sister Marygrace Puchac, PVAC Representative
Nyron Battles
Chi Lee
Maria Marquez
Carmen Quinones

ABSENT:

Gwen Nash-Butler [excused]
Marie Parra [excused]

STAFF PRESENT:

Jim Burton, Executive Director
Terri Jones, Director of Human Resources
Lisa Kleinbub, Director of Health & Behavioral Services
Nancy Kubota, Director of Finance & Administration
Ronke Sodipo, Director of Community Services
Steve Robinson, Director of Community Placement & SDC Closure Plans
Evelyn Hoskins, Associate Director of Federal Programs
Elvia Osorio-Rodriguez, Associate Director of Children Services
Gabriel Mendoza, Case Manager
Meredith Rosenberg, Case Manager
Michi Toy, Executive Assistant

GUESTS:

Arthur Lipscomb, CRA	Elizabeth Mard, DDS
Jerry Montgomery	Sheraden Nicholau, SCDD Bay Area
Monica Betson-Montgomery	Sandi Soliday
Sheraden Nicholau, SCDD Bay Area	Josh Sullivan

CALL TO ORDER

President, Kathy Hebert presided over the meeting tonight and called to order the regularly scheduled meeting of the Regional Center of the East Bay at 7:04 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 July 25, 2016 agenda as presented”
 [Battles/Quinones] Unanimous

M/S/C “The Board moves to approve the June 27, 2016 minutes as presented”
 [Battles/Coleman] Unanimous

PUBLIC COMMENT

There were no public comments during this period.

COMMITTEE REPORTS

EXECUTIVE COMMITTEE: Kathy Hebert

CONTRACT APPROVALS

There were no contracts for approvals at this meeting.

BUDGET AND FINANCE COMMITTEE - Report from July 25, 2016 - Steve Whitgob

The financial statement reflects 12 months of expenditures through June 2016. Please note that staff members are still in the process of the year-end close for accounting purposes. Therefore, not all POS and operations expenses including payroll, are fully reflected in the expended year-to-date column as we continue to receive and pay late bills for the prior fiscal year.

Purchase of Services

Since last month, there is only a slight change in our Fiscal Year 2015-16 POS budget projections. Our June 2016 non CPP Purchase of Services Projection reflects a mid-range sufficiency of approximately \$6.4M. Including RCEB, 17 of the 21 Regional Centers are reporting a projected Purchase of Services POS budget surplus for Fiscal Year 2015-16. Regional Centers system-wide are reporting a projected surplus of approximately \$41.6 million best case scenario, and an approximate surplus of \$32.8 million worst case scenario, which is an increase of \$16.7 million and \$20.7 million respectively over last month.

As reported to the Board previously, having a surplus in the Purchase of Services budget is not always good. A surplus in Purchase of Services can be an indicator that new services or

resources are not being developed to meet the existing and growing needs of our clients and their families. Also, Regional Centers have lost good providers due to underfunded rates and reimbursements. With the enactment of the ABX2 1 Trailer Bill for Fiscal Year 2016-17, we see significant increases to provider rates for the first time in many years and will likely see our Purchase of Services budget for the coming year be utilized more fully.

Fiscal Year 2015-16 Operations

Our staff is still in the process of completing year-end work for operations. Therefore, some late bills and journal entries are not reflected in our financial report under “Expended Year-To-Date Totals”. However, as we projected throughout the year, we will end the fiscal year with a balanced operations budget.

Status of Fiscal Year 2016-17 allocation

As reported previously, RCEB received the preliminary “C” Contract and Allocation for Fiscal Year 2016-17 in May. Our staff is currently analyzing the 2016-17 POS and Operations allocations that we received. Since this is only the preliminary contract, we will need to wait until we receive the C-1 contract amendment, which is expected to be released by August 15th to provide the board with this year’s operations budget and projections.

The Sufficiency of Allocation Report (SOAR) is typically completed and due to the State in October or November of each year. Our staff will provide the Board with our Purchase of Services projections for Fiscal Year 2016-17 as soon as the SOAR report is completed.

Line of Credit and Cash Flow

As we have been reporting to the board, our cash reserves were getting very low towards the middle of last month. However, we are pleased to report that we received our F/Y 2016-17 cash advances prior to the release of our June invoices. We were able to meet all of our payment obligations through the end of the fiscal year and we had no need to access our approved line of credit for the year.

