



REGIONAL CENTER OF THE EAST BAY
Board of Directors Meeting
MINUTES

Monday, November 25, 2013, 7:00 p.m.
500 Davis Street, San Leandro, CA

Final
Approved 1/27/14

RCEB BOARD MEMBERS PRESENT:

Mike Kuller, Treasurer	Gwen Nash-Butler
Nyron Battles, CAC Chair	Sister Marygrace Puchac, PVAC Chair
Ron Clay	Mike Treppa
Cecilia Corral, Diversity & Equity Chair	Steve Whitgob
Chi Lee	

ABSENT:

Rose Coleman [excused]
Kathy Hebert [excused]
Donald Morris [excused]
Anne Struthers [excused]

STAFF PRESENT:

Jim Burton, Executive Director
Francine Davis, Director of Community Services
Terri Jones, Director of Human Resources
Lisa Kleinbub, Director of Health and Behavioral Services
Nancy Kubota, Director of Finance & Administration
Pam Thomas, Director of Consumer Services
Ronke Sodipo, Associate Director of Consumer Services
Meredith Rosenberg, Case Manager
Michi Toy, Executive Assistant

GUESTS:

Bill Barbaria
Robin Chiang
Sharon Haggerty/DDS
Gabriel Rogan/AB5

CALL TO ORDER

Treasurer, Mike Kuller, called to order the regularly scheduled business meeting of the Regional Center of the East Bay at 7:05 p.m.

WELCOME AND INTRODUCTIONS

Self introductions were made and quorum was present.

CONSENT AGENDA / MINUTES

M/S/C “The Board moves to approve the minutes of October 28, 2013 with the correction of the location of the meeting being in Concord instead of San Leandro” [Battles/Whitgob] Unanimous

M/S/C “The Board moves to approve the agenda of November 25, 2013 as presented” [Whitgob/Battles] Unanimous

PUBLIC COMMENT

No public comments

COMMITTEE REPORTS

EXECUTIVE COMMITTEE: Mike Kuller for Anne Struthers

CONTRACT APPROVALS

Dental Benefits

- Mr. Burton reviewed the renewal of the Health Care Employees Dental and Medical Trust (Delta Dental) contract. The total of the contract was \$329K which included a 2% decrease in RCEB’s rate for the calendar year of 2014.
- Mr. Kuller asked if there were any questions, to which Mr. Whitgob inquired on whether RCEB sourced different dental plans to stay competitive. Mr. Burton replied that RCEB’s broker checks for rates yearly, and that we will inquire about getting several bids to compare for next year.

M/S/C “The Board moves to approve the 2014 contract with Health Care Employees Dental and Medical Trust [Delta Dental], as presented.” (Nash-Butler/Whitgob) Unanimous.

Department of Developmental Services

- The Department of Developmental Services [DDS’s] E-2 contract amendment totaling \$2.5M+ consists of \$904K for Operations and \$1.6M for Purchase of Services allocations for fiscal year 2013-14. Mr. Burton stated that we have not received the physical contract yet, but have the details of it and we advise that it is consistent with the contract language agreed to by ARCA and DDS. The dollars

from this contract will be used for community placement plans for consumers who are currently in developmental centers.

- As noted, there is important contract language which is expected to be part of the E-2 contract. Mr. Burton explained the handout on Shared Residential Vendors and Case Management Responsibility, which outlines the notification procedures a regional center must use when contracting with a service provider in another area of the state.

M/S/C “The Board moves to approve the E-2 contract amendment with the Department of Developmental Services [DDS] with the term 7/1/2009-6/30/2016 as presented.” [Treppa/Battles] Unanimous

- Mr. Kuller indicated that the total “E” contract allocation for fiscal year 2013-14 is over \$300M.

BUDGET AND FINANCE COMMITTEE: Mike Kuller

Independent Audit Report for Fiscal Year 12-13

- The Independent Audit Report for Fiscal Year 12-13 was presented at the October’s board meeting. The report has been updated subsequent to the last board meeting due to the receipt of the CalPERS valuation report after the October board meeting. The only change to the report was the inclusion of the summary of our current status with CalPERS, and adding a line item on the income statement which did not change the opinion of the auditors. As stated by Lindquist, vonHusen & Joyce LLP their audit report on RCEB was a “clean report” with no management comments.
- It is the recommendation of the Budget and Finance Committee to approve the Fiscal Year 2012-13 Independent Audit Report.

M/S/C “The Board moves to approve the revised audit report for Fiscal Year 2012-13” [Battles/Whitgob] Unanimous

Operations Budget

- Based on the E-2 contact amendment, RCEB is to receive at least 75% of our Community Placement Plan funding (“CPP”) with a firm commitment that the additional 25% will be forthcoming. We also received our anticipated funds for ongoing work related to the Agnews Closure. Last year, the allocation for these two projects came extremely late in the fiscal year and we were unable to finalize our operations budget until the spring of last fiscal year.
- Both the CPP and Agnews allocations are considered to be restricted funds as they are budgeted specifically for targeted workloads which are case management for consumers placed in State Developmental Centers, and for

ongoing monitoring of consumers placed from Agnews State Developmental Center.

