



REGIONAL CENTER OF THE EAST BAY
Board of Directors Meeting

Monday, November 28, 2016
500 Davis Street, San Leandro
Approved 1/23/17

RCEB BOARD MEMBERS PRESENT:

Kathy Hebert, President
Evangeline Iyemura, Vice President
Rose Coleman, Secretary
Nyron Battles, CAC Chair
Chi Lee, Treasurer
Mike Treppa, Budget & Finance Committee Chair
Morena Grimaldi, Diversity & Equity Chair
Sister Marygrace Puchac, PVAC Representative
Gwen Nash-Butler

ABSENT [excused]:

Maria Marquez
Marie Parra
Carmen Quinones

STAFF PRESENT:

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

GUESTS:

Cleo Manspeaker
Elizabeth Mard, DDC
Sheraden Nicholau, SCDD, Bay Area
Richard Palmer
Sandi Soliday, ACDDC
Josh Sullivan, CCCDDC

CALL TO ORDER

President, Kathy Hebert called to order the regularly scheduled meeting of the Regional Center of the East Bay at 7:03 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 November 28, 2016 agenda as presented”
[Battles/Puchac] Unanimous

M/S/C “The Board moves to approve the October 24, 2016 minutes as presented”
[Battles/Puchac] Unanimous

PUBLIC COMMENT

Cleo Manspeaker expressed her thanks for the services that she has received and has been very happy in her own apartment.

COMMITTEE REPORTS

EXECUTIVE COMMITTEE: Kathy Hebert

CONTRACT APPROVALS

Health Care Employees/Employer Dental Trust [Delta Dental]

This is the renewal of the Health Care Employees Dental and Medical Trust contract. The total of the contract for fiscal year is over \$250K with an average monthly payment of \$36K, an increase in annual premium due to an enhanced dental plan that was agreed to in our labor contract with SEIU, Local 1021.

M/S/C “The Board moves to approve the Health Care Employees/Employer Dental Trust contract for the January 1, 2017 to December 31, 2017 year.” [Battles/Puchac]
Unanimous

BUDGET AND FINANCE COMMITTEE Report from 11/28/16 - Treppa

Independent Audit Report for Fiscal Year 2015-16

The Independent Audit Report for Fiscal Year 2015-16 was presented at the October’s board meeting. As reported last month, the audit report is a clean report with no management comments. It is the recommendation of the Budget and Finance Committee to approve the Fiscal Year 2015-16 Independent Audit Report.

M/S/C “The Budget and Finance Committee motions to approve the Fiscal Year 2015-16 Independent Audit Report as presented.” [Battles/Nash-Butler] Unanimous

Mr. Burton added that the good news is that we do have a balanced budget in POS this year, which is something that we did not have for many years due to the recession. However, the bad news is that it is balanced due to a lack of available services. Many individual program plans have promises that are not being kept because services do not exist in the community due primarily to the poor rate structure for those services.

Purchase of Service

Regional Centers typically submit to the Department a preliminary Sufficiency of Allocation Report [SOAR] which is the basis of Regional Centers’ Purchase of Services projections each fiscal year. 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. The format in submitting the SOAR is the same as last year and the report is due to the Department on December 10, 2016.

Staff completed our preliminary SOAR report for the current fiscal year. Based on expenditures through October 2016, we are projecting at this time for NON-CPP POS Expenditures a sufficiency ranging from approximately \$1.6MM [worst case] and \$3.9MM [best case]. This is basically a balanced projected budget for Purchase of Services. It is also the highest sufficiency that has ever been reported on our preliminary SOAR. There are several new program expenditures that have impacted our POS expenditures for Fiscal Year 2016-17 and which are reflected in our SOAR report:

- Growth in caseload: RCEB grew by 752 net new consumers for the past 12 months.
- State Minimum wage increase [AB 10] effective 1/1/16 continues to impact our Residential, Supported Living Services, Respite, Day Care and some Day programs in Fiscal Year 2016-17.
- 5.82% rate increase due to SB856, Federal Standard Labor Act. This regulatory requirement by the Department of Labor and the pass-through funding initially added to Regional Centers’ budgets in fiscal year 2015-16 with an effective date of 12/01/15, and continues to provide \$3.6M in allocation for fiscal year 2016-17.
- Sick leave Act [AB 1522] effective 7/1/15 continues to impact Residential, Supported Living Services, Respite, Day Care and Personal Assistance and some Day Programs.
- Service Provider ABX2 1 rate increases will significantly impact our POS projection of current services.

- POS expenditure for new program development in FY 2016-17 is projected at mid range of \$9.8M, of which \$1.0 is for Supported Employment [WIC Code section 4870 (d)].

Staff will continue to monitor our POS projections.

Operations

We are currently projecting a balanced operations budget for the current year.

Cash Flow status

The agency is currently maintaining a stable cash flow at this time. We have been advised by DDS that timely cash warrants should be available through March. After March, the Department will begin to offset our cash advance.

