



REGIONAL CENTER OF THE EAST BAY
Board of Directors Meeting
Minutes

Monday, June 27, 2016 7:00 p.m.
1320 Willow Pass Road, Concord
Approved 7/25/16

RCEB BOARD MEMBERS PRESENT:

Kathy Hebert, President
Evangeline Iyemura, Vice President
Rose Coleman, Secretary
Mike Treppa, Budget & Finance Committee Chair
Steve Whitgob, Treasurer
Morena Grimaldi, Diversity & Equity Chair
Sister Marygrace Puchac, PVAC Representative
Carmen Quinones

ABSENT:

Nyron Battles [excused]
Chi Lee [excused]
Gwen Nash-Butler [excused]
Marie Parra [excused]

STAFF PRESENT:

Jim Burton, Executive Director
Lisa Kleinbub, Director of Health & Behavioral Services
Nancy Kubota, Director of Finance & Administration
Ronke Sodipo, Director of Community Services
Evelyn Hoskins, Associate Director of Federal Programs
Priscilla Gomez, Manager of Transportation
Gabriel Mendoza, Case Manager
Eric Stern, Case Manager
Michi Toy, Executive Assistant

GUESTS:

Arthur Lipscomb, CRA
Maria Marquez, Vice Chair SD Committee
Sheraden Nicholau, SCDD Bay Area
Sandi Soliday
Josh Sullivan
Geneva Ziaouré

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 7:02 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 27, 2016 agenda with the deletion of the Executive Session, as well as the Minutes from May 23, 2016 as presented.”
[Treppa/Puchac] Unanimous

PUBLIC COMMENT

There were no public comments during this period.

COMMITTEE REPORTS

EXECUTIVE COMMITTEE: Kathy Hebert

CONTRACT APPROVALS

[See the attached list of contracts to be approved]

Since there are over 50 contracts to be approved, we have consolidated them into categories.

OPERATIONS CONTRACTS - Renewals

Berkshire Hathaway Homestate Companies

This worker’s compensation renewal had just been decreased from \$270,911 to \$226,000 due to final contract negotiations that were completed earlier today. Therefore, it now does not need board approval since it is less than \$250,000 per W&I 4625.5(b.)

La Familia Counseling Services [LFCS]

This is a renewal of the current ongoing contract for case management services between RCEB and La Familia Counseling Services for the term of 7/1/16 to 6/30/17. The rate of reimbursement remains at \$87.08/client/month. The monthly contract amount is up to \$61,914 for an annual estimated contract amount being \$742,967. We will be amending this contract once we have established what the rate increase will be as a result of ABX2 1.

M/S/C “The board moves to approve of the renewal contract between RCEB and LFCS as presented” [Puchac/Whitgob] Unanimous

PURCHASE OF SERVICES CONTRACTS – Renewals

Supported Living Services (assorted)

There are 29 different contract agreements listed on the attached sheet. These contracts represent the agreement with RCEB to operate supported living services to our clients who are living in their own home in the community. The term of the contracts are from 7/1/16 to 6/30/17. Mr. Burton added that these are renewals with the same standard agreements, language and rates, with no changes. The amounts represent the *maximum* fiscal impact, but the actual amount will be relative to the number of individuals served, so it will most likely be significantly less. This also applies to the 17 transportation services listed.

M/S/C “The board moves to approve of the renewal contracts between RCEB and the various Supported Living Service contractors that are listed on the attachment presented.” [Whitgob/Coleman] Unanimous

Transportation Services Contracts (assorted)

There are 17 different contract agreements listed on the attached sheet. These contracts are for transportation services primarily to day programs. The term of the contracts are from 6/1/16 to 6/30/17 with various ranges in the rates of reimbursement.

M/S/C “The board moves to approve of the renewal contracts between RCEB and the various transportation services that are listed on the attachment presented” [Whitgob/Coleman] Unanimous

PURCHASE OF SERVICES CONTRACTS

Community Placement Plan [CPP] Housing

Elwyn California

Ms. Hebert distributed the contract for the Community Placement Plan [CPP] start-up agreement to the board members. This contract is effective 6/30/16 through 3/31/18 to develop one Enhanced Behavioral Support Home (4 consumers total) transitioning from Sonoma Developmental Center. This one time start-up amount is a maximum of \$250K.

M/S/C “The Board moves to approve of the startup funding contract with Elwyn California as presented.” [Treppa/Iyemura] Unanimous

Family Home Agency Contract

Golden State Residential

This Family Home Agency rate is based on four tier levels ranging from \$2,861 to \$5,878 per month with a capacity of 30 consumers at the lowest level. The annual total is \$1,029,960. The term of the contract is from 7/1/16 to 6/30/17.