We want to acknowledge and thank the Department for their hard work to work with the Controller’s office to expedite the cash advances for the Regional Centers. We should be getting our 3rd cash advance on August 1, 2016.

We will continue to update the Board, as well as the Executive Committee, on our cash flow status and renewal of our line of credit.

Fiscal Vendor Audits

The agency continues to meet compliance requirements with vendor fiscal monitoring goals and timelines. Currently, there are no vendor audits in progress with significant findings.

Audit Engagement letter with Lindquist, von Husen and Joyce, LLP

The Executive Committee as well as the Budget and Finance Committee discussed our upcoming Annual Independent CPA audit. Regional Centers are required to have an annual independent CPA audit in accordance with our State contract.

Staff asked the Executive Committee and the Budget and Finance Committee to bring forth a formal recommendation:

M/S/C “The board moves to engage our current CPA firm Lindquist, von Husen & Joyce, LLP to conduct RCEB’s Fiscal Year 2015/16 annual independent audit”
[Lee/Battles] Unanimous

Our staff will schedule the audit visit in August. This is the 5th year of our 5 year cycle with Lindquist, von Husen & Joyce.

MEMBERSHIP DEVELOPMENT COMMITTEE: Kathy Hebert

We currently are seeking an additional Alameda County Asian board member in order to maintain ethnic and geographic representatation that is consistent with our community. Mr. Burton added that we have three potential candidates and will advise the board when we receive their applications, which should be around September.

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

The last PVAC meeting was on Friday, July 8th which was well attended. There was a definite upbeat feeling in the room and delight and extreme gratitude for the increase in wages for the direct care staff as a result of the passage of ABX2 1. The majority of the meeting focused on the State budget details, the rate increases and the required responsibilities that go along with those changes.

→ PVAC does not meet in August; therefore the next meeting is on September 9th.

CONSUMER ADVISORY COMMITTEE [CAC]: Nyron Battles

Mr. Battles stated that the bulk of their CAC meeting focused on Mr. Burton’s report. Mr. Burton stated that the Governor’s budget was on time, and he elaborated on the effect of the passage of ABX2 1 and the important wage increases for direct care staff.

DIVERSITY and EQUITY COMMITTEE: Morena Grimaldi

Department of Developmental Services

As a requirement of law, the Department of Developmental Services [DDS] will be holding a total of four meetings in various locations in California for the purpose of working on strategies to decrease the disparities in purchase of services. All of these meetings will be public and all are encouraged to attend. The meeting will be presented by the Department of Developmental Services in Northern California along with translation in Spanish, Vietnamese and Tagalog.

This meeting will be on:

Monday, August 15th from 9:00am – 12:00pm
Campbell Community Center
1 W. Campbell Avenue
Campbell

Other days/locations are also listed on our website: <http://www.rceb.org/calendar-events>

Although our Diversity & Equity Committee usually does not meet in August, we will have a public meeting scheduled on August 22nd at 6:00 pm in San Leandro. The purpose of this meeting is to discuss how we should implement our portion of the \$11M earmarked as a result of the passage of ABX2 1 to address the disparities in POS. These suggestions will be discussed and reported to DDS by the September 8th deadline. The notice for this meeting is also on our website's Calendar of Events.

Status of Other Activities

- Care Parent Network will be piloting a couple of new support group projects, both 12 weeks long, geared towards parental support and information for those families in the unincorporated areas of Contra Costa County.
- RCEB's bi-lingual Spanish speaking case managers in both the Concord and San Leandro offices will be developing IEP training clinics for the Spanish speaking communities.
- Congreso Familiar's August 6th conference currently has 246 adults and 172 children preregistered as of this week, and more are expected to register within the next few days.
- The former ACMHS staffs, who are now with RCEB, will continue their yearly holiday party possibly again at Garfield Elementary School in Oakland with RCEB support. They will also be looking into organizing support groups for the monolingual families of Vietnamese, Cambodian, and Laotian descent.

EXECUTIVE DIRECTOR'S REPORT: Jim Burton

Mr. Burton began by informing the board of Barbara Maize, Executive Director of Contra Costa ARC's recent diagnosis of inoperable brain cancer. Barbara is an extraordinary leader and a very important contributor in the developmental disability community and a good friend. John Rumsey, Board President at the Contra Costa ARC has authorized a team of staff that will be managing the daily operations as well as supporting Barbara and her family daily. This is a very difficult time for the staff, community, and for everyone who knows Barbara so we would like to start this board meeting with a moment of silence to remember Barbara and all her contributions to the people that we serve and their families and communities.

