



REGIONAL CENTER OF THE EAST BAY
Board of Directors Meeting
MINUTES

Monday, June 22, 2015 7:00 p.m.
2151 Salvio Street, Concord, CA

Final
7/27/15

RCEB BOARD MEMBERS PRESENT:

Anne Struthers, President

Rose Coleman, Secretary

Steve Whitgob, Treasurer

Nyron Battles, CAC Vice-Chair

Morena Grimaldi

Daniel Hogue, PVAC

Chi Lee

Gwen Nash-Butler

Carmen Quinones

Mike Treppa, Budget and Finance
Committee Chair

ABSENT:

Evangeline Iyemura, Vice-President [excused]

Donald Morris [excused]

Marie Parra [excused]

Darcy Ting [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

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, Children's Services/Bilingual

Meredith Rosenberg, Case Manager

Michi Toy, Executive Assistant

GUESTS:

Gabriel Rogin, SCDD, Bay Area Office

Sandi Soliday, ACDDC

Todd Struthers

Josh Sullivan, CCCDDC

Geneva Ziaouré, PVAC

CALL TO ORDER

President, Anne Struthers called to order the regularly scheduled meeting of the Regional Center of the East Bay at 7:05 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 June 22, 2015 Agenda as presented.”
 [Battles/Hogue] Unanimous

M/S/C “The Board moves to approve the minutes of May 18, 2015 as presented”
 [Battles/Hogue] Unanimous

PUBLIC COMMENT

No public comments

COMMITTEE REPORTS

EXECUTIVE COMMITTEE: Anne Struthers

CONTRACT APPROVALS

- RCEB Workers Compensation:
Berkshire Hathaway Homestate Companies
This contract is a renewal of RCEB employee’s workers’ compensation insurance for the fiscal year 7/1/15 – 6/30/16. The annual premium this year is \$310,711, which is less than last year due to reduced claims.

M/S/C “The Board moves to approve the RCEB Workers’ Compensation contract with Berkshire Hathaway Homestate Companies for fiscal year 2015/16 as presented.” (Battles/Whitgob) Unanimous

- Transportation Companies:
Mobility Plus Transportation
Term: 7/1/15 – 6/30/16 New contract with the same rates as last year at \$21.32/roundtrip per day/consumer and \$10.34/one way per day/consumer.

First Transit- Renewal
Term: 7/1/15 – 6/30/16 New contract with the same rates as last year at \$22.15/roundtrip per day/consumer and \$11.06/one way per day/consumer.

Transportation to/from Various Day Programs

Term: 7/1/15 – 6/30/16

Rates vary according to program with no changes:

Contractor Name	Rate of Reimbursement	NOTES:
H70229 A Better Chance Transportation	\$8.91 per trip	Over \$250,000.00
HB0636 A Car 4 Kids	\$25.00 per day per consumer, \$12.50 one way per day per consumer	Over \$250,000.00
HB0114 CAMP INC	\$17.20 per trip/per day per consumer	**Combined 2 programs total over \$250,000.00
HB0565 CAMP INC	\$17.20 per trip/per day per consumer	**Combined 2 programs total over \$250,000.00
H38322 Community Integrated Work Program/Hayward	\$2.42 per mile per day	**Combined 3 programs total over \$250,000.00
H38580 Community Integrated Work Program/Richmond	\$2.42 per mile per day	**Combined 3 programs total over \$250,000.00
H70265 Community Integrated Work Program/Antioch	\$2.42 per mile per day	**Combined 3 programs total over \$250,000.00
HB0218 Mission Hope Day Program/Antioch	\$14.46 per day per consumer and \$8.24 per aide per day	**Combined 5 programs total over \$250,000.00
HB0734 Mission Hope Day Program	\$12.38 per day per consumer	**Combined 5 programs total over \$250,000.00
HB0751 Mission Hope Day Program/Fremont	\$19.30 per day per consumer, \$9.56 one way per consumer	**Combined 5 programs total over \$250,000.00
HB0416 Mission Hope Day Program/Hayward	\$14.46 per day per consumer	**Combined 5 programs total over \$250,000.00
HB0555 Mission Hope Day Program/Dublin	\$19.30 per day per consumer, \$9.56 one way per consumer	**Combined 5 programs total over \$250,000.00
HB0095 One Step Closer	\$9.30 per day per consumer	Over \$250,000.00
HB0253 Social Vocational/Emeryville	\$14.79 per day per consumer	**Combined 4 programs total over \$250,000.00
HB0176 Social Vocational/Antioch	\$17.90 per day per consumer	**Combined 4 programs total over \$250,000.00

H84770 Social Vocational/Hayward	\$9.27 per day per consumer	**Combined 4 programs total over \$250,000.00
HB0519 Social Vocational/Newark	\$15.03 per day per consumer	**Combined 4 programs total over \$250,000.00

Questions were brought up from 4 board members in regards to oversight of services and rates, and were addressed accordingly and in detail by Mr. Burton and staff.

