

Board of Directors' Meeting

September 24, 2012

Presiding: Anne Struthers

Board Members

Present: Rose Coleman Mike Kuller
Chi Lee Hilda Mariscal
Donald Morris Gwen Nash-Butler
Sister Marygrace

Board Members

Excused: Ronald Clay Kathy Hebert
Mike Treppa Steve Whitgob

Staff Present:

Bill Barbaria Jim Burton
Francine Davis Terri Jones
Rhonda Kimble-Kelly Lisa Kleinbub
Nancy Kubota Ronke Sodipo

Guests Present:

Nyron Battles Maria Campos and family
Susan Driggs Sharon Hagerty
Cleo Manspeaker John Rodriguez
Rocio Smith Sandi Soliday

CALL TO ORDER

President, Anne Struthers, called to order the regularly scheduled business meeting of the Regional Center of the East Bay at 7:03 PM. Self introductions were made.

CONSENT AGENDA

M/S/C "The Board moves to approve the agenda for September 24, 2012 and the minutes of July 23, 2012 as presented. (Kuller/Coleman)
Unanimous.

PUBLIC COMMENT

Cleo Manspeaker shared that she very much appreciates the services she receives from RCEB. Cleo will be moving to San Leandro on November 1st and will continue her self advocacy work following her relocation.

Maria Theresa Campos presented an award to the Board of Directors and Mr. Burton on behalf of Congreso Familiar in appreciation of all the support her group receives from RCEB. Board members were presented with tote bags from Congreso Familiar. Ms. Campos also shared that her mother, who was present this evening, was very appreciative of all the services provided to Ms. Campos' son, Anthony. Rocio Smith and Ms. Campos shared a slide presentation of the highlights of the recent Congreso event. The Board thanked Congreso Familiar for their extraordinary work on behalf of the Latino community.

COMMITTEE REPORTS

EXECUTIVE COMMITTEE: Anne Struthers

Ms. Struthers reported that she had attended the New Day conference last week and it was another exceptional educational opportunity provided by the Association of Regional Center Agencies (ARCA). Ms. Struthers shared that information relative to the conference is available on the ARCA website and she thanked the Board for allowing her attend.

Ms. Struthers referred members to their packets to review the Plan of Correction Addressing Caseload Ratios for RCEB. It was noted that it is very difficult to present a plan that relays the message that we could provide adequate staffing to meet the caseload ratio mandates if adequate funding were provided. Mr. Burton shared that some additional funding is now being provided this year and RCEB now has twelve positions posted and has filled six positions. Members were informed that as additional funds become available, they will be dedicated to bringing staff on to fill the vacancies resulting from the hiring freeze imposed over the last few years in order to balance the reduced Operations budget. Mr. Burton noted the Plan of Correction has been shared with Area Board 5, the Alameda and Contra Costa Developmental Disabilities Councils and SEIU Local 1021.

M/S/C “The Board moves to approve the Plan of Correction Addressing Caseload Ratios as presented.” (Lee/Coleman) Unanimous.

Mr. Burton reminded members that it is sometimes necessary for contracts to be signed between scheduled meetings and the Board by-laws authorize the President to act on behalf of the Board in those instances. The Department of Developmental Services (DDS) provided RCEB with additional funds of \$1.7 million in the C-7 contract amendment and Ms. Struthers signed the contract amendment on behalf of the Board in order to expedite processing.

M/S/C “The Board moves to ratify President Struther’s signature on the C-7 contract amendment.” (Puchac/Nash-Butler). Unanimous.