M/S/C “The Board moves to approve of the Family Home Agency contract as presented.” [Treppa/Iyemura] Unanimous

Supported Living Services Contracts

These 3 contracts represent the agreement with RCEB to operate supported living services for our clients who are living in their own home in the community. The term of all three contracts are from 7/1/16 to 6/30/17 with a capacity of up to 15 consumers per home. The estimated average monthly rate/client is \$7,500 with an annual maximum total for all clients of \$1,350,000.

1. Stability through Enhanced Peer Support [S.T.E.P.S]
2. Action Independence Motivation Support [A.I.M.S]
3. Broadmoor Community Services

M/S/C “The Board moves to approve of the three Supported Living contracts as presented.” [Treppa/Iyemura] Unanimous

Transportation Services Contract

Mobility Plus

This is a new proposed contract that includes a per capita rate that removes the guaranteed minimum and is cost neutral at \$35.46/consumer/day and \$15.99/hour/aide for an estimated maximum total of \$3,350,925. The total consumers served is 339 and the term of the contract is from 7/1/16 to 6/30/19.

M/S/C “The Board moves to approve the Mobility Plus contract as presented.” [Treppa/Iyemura] Unanimous

In concluding the contracts approval portion of the board meeting, Mr. Burton recognized Nancy Kubota, Ronke Sodipo and Priscilla Gomez for their hard work in getting all these contracts negotiated and prepared for the board.

BUDGET AND FINANCE COMMITTEE- Report from June 27, 2016 - Steve Whitgob

There is little change in our Purchase of Services Projections for Fiscal year 2015-16. RCEB is currently projecting a sufficiency of approximately \$4.675MM mid-range NON-CPP Purchase of Service. Last month, our mid range projection was \$4.5MM, so overall our POS projections remain relatively stable. Including RCEB, sixteen out of the twenty-one Regional Centers are projecting balanced POS budgets for Fiscal Year 2015-16.

There is definitely a change in the Purchase of Services projections for regional centers system wide. This month, regional centers are reporting a projected Purchase of Services surplus of approximately \$24.8 million for best case scenario, as well as an approximate surplus of \$12.1

million for worst case scenario. This is the first month where Regional Centers are now reporting projected surpluses for both worse case and best case scenarios.

Operations

We continue to report a projected balanced operations budget for the current year.

Cash Flow status

This is to report that RCEB had adequate cash to fully fund our invoices for May Services that were paid in mid June.

We are ending this fiscal year with \$28 MM cash on hand which should be sufficient to fund most of our June POS service invoices on July 15th.

DDS has advised they will make every effort to release Regional Centers' cash advances for Fiscal Year 2016-17 contingent upon the state budget being signed on time. There will be three cash advances. The first and second cash advance for Fiscal Year 2016-17 will be released by the second week of July. The third cash advance is scheduled to be released by August 1st. If for any reason there is any delay in the signing of the State budget or a delay in getting our cash advance, the board is reminded that we will only have a very small reserve of cash remaining after July 15, 2016. Although it is unlikely we will need to access our line of credit, the agency does have an active line of credit in place until August 31, 2016.

The board is reminded that this is the last year where we will have no bank fees for maintaining the line of credit. Regional Centers that bank with Union Bank will incur substantial fees in order to establish a line of credit starting next fiscal year whether they use it or not.

We will continue to update the Board and the Executive Committee on our cash flow status.

Vendor Fiscal Audits

At this time, there are no pending fiscal audits that have substantial findings.

MEMBERSHIP DEVELOPMENT COMMITTEE: Kathy Hebert

We currently are seeking an additional Alameda County Latino and Asian board member in order to maintain ethnic and geographic representation that is consistent with our community. Mr. Burton added that we have some potential candidates and will advise the board when we receive their applications.

Last month, new board member applicant Maria Marquez was nominated to join the board; therefore, tonight a ballot vote was conducted. Vice President Evangeline Iyemura tallied the votes and it was unanimous [9-0] that Maria Marquez's term take effect at this 6/27/16 board meeting.

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

The last PVAC meeting was on Friday, June 10th where there was a presentation by Kevin Rath, Executive Director of Manos Home Care on “Why Data Matters” which covered the need for data collection and analysis of DDS, including the cost reports that all the vendors need to provide DDS by October, 2017. The next meeting will be on July 8th, and there is no August meeting.

CONSUMER ADVISORY COMMITTEE: Maria Marquez

There was no CAC meeting this month.