ABX2 1

This has been an incredibly busy time for all with the implementations of ABX2 1. Mr. Burton announced great news that as of last week, RCEB has processed rate increase adjustments for all of our service providers beginning July 1st, so there will not be a need for retroactive billing. Mr. Burton thanked both Nancy Kubota and Ronke Sodipo for their hard work on getting over 7,000 adjustments to rates completed for every vendored service for every service provider in our region. It was important to us that our service providers would be able to get the increases immediately and not have to wait or to receive them retroactively. Mr. Burton also thanked RCEB staff and the Department of Developmental Services for getting the rate letters out in time and helped us with the process. This is the largest rate adjustment that service providers have seen in many years. The largest portion of the adjustment is for direct care staff wage, salary and benefits pass-throughs for our service providers, many of whom have told Mr. Burton that they will be able to raise their direct care staff wages substantially by 6-11%, depending on the amount that they will be receiving. Mr. Burton stated that once this increase is apparent in their paychecks, it will help mitigate turnovers and program closures, and will stabilize our service system. Service providers will have to submit a report to the State in October 2017, indicating how these funds were spent. Letters will be issued to service providers by DDS and some have already been received from the department. We also changed those rates that RCEB sets and we will be sending letters outlining the specifics of the rate increase.

Mr. Burton added that this was a tremendous effort to get all of this in place in a timely manner. As for RCEB staff, we did receive an allocation similar to the rate increase, and went through the same process including union negotiations. Mr. Burton thanked Terri Jones, Director of Human Resources, for making it possible for processing salary adjustments for all regional center staff [excluding Executive Staff] which was reflected in their first paycheck in July. Mr. Burton also thanked the board members for their perseverance, patience, and willingness to meet at a moment's notice in order to make all this happen.

Regional Center Changes

Director of Community Services

We have been recruiting for the Director of Community Services position that Ronke Sodipo left in April, to take over as the Director of Consumer Services. Mr. Burton thanked Ronke for continuing to handle the day-to-day responsibilities of both departments for a few months. We are pleased to announce that Beth DeWitt has been selected as the new Director of Community Services. Beth will be assuming this responsibility in mid September. She currently is the Manager of Regional Center Services at Golden Gate Regional Center, and has over 25 years working at several other regional centers, including RCEB where she was a Developmental Center Liaison. Mr. Burton added that Ms. DeWitt is very bright, caring, and hard working and we are looking forward to having her back at RCEB.

Director of Finance and Administration

Mr. Burton announced that after 34 years of dedicated service with RCEB, Nancy Kubota will be retiring at the end of October. When Nancy first took over the position in 1998, our regional

center was in a financial mess. Nancy transformed RCEB into an outstanding organization financially with great audits and balanced budgets. Nancy will be assisting RCEB in finding a replacement and providing that individual guidance as well as assisting us on a part-time basis following her retirement. Mr. Burton stated that she is the best regional center Director of Finance and Administration in the state of California and truly irreplaceable.

Asian Community Mental Health Services [ACMHS]

ACMHS has been providing case management services under contract with RCEB for many years. Our contract with ACMHS ended on June 30, 2016 and we are very pleased that the ACMHS staff started their employment with RCEB on July 1, 2016. The staff has maintained their same caseloads and consumer and family relationships. Mr. Burton added that we are very pleased to have them on board as they have been a tremendous addition to our staff. Mr. Burton thanked Nancy, Terri, and Ronke for all their work in making it a smooth transition without any disruptions.

Sonoma Developmental Center [SDC] Closure

Mr. Burton informed the board that there is a tremendous amount of activity going on in regards to the closure of SDC, mainly with the purchasing of homes and developing new services. This is a difficult time in the Bay Area to buy properties and we have a lot of competition from other buyers. Mr. Burton credited Nancy Bargmann/DDS for her work in increasing the funding which allowed for us to provide larger down payments, which has made a difference in being able to acquire the properties. We have a very short time frame to get this done. The state and federal government have also just signed settlement agreements for Porterville Developmental Center and Fairview Developmental Center that have tight timelines. Mr. Burton thanked Steve Robinson for keeping our process moving forward, and he feels confident that we will be able to do this well and that everyone who we serve at SDC will have great opportunities and a life in the community by SDC's closure date of December, 2018.