BUDGET AND FINANCE COMMITTEE: Mike Kuller

Mr. Kuller distributed and reviewed the Financial Status Report of September 2012. Mr. Kuller reported that regional centers finally received the long awaited D-1 allocation amendment on September 10th. We expect Operations funds to be allocated in the D-2 amendment for Community Placement Plan funding and ongoing Agnews closure funds. At this time the POS allocation does not include any base or growth adjustments or any CPP funding. These amounts will be determined upon completion of the Sufficiency of Allocation Report (SOAR) and the review by DDS and ARCA. Members were cautioned that the D-1 amendment provides most of our allocation for the year but does not include sufficient funding to meet our obligations. Mr. Kuller noted that standard financial statements should be available at the October board meeting following the completion of the SOAR process. Mr. Kuller did point out that the D-1 amendment provided restoration of 3% of the 4.25% payment reduction and provides additional funding for caseload growth. Mr. Kuller reported that current reports indicate RCEB ended fiscal year 2011-2012 with a projected POS insufficiency of approximately \$4 million. DDS has informed regional centers they believe there are sufficient funds remaining in the system to cover deficiencies in regional center budgets for last fiscal year.

Mr. Kuller reported that RCEB’s cash flow was stable but the current line of credit will expire at the end of the month. We have been informed that Union Bank intends to offer an extension of the line of credit for the current fiscal year but RCEB has not received these documents at this time. Mr. Kuller noted that a line of credit is not needed at this time but it would be prudent to maintain the line of credit in the event state warrants are delayed during the remainder of the fiscal year. Staff will keep the Board updated on the agency’s cash flow status.

Mr. Burton added that just as we did last year, RCEB is starting this year with a big hole in our POS budget. The current POS allocation methodology being used by DDS does not work in this regional center area and leaves us with far less money than we spent last fiscal year while we have 466 more people to serve. Regardless of the methodology, nothing changes our responsibility under the law to the nearly 17,000 consumers and families we serve. We will continue to provide services and continue to advocate for the appropriate funding under the law as we go forward.

Ms. Struthers noted that she is concerned this bridge methodology leaves the Board with the responsibility of approving budgets and expenditures when there is not enough money to cover those expenditures and that is a difficult place for the Board. Expenditures are driven by the IPP process and the bridge methodology fails to recognize the variables in individual consumer needs.

MEMBERSHIP DEVELOPMENT COMMITTEE: Anne Struthers

Ms. Struthers reminded members that the first presentation of the slate of officers for 2013 occurs at the September meeting of the Board. The Membership Development Committee presented the following slate of officers for 2013.

President – Anne Struthers
Vice President – Kathy Hebert
Treasurer – Mike Kuller
Secretary – Rose Coleman

Additional nominations will be accepted at the October meeting of the Board and the vote will occur at the November meeting of the Board.

Ms. Struthers reported that Steve Whitgob is completing his first 3 year term of service and is being considered for a second 3 year term this evening. Following a ballot vote Ms. Struthers reported that Dr. Whitgob was unanimously elected to a second term through September 2015.

PROVIDER/VENDOR ADVISORY COMMITTEE: Sister Marygrace Puchac

Sister Marygrace reported her group met on September 14th and introductions at that meeting included an answer to the question “what motivates you?”. Answers from the group were quite inspiring but the common thread in answers was really the people that we serve are the true motivation. Sister Marygrace reported that Rocio Smith updated the group on the exciting changes occurring at the State Council. Sister Marygrace also shared that the providers are extremely grateful and delighted for all the background work that was done to restore the 3% payment reduction.

CONSUMER ADVISORY COMMITTEE: Gwen Nash-Butler

Ms. Butler reported that Mr. Burton updated the group on the budget and reminded everyone that this is an election year and it is very important to vote. The Consumer Advisory Committee will be sending representatives to the 16th Annual Golden Gate Self Advocacy Conference later this week. Ms. Nash-Butler reported that her group had reviewed the Personal Safety Strategies DVD and concluded that it did not address all disabilities and recommendations were given regarding an appropriate audience for review.