- The agency continues to make recruitment and filling of staff vacancies a high priority. In the past 12 months, we have added 53 new staff, primarily case managers. With the receipt of the CPP funds and Agnews work continuation funds, staff completed a preliminary final operations budget and we are happy to report a projected balanced operations budget for this fiscal year.
- Staff will continue to monitor our operations funds very closely and to report any unanticipated impacts to our budget.

Purchase of Service Budget

- Regional Centers just received instructions from the Department on the preliminary Sufficiency of Allocation Report (SOAR) which is the basis of regional center's annual Purchase of Services projections. The SOAR report advises the Department of Regional Centers' projected expenditures for the current fiscal year and reports any funding insufficiencies in Purchase of Services.
- Although the report is typically due in mid-November, we have been advised by DDS that the SOAR report for the Fiscal year 2013-14 is due on December 10th. Therefore, we do not yet have a detailed projection and summary for our Purchase of Service budget at this time. We will have this report completed by our January board meeting. In the meantime, our financial report shows actual POS expenditures to date through October 2013. Please note the year-to-date totals do not take into account any late bills.
- Staff will report back on the SOAR report and our POS projections at the next Budget and Finance committee in January.

Line of Credit and Cash Flow

- Although the Agency currently is maintaining a stable cash flow at this time, we currently have no line of credit in place.
- DDS informed the Regional Centers that DDS' cash flow is unclear at this time and they cannot guarantee that State claims will be paid in full through the end of the fiscal year. Therefore, we should remain concerned about our cash flow, particularly later in the fiscal year.
- Union Bank has indicated lines of credit for their Regional Center clients will not be ready until December. Since there is no Board meeting until late January, I propose at this time to entertain a motion to allow the Executive Committee of the Board to approve either a new Line of Credit or an extension of last year's Line of Credit [whichever is necessary to ensure the agency has the line in place]. The motion will allow the Executive Committee of the Board to take action

immediately once the bank makes a decision on Lines of Credit for Regional Centers. The Board will be informed of the amount of line, and the terms of the Line.

M/S/C “The Board moves to allow the Executive Committee of the Board to approve a new Union Bank Line of Credit or an extension of last year’s Line of Credit; whichever is needed to ensure the agency has a line of credit in place for Fiscal Year 2013-14.” [Whitgob/Puchac] Unanimous

- Mr. Burton added that the Department advised that they have not been able to confirm all of the pieces of federal funding or items that go into the overall State cash flow situation to be able to confirm 2014 Fiscal year payments to the regional centers; therefore, it is prudent to have a line of credit to cover ourselves.
- Mr. Kuller informed the board that the last item that was discussed at the Budget and Finance Committee was that DD’S fiscal and compliance auditors will be here on February 10, 2014 tentatively scheduled for 5 weeks for their biennial visit.

MEMBERSHIP DEVELOPMENT COMMITTEE: Jim Burton for Anne Struthers

- Mr. Burton stated that we will continue to interview the board member applicants that we have received, and will make selections in early 2014.
- Last month, Ms. Struthers’ presented the board with the proposed slate of officers for 2014 and requested any additional nominations from the floor. With no new nominations the slate remained the same, and the following members were unanimously elected at this board meeting:

Anne Struthers, President

Kathy Hebert, Vice-President

Mike Treppa, Budget and Finance Committee Chair

Steve Whitgob, Treasurer

Rose Coleman, Secretary

PROVIDER/VENDOR ADVISORY COMMITTEE: Sister Marygrace

- The last PVAC meeting was on November 8th. Gabriel Rogan from Area Board 5 gave a presentation on the new statewide self-determination law [formerly SB 468] that allows for consumers and their families to have more control, choice and flexibility in the services that they receive. Mr. Burton added that this bill was unanimously supported by both houses of the legislature and signed by the Governor. The bill will take effect on January 1, 2014 and by December 2014; the Department will have to seek approval by the federal government.

CONSUMER ADVISORY COMMITTEE: Nyron Battles

- The CAC meeting was on November 18th, where they celebrated the Thanksgiving holiday.
- Mr. Battles stated that Mr. Burton's report summarized the status of the Developmental Center Task Force run by California Health & Human Services Secretary Diane Dooley.
- Acknowledgement was given to a couple of the CAC members, particularly Herb Hastings, who had been in communications with BART, specifically in San Leandro to make sure that the sidewalks bordering the BART station are safe and wheelchair accessible during BART'S 2-year Earthquake Safety Program construction.
- The CAC also held an election for the 2014 officers, who were unanimously chosen:

Nyron Battles, Chairperson

Greg Stoper, Vice-Chairperson

- The next CAC meeting will be January 13, 2014.