The agency does not have an active line of credit at this time but we are working with Union Bank in December and will bring forward an analysis and recommendations to the Board in the January meeting. Staff will continue to update the board monthly on the status of the agency’s cash flow.

MEMBERSHIP DEVELOPMENT COMMITTEE: Kathy Hebert

At the October board meeting, the proposed 2017 Slate of Board Officers was presented. A ballot vote was cast and tallied by Mike Treppa at this board meeting, and the Slate of Board Officers for next year will be:

2017 SLATE OF OFFICERS

Kathy Hebert	President
Evangeline Iyemura.....	Vice-President
Mike Treppa.....	Budget & Finance Chair
Chi Lee	Treasurer
Nyron Battles	Secretary

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

The November 18th meeting included an informative presentation/discussion on a TED Talk entitled *Smart Failure for a Fast Changing World* by a business educator, Eddie Obeng. The focus on the presentation was how our world is filled with lots of energy, ideas and creativity and with lots of possibilities, but we are stuck in the old world of solving problems instead of adapting to the advances of technology and focus on the future.

CONSUMER ADVISORY COMMITTEE [CAC]: Nyron Battles/Gwen Nash-Butler

Mr. Battles reported on the November 14th meeting which focused on discussions about the President elect and how it is important to educate our new legislators and to strengthen our grassroots efforts. He also spoke of increasing guest speakers at their meetings for 2017. Last

month, Ms. Butler informed the board of her bank's procedure of having a separate line for those individuals with physical disabilities and would only be serviced when no one else was standing in the main line. Ms. Butler stated that she solved the problem by showing the bank the written law protecting those with disabilities from discrimination, and she was happy to report that she and others are treated very well now.

DIVERSITY and EQUITY COMMITTEE: Morena Grimaldi

RCEB staff visited the Lu Mien community leaders at LIMCA [Lao Lu Mien Culture Association] center on November 9th for communication and outreach since the Lu Mien community is very isolated and often unaware of services that are available to their families. We also had a Farsi speaking case manager give insight into the Farsi culture and the intricacies which prevent them from seeking assistance and support from their own community. There was also an update on the ABX2 1 proposal that RCEB submitted to the Department in September and the subsequent approval of funding for those proposed programs that RCEB plans to incorporate to reduce purchase of services disparities. RCEB has also posted a new job position, a Diversity & Equity Specialist who will be responsible for developing and implementing these programs in a culturally and linguistically appropriate way to increase access to the service and supports to those communities that we serve. The next meeting will be on January 23rd.

EXECUTIVE DIRECTOR'S REPORT: Jim Burton

Legislative

Mr. Burton stated that the presidential election will most certainly have a significant impact on California. There will be additional challenges for those with developmental disabilities in programs such as MediCal, the Affordable Care Act, etc. Advocacy and preparedness will be very important this year. In December, the legislators will be in the new legislative session. The Governor's budget is scheduled to be out on January 10th, and it is uncertain what to expect especially with federal funding. Mr. Burton stated that the Governor is very cautious and careful and determined not to see our State in a deficit again. So, we might well see a conservative approach to State funding due to the tremendous amount of unknowns. Mr. Burton added that he would like to see a continuation of great efforts that were started this year, such as the increase in direct care staff wages. There should be a continuation in funding for what has been done already in law, and we hope to see funding increases in the following years as it is very important to the individuals and families that we serve.

Legislative committees are being formed and it is too early to know who is going to head each of the important budget and policy committees. We have a few local legislators, such as Assemblyman Tony Thurmond, who has been named to the Labor Committee. Mr. Thurmond played an important role in putting together ABX2 1 and chairing an important sub-committee. We have not heard who will head the Health & Human Services sub-committee and who will address issues related to developmental disabilities at this point. We will know more in December/January in terms of how the legislative committees will be structured.

There will be an East Bay Legislative Town Hall meeting at the State Building on February 10th. Sandi Soliday, Alameda County Developmental Disabilities Council, added that the theme this year is “Unfinished Business” which will focus on what we need to advocate for on the federal level and the significant changes that will affect our community and changes that we will need to make in response. Ms. Soliday also added that they have received great feedback from legislators who will be able to attend. Josh Sullivan, Contra Costa County Developmental Disability Council, added that it is an ideal event to attend to hear the voices of the community; both the consumer and the service sides. He also added that after the presentation, there is a meet and greet with the legislators.

We are very pleased to announce that almost every one of the diversity and equity [ABX2 1] projects proposed by RCEB were approved by the Department of Developmental Services. Mr. Burton thanked the Diversity & Equity Chair, Morena Grimaldi, for running the committee which helped in our preparation for the ABX2 1 proposals. Mr. Burton also thanked the Department of Developmental Services for the funding and support that we received.