EXECUTIVE DIRECTOR’S REPORT: Jim Burton

Mr. Burton reported that there isn’t a lot of state budget news right now and that is a good thing but there are important things to remember. This is an election year and there are a number of initiatives on the ballot of significant concern to our service system. Proposition 30 is the Governor’s proposal to increase taxes and revenues on a time limited basis to help fill in the budget deficiencies that have existed in the state. Failure of this proposition to pass will initiate serious trigger cuts in California. Mr. Burton noted that both Propositions 30 and 38 would increase revenues and it appears that if both pass the Proposition with the greatest number of votes will take precedence. It is difficult to imagine how to implement the additional reductions that

will come our way if Proposition 30 fails to pass. Everyone present was reminded to read their ballots carefully and vote in the November election.

Mr. Burton reminded members we are still in the process of implementing changes required in the current year budget and are making good progress. We are aggressively working to increase participation in the Medicaid Waiver. We have struggled with staff shortages in addressing this task but as of October 1 we will have exceeded our first quarterly target. The second significant process is the transition of behavioral services from regional center funding to health plan coverage for children with autism. Mr. Burton noted that this has been a very complex transition but we have had outstanding collaboration with families and service providers. We are making great progress but the transition has not been completed. It is critical that we do not do anything that will delay or disrupt services to these children during the transition. Mr. Burton thanked Lisa Kleinbus for her leadership on this complex assignment.

Mr. Burton shared that a series of articles have been published by California Watch on the California State Developmental Center system. The articles focused on the Office of Protective Services and question whether this private police force adequately investigates special incidents at the developmental centers. There will be a hearing in October with Senator DeSaulnier presiding. The Department of Developmental Services is committed to conducting a thorough investigation and implementing any necessary changes that are identified.

Mr. Burton reported that important work is going on with regard to autism and diversity. Senator Steinberg has been working to ensure fair and equal access to services, particularly with regard to ethnicity. The Senator has formed a task force and there are a number of work groups looking at a variety of issues to ensure that everyone has equal access to services. The groups have been meeting and are working with a very short timeframe to complete their efforts. The time allotted for the work has been a challenge for the groups because these are very important issues that require careful review. The work has also been challenged by the knowledge that the state will not provide funding to address identified issues. One of the primary recommendations coming out of this process is using the success of Congreso Familiar for the model of how things should be done. Mr. Burton told members they could expect to hear more on this issue as it moves through the legislative process.

Mr. Burton shared that the Governor has signed AB 1471 and AB 2370 to replace the "R" word in state law with the term "intellectual disability". RCEB's CAC members have worked on this issue for a number of years and all of their work as self advocates has made this positive change in California.

Mr. Burton reminded everyone there is a celebration on September 29th from 1:00 until 4:00 to honor Rocio Smith. There will be food, fun, music and there will be Rocio. This is an opportunity for our community to show her how much we appreciate her and all that she has done for us. Mr. Burton offered special thanks to Sister Marygrace for guiding us through the preparations for this celebration. Everyone was encouraged to attend this very special event.

Rose Coleman asked if it is appropriate to start making alternate plans in the event Proposition 30 does not pass. Mr. Burton reminded everyone that we really have no idea what the cuts will do but it is still the regional center responsibility to meet the needs identified in each IPP.

PUBLIC COMMENT

John Rodriguez reported the Contra Costa Developmental Disabilities Council will present information on the propositions on Wednesday. Everyone present was encouraged to attend and join the discussion.

Sandi Soliday shared that the Alameda County Developmental Disabilities Council will do the same thing on October 10th. The presentation will serve to educate people on the propositions and what they entail.

Ms. Soliday also shared there will be a Tri Valley Transition Night on October 3rd and it will be free to families. The Going to College with a Disability conference will be held on October 20th at the Ed Roberts Campus in Berkeley.

ARCA REPORT:

Ms. Struthers reported ARCA met in mid-August in Sacramento. ARCA continues to move forward in spite of its many challenges. The meeting agenda included discussion of the allocation methodology for regional centers. The next meeting will be in San Diego in October.

ADJOURNMENT

The meeting was adjourned at 8:30 pm.

Respectfully submitted,

Rose Coleman
Secretary
RCEB Board of Directors