DIVERSITY and EQUITY COMMITTEE: Cecilia Corral

Background:

- This is a new committee that we recently formed to discuss the information reflected in the Purchase of Service [POS] Data report. The purpose of that report was to see what differences exist in POS authorization and expenditures as it relates to consumer age, ethnicity, primary language spoken, and type of developmental disability. We feel that it is very important to continue to discuss those differences in a public forum and to find effective strategies to address differences as appropriate.

Meeting:

- This third meeting of the Diversity & Equity Committee was conducted an hour before the commencing of the board meeting. It was well attended, just like the last two meetings, with 18 people from our community who shared their ideas and their thoughts about regional center services.
- The focus was on what makes the relationship between the consumers and their families with their case managers positive and how the importance of communication both in language and in cultural knowledge plays a major part in that relationship development.
- Mr. Burton informed the board that the committee is moving from brainstorming to practical applications to improve our services.
- The next Diversity & Equity Committee meeting will be an hour before the board meeting on January 27th.

EXECUTIVE DIRECTOR'S REPORT: Jim Burton

- Mr. Burton reported on the Department of Developmental Services' search for a new Director to replace Terri Delgadillo who will be retiring at the end of this calendar year. Currently, there have been no announcements of an appointment; therefore, it is expected that Terri will attempt to stay until the end of this year. Secretary Diana Dooley of the California Health & Human Services Agency has been actively recruiting applicants to find a replacement for Ms. Delgadillo. Ms. Dooley's recommendation(s) will be given to the Governor who will be the one who will make the decision and appointment.

Budget Process

- Mr. Burton stated that the legislative analyst's office has just released a positive State Budget report on California's finances from projected revenues and expenditures based on what is already approved in law and a continuation of everything as it is today. This report projected small surpluses going forward, and the legislative analyst's commended the Governor and legislators on being very prudent and restraint in their spending.
- Also included in the report was a statement of how the increase in minimum wage and change in the labor laws over time, could increase costs in the Developmental disability service system. This recognition by the analyst was very important, as it shows that they acknowledge this relationship and the consequences to our service providers. This is a good opening for the Governor, when he issues his budget in January as it would be catastrophic if rate adjustments are not made as a result of the increase in minimum wage.
- We are back into the regular budget process and the Governor will release his budget in mid January, with hearings typically scheduled in the assembly and senate around March 2014.

Developmental Center Task Force

- Diana Dooley, the Secretary of Health and Human Service Agency [HHS] is holding the last Developmental Center Task Force's final meeting in December. They are putting together a very comprehensive report and we foresee a recommendation of a process that will ultimately lead to the closure of California developmental centers. The estimated date of that report is in January, and all are confident that it will be a well thought out, thorough report.

Minimum Wage [formerly SB 468]

- Terry Delgadillo, Director of the Department of Developmental Services, has established a task force to work on all of the many issues raised in this new law. Federal funding and staffing issues will also be discussed.

- Mr. Burton informed the board that he attended the opening of Way of the Elders, a new adult day service program in San Leandro operated by East Bay Services [VP-Sister Marygrace Puchac]. Mr. Burton spoke highly of the impressive program and how it can serve as a model to others. A case manager who has many consumers at Sonoma Developmental Center was very grateful that this type of program was created, and done so well that her consumer's families will be pleased and relieved.

RCEB Giving

Pam Thomas advised the board of the many ways that RCEB gives during this holiday season:

- Salvation Army toy drives that our office in Concord has been involved in coordinating.
- St Joachim school toy drive- one of our case manager's school sponsors RCEB by holding a toy donation drive. Last year, they collected 100 gifts for RCEB consumers.
- Case Manager Toy Drive- consumers "Wish Lists" are collected and RCEB employees purchase the gifts for the children. Last year, we provided over 500 families with toys and gifts.
- Haiyan, Philippines donation relief drives
- State Capitol X-Mas tree lighting event on December 12th- Developmentally disabled citizens create ornaments to be put on the tree.

PUBLIC COMMENT

Gabriel Rogan, Area Board 5 commented that Area Board 5's next meeting will be during the *evening* of December 4th. Presentation topics will be on housing, advocacy, and abuse prevention. Pam Thomas, Director of Consumer Services and Francine Davis, Director of Community Services will also give updates on day program capacities.

Pam Thomas for John Rodriguez, Contra Costa County Developmental Disabilities Council's next meeting is during the *day* on December 4th.

ARCA REPORT: Jim Burton for Anne Struthers

No report at this time.

Closed Session

The board convened for a brief closed session on a personnel issue.

MEETING ADJOURNED

The board meeting adjourned at 8:00 p.m.

The next board meeting will be on January 27, 2014 in San Leandro