Self-Determination

Mr. Burton stated that there is a continuous although slow progression back and forth between DDS and the Centers for Medicaid/Medicare Services [CMS] as we await Federal approval of California’s Self-Determination program. Mr. Burton added that we have a very active, focused Self-Determination Local Advisory Committee run by Vi Ibarra. We are currently seeking to fill two vacancies in this committee, which is an independent body, not part of RCEB’s Board of Directors or the State Council Regional Advisory Committee. One of the applicants will be appointed by RCEB and the other by the Local State Council to join the committee. The process is being carefully carried out and we will use the same interview process that worked well for us when we started our committee back in early 2015. Mr. Burton invited the public to attend the meeting(s). The agenda and previous minutes are posted on our website at RCEB.Org. We have also started a Self-Determination Interest list for information updates on our website at <http://www.rceb.org/self-determination>.

RCEB Staff

In this year’s budget, there is funding to hire 200 case managers for all 21 regional centers including nearly 20 new case managers for RCEB. The positions have all been posted, and with the 20 positions already open, we have around 40 vacant positions. We have improved our recruitment efforts and have hired a number of qualified applicants and are now at 32 vacant positions. In regards to case management positions, although our hiring will still not meet federal requirements, it will significantly reduce case load ratios. Mr. Burton thanked Terri Jones and Ronke Sodipo for their efforts in bringing in new staff; recruitment and training.

Sonoma Developmental Center Closure

On November 16th, we met with the legislative staffers, analysts; members of the Democratic and Republican caucuses and many others who were are concerned about the closure of Sonoma Developmental Center. We need to make sure that we are on time with the many efforts that need to occur before the December 2018 closure deadline; otherwise we will lose

federal funding. This loss of funding would have a very damaging impact on our services system. Before this deadline, all the resources must be available and in place, and all the residents to be properly placed and receiving great services that will support their new life in the community. We continue to work on this effort with a clear focus on the clients at Sonoma Developmental Center and their families. We need the continuous support of the legislature and the Administration. Therefore, these meetings with legislative staffers have been very important and with good exchanges of information and views. We are expecting a legislative hearing on this issue early in the New Year. Jim added that RCEB is making great progress in this endeavor and credits Steve Robinson who is the Director of the closure plans, with all his hard work on this project.

PUBLIC COMMENT

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

Nov 29th: This is the next State Council meeting in Sacramento at 10am. The focus will be on a Competitive Integrated Employment [CIE] blueprint that recently was released and to receive public comment on that blueprint.

Nov 30th: This is the next SCDD, Bay Area meeting at 7pm at the ACDDC office in Oakland where there will be a presentation by the Lanterman Housing Alliance, Brilliant Corners, and the Housing Consortium of the East Bay [HCEB].

The United Cerebral Palsy recently released their study, *The Case for Inclusion*, which ranks the success of state Medicaid programs serving those with intellectual disabilities.

<http://cfi.ucp.org/>

Sandi Soliday, Alameda County Developmental Disabilities Council [ACDDC]

Jan 27th: This ABLE Act meeting will be in the Oakland Public Health building and is the last meeting in a series of 5 meetings conducted in Alameda County to educate the public on the Able Act.

Jan 27th: This will be the next East Bay Employment Task Force meeting in the San Leandro Public Health building. Among the attendants will be RCEB case manager supervisors, and school districts

Jan 27th: Health & Wellness committee meeting at the Oakland Public Health building, focusing on dental services.

March 25th: ACDDC Transition Fair at the College of Alameda starting at 9:30am. There will be Chinese and Spanish speaking workshops available.

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

Mr. Sullivan acknowledged RCEB staff, Elvia Osorio-Rodriguez and Shirley Obioma who have worked in partnership with CCCDDC to revise their local transition conference.

Jan 20th: CCCDDC Transition Conference at the Loma Vista Adult Center in Concord starting at 10am. The theme is Adulting: It's a Verb! The focus will be on education, living options, day/employment opportunities and rights & responsibilities.

Dec 8th & 22nd: These are the dates of the December Transition Task Force meetings.

Dec 7th: The East Bay Legislative Committee [EBLC] meeting at 10am on Broadway in Oakland.

Dec 12th: This will be the provider's meeting at the George Miller Center

ARCA REPORT: Kathy Hebert

Ms. Hebert stated that the next ARCA meeting will be in mid January and that summary will be given at our January board meeting.

SPECIAL ANNOUNCEMENT

Mr. Burton announced his retirement plans after 41 years in the developmental disability service system and spoke of his history. He informed the board of the transition plan of Santi Rogers stepping in as the interim Executive Director at RCEB as approved by the Executive Committee. Ms. Hebert stated that Mr. Burton will be assisting in the transition, and will continue to be involved in the developmental center closure process. The process of recruitment for a permanent Executive Director will commence in January by the Board of Directors.

CLOSED SESSION – Personnel Issue

MEETING ADJOURNED

The board meeting adjourned at 8:20 p.m.

The next Board Meeting will be at 7:00 p.m. on January 23, 2017

500 Davis Street, San Leandro

There is a Diversity & Equity Meeting at 6:00 prior to the board meeting