DIVERSITY and EQUITY COMMITTEE: Morena Grimaldi

We had our 16th meeting this evening. The Support Group subcommittee is setting their strategies for the months of September to November. They are also working to formalize a Farsi support group in Contra Costa County. The Training Group subcommittee informed us that the case managers and their supervisors are reviewing a deaf awareness program, and that the hiring of a trainer is still in the works. Sheraden Nicholau, the new Regional Manager of the Bay Area office of the State Council on Developmental Disabilities [SCDD] also announced that the State meeting of all the Regional Advisory Committee [RAC] members will be held in our Concord conference room this Wednesday to discuss disparity issues in California and how they are being addressed. The goal of the RAC meeting is to be able to give recommendations to both SCDD and DDS on what needs to be done in regards to the disparities.

Mr. Burton added that as a requirement of law, DDS will be holding four public meetings on the disparity data. They are working on the scheduling and will hold regional meetings. This will be somewhat similar to the disparity data public meetings that the regional centers hold. Their meetings will be in Northern California; the San Jose area.

EXECUTIVE DIRECTOR’S REPORT: Jim Burton

Mr. Burton welcomed everyone to the first board meeting in our new Concord office at 1320 Willow Pass Road. As Mr. Burton has stated before, this move was accomplished without an increase in overall cost, and provides a more professional work space for our employees (120) as well as a large conference room for our community partner agencies to use. Mr. Burton acknowledged Nancy Kubota for her hard work, and success in securing the new office space. We are very pleased with the management of the building, who have been welcoming to people with developmental disabilities and their families, and RCEB.

State Budget

Mr. Burton stated that the Governor had just signed the State Budget this evening. Although he had not yet signed all the trailer bills, he did sign the developmental services trailer bill AB 1606, which covers 17 issues. It is likely that the Governor did not veto anything in our budget as he basically received everything he asked for in the budget from the legislature. In our service area, nothing was reduced or cut. The Governor agreed to fully fund ABX2 1, and has kept his promise. There are some good things in the budget that were originally proposed in January that are now in law. One of them is to increase the number of regional center case managers by 200 statewide as well as being able to increase salary and wages pursuant to

ABX2-1, which we can start on July 1st. There's also \$46M in the budget to establish residential rates that support facilities that downsized their capacity from six to four residents. There is \$15M in the budget for service providers transitioning to meet the new CMS Federal standards.

Overall, this is a very good budget, but the previous trailer bill cuts that were put in place and the restrictions on start-up funding on statewide rates still remain. Although we made great progress with ABX2 1, we still have our work cut out for us and need to work towards removing those restrictions that were put into law during the recession.

ABX2 1

On Friday, June 24, 2016, the State issued the first set of directives on rate increases that will be used to provide direct care staff wage, salary and benefits pass-throughs for our service providers. This is something that we have been anticipating for a very long time. Our goal is to do everything possible to get rate increases in place for our service providers in July. This is a massive undertaking, as nearly every single rate that we have is going to change, and we have a small staff to do this work both in our Accounting and Community Services departments. RCEB has joined with Alta California Regional Center [ACRC] in purchasing software in order to accomplish this task. There are still some local minimum wage increases that need to occur, and there have been a number of late submissions for health and safety rate increases. Not all the service providers submitted their surveys to the Department by the April 15th due date, which made it impossible for the Department of Developmental Services to calculate rate increases by June 15th. Enough surveys have now been submitted for those calculations to take place. Individual letters will be sent to all service providers who have rates set by the State, indicating what their new rate will be. The service providers will then be able to calculate what that can be turned into in terms of direct care staff wage and benefit increases, and get those increases into the hands of the staff who have deserved this for a very long time. Mr. Burton adds that he is hopeful that this increase is at least 7.5%, but we won't know until the providers have the opportunity to take these rate increases and calculate the impact.

There are additional 5% rate increases for supported employment, supported and independent living, respite and transportation. We are hopeful that all these increases will get our service system moving forward again to meet the needs of our increasing population.

For regional centers, we are engaged in the same process. We have yet to reach an agreement with our labor union, but as soon as we can, we look forward to providing our staff with salary and benefit increases pursuant to ABX2 1. This increase combined with an increase in case managers, will greatly help us address the workload and the high caseload issues we face. We are looking forward to accessing some of the \$11M included in ABX2 1 to address disparities in purchased services. Mr. Burton adds that having an established Board Diversity & Equity committee has helped us because we have identified the areas where we will need to focus on locally when we seek a portion of this funding. Even though the \$11M is not that much for the whole state, it is the first time that the State has budgeted any money to address this issue. Mr. Burton credits Catherine Blakemore, Executive Director of Disability Rights of California and Senator Kevin DeLeón for their great advocacy in getting this included in ABX2 1.