M/S/C “The Board moves to approve the transportation contracts for fiscal year 2015/16 with Mobility Plus and First Transit transportation companies as well as with the day program transportation as presented.”
(Battles/Nash-Butler) Unanimous

BUDGET AND FINANCE COMMITTEE: Steve Whitgob

As reported last month, the financial report for the month of April was not available at May’s Board meeting since that board meeting was held a week earlier due to the Memorial Day Holiday. Therefore, we now have the financial reports for both April and May, 2015.

Purchase of Services [POS]

For April 2015, our Purchase of Services Projections NON-CPP showed a mid-range insufficiency of approximately \$9M which we reported at the May meeting. Our May 2015 Purchase of Services Projections NON-CPP currently reflects a mid-range insufficiency of approximately \$8.3M.

The Department advised Regional Centers that an “A-4” amendment will be released sometime in late August or early September. DDS is expecting to receive an additional \$143M in the budget allocation for Fiscal Year 2014-15 after the budget is signed to fund deficiencies in POS for Regional Centers this fiscal year.

Although we will end this year with an insufficiency in our POS allocation, the Department has consistently met their commitment to fully fund all POS budget insufficiencies. As in the past, the Department has issued “prior year” amendments, and all of our prior POS budgets have been, in the end, balanced. We expect the same to occur with our Fiscal Year 2014-15 POS budget.

As reported earlier, the Department of Developmental Services released the preliminary “B” contract for Fiscal Year 2015-16 on June 8, 2015. Last month, the Board voted to approve the 15-16 “B” Preliminary Contract to allow Anne to sign the contract prior to the board meeting and return it to DDS to expedite the receipt of the cash advance from the State.

The other good news is that the Governor is expected to sign the State budget on time.

Operations

RCEB has a balanced operations budget for this fiscal year. The agency is currently making good progress in filling vacant positions.

Cash Flow status

Our cash reserves are getting low as we approach the end of the fiscal year. As reported last month, there is a possibility that we may have to borrow to meet our payment obligations to providers if the State did not provide at least 30% of our April Claim by June 15. The good news is that the State did provide RCEB with enough reimbursement of our April claim to meet all of our POS payment commitment to service providers and RCEB will end the fiscal year without borrowing from our Line of Credit. We are ending the fiscal year with a small cash reserve which should be sufficient until July 15, when the June POS payments are scheduled to be released. We want to acknowledge and thank the Department for their efforts in providing this reimbursement to the Regional Centers. Some Regional Centers did have to borrow from their lines of credits, despite the Department's partial reimbursement so we are fortunate we did not need to do this.

DDS has advised us that they will make every effort to release Regional Centers' cash advances for Fiscal Year 15-16 contingent upon the State budget being signed on time. There will be 3 cash advances: The first and second cash advances for Fiscal Year 15-16 will be released by the second week of July and the 3rd cash advance is scheduled to be released by August 1st.

We will continue to update the Board, as well as the Executive Committee, on our cash flow status.

Audit Engagement letter with Lindquist, Van 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 Budget and Finance Committees to bring forth a formal recommendation to engage our CPA firm Lindquist, Van Husen, and Joyce, LLP to conduct RCEB's Fiscal year 14-15 CPA audit. Staff will schedule the audit visit in August. This is the 4 year of our 5 year cycle with Lindquist, Van Husen, and Joyce, LLP.

M/S/C "The Board approves the engagement of Lindquist, Van Husen & Joyce, LLP to conduct our annual Independent CPA Audit for Fiscal Year 2014-15 as presented."
 [Hogue/Lee] Unanimous

MEMBERSHIP DEVELOPMENT COMMITTEE: Anne Struthers

We currently have 14 board members and are seeking an additional Alameda County latino member in order to maintain ethnic representation consistent with our community.

PROVIDER/VENDOR ADVISORY COMMITTEE [PVAC]: Daniel Hogue

Mr. Hogue summarized the PVAC meeting from June 12th and stated that the majority of the meeting revolved around the State budget as well as the local minimum wage laws that are impacting the service providers. There was also a presentation at PVAC on mandated reporting on abuse and neglect on adults, given by Christina Cotton from Adult Protection Services [APS]. The next PVAC meeting will be on July 10th.