Self-Determination

The next Self-Determination Committee meeting is next Monday, August 1st in Concord. There is no update on the Federal approval of the self-determination program. DDS will be re-submitting a vast amount of information to answer the 180 questions that were submitted by the Centers for Medicaid and Medicare Services [CMS] to them. Mr. Burton thanks Jim Knight, Assistant Deputy Director, Community Services Division, Department of Developmental Services, who is the one working on this, and who was also responsible for getting the ABX2 1 rate letters out in time.

State Budget

Mr. Burton states that we are still waiting for the C-1 budget allocation from the Department for the current fiscal year. There are a lot of great things in that budget that we have not seen in a while, such as funding for an additional 200 case managers statewide. This translates to 12-13 new case managers for RCEB. We are hoping for that allocation soon and estimate it will be around mid August. We currently have 20 vacant case manager positions, and hope that with

the salary increases and additional case managers that we will hire, we will start addressing the high caseloads and workloads that our staff is experiencing.

PUBLIC COMMENT

Josh Sullivan, Contra Costa County Developmental Disabilities Council [CCDDC]

Planning has started for the yearly August retreat and they will be doing something different This year with a stakeholder engagement and an annual plan for next year will be developed. The planning for the September 24th Going to College with a Disability Conference in Orinda is in its last stages.

Sandi Soliday, Alameda County Developmental Disabilities Council [ACDDC]

The last meeting was on July 13th, which was the annual planning session to review the accomplishments and objectives for the next year. The second planning session of the Council's Executive Committee meeting will be on August 10th to review the results of the annual planning meeting and help to plan Council presentations for the program year.

- Aug 3rd The next EBLC meeting on the IHSS forum planning process.
- Aug 5th East Bay Employment Task Force meeting with presentations by the Long's Foundation and the Department of Rehabilitation.
- Sept 14th The next ACDDC meeting where there will be a presentation on the Brown Act and Alameda County Council and Commission Policy presented by Scott Dickey, Alameda County Council.

Sheraden Nicholau, State Council on Developmental Disabilities [SCDD], Bay Area Office

July 22nd was the State Council meeting, where they approved grants of \$175K for programs in California, including \$20K for an outreach program in our area. The Council also approved the consolidation of two area offices of SCDD; Central Coast and Monterey Bay/Silicon Valley offices into one area office.

Sheraden added that she had joined the State Council Legislative and Public Policy Committee as a staff representative, which will enable her to report our feedback and supports directly to Sacramento, as well as being able to represent our interests with legislation and bills.

ARCA REPORT: Jim Burton

Ms. Hebert distributed two handouts from ARCA; the Draft Strategic Plan for F/Y 2016-17 and 2018-19, and the 2016-17 Priorities of the Strategic Plan. ARCA would like to have board input on the plans, as this will be a topic of discussion at the next ARCA meeting in mid August at Harbor Regional Center in Torrance.

Ms. Hebert also added that she is going to suggest an addition of two of Senator Jim Beall's bills; SB11 and SB29 be added to the ARCA Draft Strategic Plan 2016-17 Priorities under I. *Inclusive Communities*. These two bills were introduced in 2015 and will take effect next week.

<http://sd15.senate.ca.gov/legislation>

SB 11 requires at least 15 hours of behavioral health instruction at academies for new recruits who are training to become police officers and requires the Commission on Peace Officer Standards and Training to develop a mental health continuing education course for current police officers. The current standard is six hours.

SB 29 requires police officers in supervisory roles who conduct field training to receive at least 12 hours of behavioral health training including eight hours of crisis intervention instruction and additional four hours in the Field Training Officer program.

Both bills were approved by the Legislature; signed into law by the Governor.

Mr. Burton added that police training has been an ongoing process, and a lot of training needs to be provided. We have visited various police departments, and they all vary in terms of receptivity. We have been fortunate that some of our staff have close ties to law enforcement, and that has really helped. The key is ongoing training, not a one-time session. There are some very good training programs in California, such as the one from the Autism Society of Minnesota. Sandi Soliday said that organization did a great training session, and ACDDC will be approaching them to see if they can train their trainers.

EXECUTIVE SESSION – PERSONNEL ISSUE

MEETING ADJOURNED

The board meeting adjourned at 8:03 p.m.

THERE IS NO AUGUST BOARD MEETING

The next Board Meeting will be at 7:00 p.m. on September 26, 2016 in the San Leandro Office
500 Davis Street, Griffin Conference Room
There is a Diversity & Equity Meeting at 6:00 prior to the board meeting