Asian Community Mental Health Services [ACMHS]

Our contract with ACMHS ends on June 30, 2016 and the ACMHS staff will be starting with RCEB on July 1, 2016. ACMHS continues to struggle as many have seen in the news. Alameda County appears to be very close to pulling their contracts with ACMHS. Mr. Burton thanked Nancy Kubota, Terri Jones and Ronke Sodipo in their handling of the very complicated and challenging transitions. All but one of the ACMHS staff members will be joining RCEB, and their case managers will be keeping their current cases to maintain their relationships with the 1,300 clients and their families they serve. Many of these families are monolingual and non-English speaking. RCEB is very pleased that they will be joining our staff, and feel that they are a valuable resource. Many of the staff are bi/trilingual, which helps us address the fastest growing group of immigrants to the United States. RCEB will be planning a welcoming party for this staff as they join us at RCEB.

Events

6/28: Schreiber Center Grand Opening from 3:30 – 5:00 at the Gail Steele Wellness and Recovery Center in Hayward. This center was based on the mental health-regional center joint project that Golden Gate Regional Center [GGRC] set up during the Agnews Developmental Center closure [aka Puente Project]. The Schreiber Center is for those clients who need appropriate mental health treatment and have a developmental disability. Mr. Burton thanked Sandi Soliday and Karen Toto of the Alameda County Developmental Disability Council for their hard work in getting this program off the ground.

6/30: Assemblyman Tony Thurmond will be presenting the resolution, SCR 98 which recognizes the 50th Anniversary of California's Community-Based Developmental Services System and affirms the legislature's commitment to support the system and to protect the rights of individuals with developmental disabilities. This presentation will take place on the Floor of the Assembly with representation from RCEB's board Vice President, Evangeline Iyemura and her son, Evan as well as Mr. Burton.

8/6: The 11th annual Congreso Familiar Conference will start at 8:30 a.m. on August 6th at Chabot College in Hayward. This conference provides Spanish speaking families the opportunity to get information, network and learn about the services that are available to them. Mr. Burton encourages everyone to volunteer or attend this wonderful family event including 50 training workshops and draws nearly 1,500 people yearly.

Bureau of State Audits

Mr. Burton informed the board that the California State Auditor was asked by the legislature to audit in home respite providers, so they will be in contact with us shortly.

Sonoma Developmental Center [SDC]

Mr. Burton informed the board that there is a tremendous amount of activity going on in regards to the closure of SDC. Mr. Burton added that we have an opportunity to leverage this closure to provide excellent services for our consumers who have significant health and

behavioral challenges. We have purchased two houses in Contra Costa County, and are working on a third home. We are on track and steadily moving forward. We have signed contracts and agreements with all of our service providers. Mr. Burton adds his thanks to the DDS Director, Nancy Bargmann who worked to get additional funds for housing. Although we did not get all the \$50M requested from the legislature, we did get a substantial amount that will be particularly helpful, especially in light of the escalation of housing costs in the Bay Area. The budget includes \$36.4M in back-fill this year in lost federal funds for Sonoma. This will add to the pressure to close SDC in a timely fashion. We do not want these pressures to result in rushing placements or in any way putting people's health and safety at risk. We will strive for high quality outcomes for every single resident at SDC. We are meeting regularly with the Department and families and are expecting legislative hearings on this issue this Fall.

PUBLIC COMMENT

Josh Sullivan, Contra Costa County Developmental Disabilities Council

Mr. Sullivan thanked everyone for attending the DDC Annual Awards Dinner, which was a great way to recap an amazing year, and to highlight a new future. There is no July meeting, but there will be a board retreat in August and then the Council will resume regular monthly meetings in September.

Mr. Sullivan also stated that they hosted a POD or "Medical Point of Dispensing" event, which was tailored specifically to raise awareness of the needs of individuals with intellectual and developmental disabilities in an emergency situation. Over 90 Disaster Service Workers and healthcare professionals attended the training, some from as far away as San Benito County.

Sandi Soliday, Alameda County Developmental Disabilities Council

July 13th This is the next DDC annual planning session meeting.

There is no EBLC meeting in July, then we will resume in August.

Sheraden Nicholau, State Council on Developmental Disabilities, Bay Area Office

Sheraden introduced herself as the new Bay Area Regional Manager and advised the board that the State plans are being finalized and will be out soon.

June 29th This will be the State meeting of all the Regional Advisory Committee members discussing diversity & disparity issues at the RCEB Concord office at 7:00pm.

ARCA REPORT: Jim Burton

Mr. Burton stated that many issues that were brought up in this board meeting were discussed at the ARCA meeting as well. We will be working on Board Governance and overall governance of the regional centers in the next few months.

EXECUTIVE SESSION – PERSONNEL ISSUE

There was no need for an Executive Session at this board meeting.

MEETING ADJOURNED

The board meeting adjourned at 8:34 p.m.

The next Board Meeting will be at 7:00 p.m. on July 25, 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