CONSUMER ADVISORY COMMITTEE: Nyron Battles

The CAC did not meet in June; however, the members are still planning of a social event at an A's game. The next Consumer Advisory Committee meeting will be July 13th, where Gabriel Rogin will give a presentation on Self-Determination.

DIVERSITY and EQUITY COMMITTEE: Anne Struthers

Ms. Struthers informed the board that the Diversity and Equity Committee met prior to the board meeting. Ms. Thomas informed the group on several legislative items having to do with the trailer bill language as well as with Self-Determination. Ms. Sodipo also informed the committee of the ESL start-up group that Mr. Rogin has been working on as well as outreach activities to better serve our deaf community. The next meeting will be on July 27th.

EXECUTIVE DIRECTOR'S REPORT: Jim Burton

State Budget

Mr. Burton stated that the State budget has not finalized yet. The legislature went through the usual process; the conference committee took action on a number of issues and agreed to a compromise in terms of rate increases and regional center funding to stabilize our services. The budget was sent to the legislative leadership where it is normally negotiated with the Governor. They managed to get a budget that wasn't a final budget signed off on and agreed to by the majority of the legislature the day that it was due under the State Constitution, even though it was not a final budget. The budget that they passed included a compromised version of the rate and regional center funding increase adjustments. The leadership, Speaker of the Assembly, Toni Atkins and Senate President Pro Tem Kevin De León as well as the Governor, met and agreed on a different budget which deleted the compromises that were placed in there for support and stabilization of services, rate increases, core staffing, and regional center increases. The Governor did compromise on just a couple of issues, but the legislature only received about 7-8% of what they were seeking in the budget.

The Governor and legislative leaders also agreed, and there will be two special sessions held; one on transportation and the other on health and our issues. The rules during special sessions are very different. The developmental disability community was very surprised, disappointed and angry over what had occurred in the budget. Rallies were held in major cities such as in Sacramento, San Diego, San Francisco, San Jose and two in our Bay Area cities. One was quickly

put together in Concord by the ALIVE Consumer Action Committee, and the other was put on in conjunction with both the Alameda and Contra Costa Developmental Disability Councils. Josh Sullivan successfully led a large rally at the State building in Oakland, which was attended by hundreds of people. Mr. Burton stated that it was very helpful for all who attended to have the opportunity to speak and express their feelings on the situation. Shortly after those rallies, Speaker of the Assembly Toni Atkins and Senate President Pro Tem Kevin De León issued a statement, “Our commitment has not changed, only the venue,” and that there would be attention paid to our issues in the special session.

The Governor announced that there would be two special sessions focused on infrastructure; the first session on roads and transportation headed by Senator Beall, chairman of the Senate Transportation Committee. Senator Beall spoke at an ARCA dinner in Oakland recently, and his dedication in advocating for those in the developmental disability community was very evident. The second session relates to health and the developmental disability services. The way it is framed is that the Governor is seeking legislative support to continue a \$1.1 billion tax on Medi-Cal Managed Care organization which is in operation until September of 2016. This Federal government has advised a number of states including California that they must revise their structure of the tax if it is continued. The developmental disability issue was thrown in with Medi-Cal, IHSS, and other programs. The Governor wants the legislative to pass this tax, which will extend the Medi-Cal Managed Care tax to bring in this Federal money, and then he will be open to talking about Medi-Cal and Denti-Cal rates, developmental disability service rates, etc. The special session began last week, and the length of time that it continues depends on how long the legislature deems it is necessary. Quick, prompt agreement would be best, given the fragility of our service systems.

Mr. Burton added that the grass roots efforts of the community are still key to a successful result from the “Special Session”. Multiple questions were addressed in detail accordingly.

Trailer Bills

In addition to changes to the State budget, there was a massive amount of additional trailer bills. Trailer bills are not a good way to make public policy, as they are drafted in private by staffers and lobbyists before being presented for votes by the legislature but with little or no public comment. The bills are still not finalized; they are still going through negotiations. There will be Trailer Bill Language to address disparity in purchase of service spending and in placements that occur in facilities known as Institutions for Mental Diseases [IMD’s].

California State Developmental Centers

The closure of three developmental centers did make it into the budget including; Sonoma, Fairview, as well as the non-secured treatment portion of Porterville Developmental Center. The closure of Sonoma Developmental Center [SDC] is to be completed by the end of 2018, and for Fairview and a portion of Porterville Developmental Center, closure by 2021. There is a scheduled meeting this weekend for the families of Sonoma Developmental Center [SDC] to start the dialogue on closure. RCEB had a very good meeting with our local SDC’s Parent

Hospital Association [PHA] members in May. We discussed many topics, mostly on what services might be like for their family members moving to the community.

Self-Determination

Mr. Burton started off with thanking Gabriel Rogin, the Executive Director of the State Council on Developmental Disabilities, Bay Area Office as we partnered with them in the creation of this committee. The applicants were interviewed, and RCEB and the SCDD Council Office appointed 5 members each to the committee along with the client rights advocate to make it a total of 11 members on the committee. The first meeting is next Monday, June 29th at 7:00 pm. Anne Struthers will chair the first meeting until a chair can be elected.

There will be a phase-in period with a maximum of 2,500 participants in the first three years of the Self-Determination Program where each participating regional center will get a specific allocation of participants based on their percentage of the population of consumers statewide. There has been recent new information that the legislature may expand the number of initial participants. We will keep you updated as we are informed.

Minimum Wage

We are really struggling with minimum wage and are doing our best. Shortly, we will have a total of 5 cities all with different minimum wage rates. The positive thing is that it will improve direct care staff wages, but the implementation is very difficult and complicated, requiring our service providers and our staff to deal with a massive amount of paper/computer work. We are working through it and making progress and gradually getting approvals from the State to increase rates so that our service providers can pay these minimum wages.

ARCA

Mr. Burton informed the board that ARCA had their June Board of Director's meeting at RCEB/San Leandro and their annual dinner in Oakland. It was the first time that ARCA met in our office, and it was very fitting that our RCEB Board President, Anne Struthers was elected as President of ARCA at this meeting. Mr. Burton also added that Ralph Griffin, our former board member and whom we named our conference room after used to take Ms. Struthers to the ARCA board meetings as he trained her to eventually take his place.

Shreiber Center

Mr. Burton stated that he was pleased to hear an excellent presentation at the Alameda County Developmental Disabilities Council on the soft opening for the Shreiber Center. The opening of Shreiber Center couldn't come at a more ideal time.

The Arc of Alameda

On June 26th The Arc of Alameda is having their annual achievement awards banquet at Scott's Seafood in Oakland, where there will be a special presentation in honor of the late Nuzio "Bob" Perrotti. In addition to all the work he did with the developmental disability community, he was also a board member and officer at RCEB.

PUBLIC COMMENT

July 11: *Carmen Quinones* stated that Creative Growth will have all their work out for viewing from 1-4 pm.

Gwen Nash-Butler informed everyone that 2015 marks the 25th anniversary of the Americans with Disabilities Act [ADA], and listed a couple of events in honor of that anniversary:

July 25: Cril/Hayward is sponsoring a movie night in Livermore. Contact Delores Tejada at 510-881-5743 for more information.

Sept. 25/26: Festival and parade at the S.F. Civic Center

Sandi Soliday, Alameda County Developmental Disabilities Council

Ms. Soliday acknowledged the rallying ability of her counterpart Josh Sullivan in the Contra Costa area.

June 29: Transcen will put on a workshop entitled *A New Day for Day Services* which focuses day services on employability. The meeting will be in the Redwood Conference Room at the Public Health Building at 1100 San Leandro Blvd.

June 30: East Bay Employment Task Force's next large group meeting is scheduled from 10 am – 12 pm at the Public Health Department.

July 8: The next ACDDC meeting which will be held at a different location due to construction in the Broadway location. The meeting will be in the Redwood Conference Room at the Public Health Building at 1100 San Leandro Blvd.

Josh Sullivan, Contra Costa County Developmental Disabilities Council

Mr. Sullivan expressed his thanks to everyone for the support given at the rally as well as the annual DDC dinner. He also added that there will be delegates from both DDC's who will present Senator Beall with an award on the Senate floor in Sacramento.

June 24: The CCCDDC meeting has been cancelled; however, it has been replaced with an advocacy meeting open to the public.

Gabriel Rogin, State Council on Developmental Disabilities, Bay Area Office

June 23: There will be an informal Deaf Task Force meeting whose goal is to increase service capacity for individuals who have developmental disabilities and are deaf. The meeting will be in our RCEB San Leandro office from 1-3:00 pm.

June 24: State Council's regional advisory committee meeting. The main topic will be on the structure and function of the Regional Advisory Committee and how they will influence the State council as a whole.

June 29: The Coalition on Disability and Criminal Justice meeting will focus on ways to strengthen their relationship with various local law enforcement and to set up trainings with them.

ARCA REPORT: Anne Struthers

Ms. Struthers stated that she was honored to be elected President of ARCA's Board of Directors. Our board needs to replace Ms. Struthers as RCEB Board President very soon, as her final term is up in March of 2016.

MEETING ADJOURNED

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

The next Board Meeting will be at 7:00 p.m. on July 27, 2015 in San Leandro
The next Diversity & Equity Meeting will be at 6:00 p.m. before the Board Meeting