



REGIONAL CENTER OF THE EAST BAY
Board of Directors Meeting

Monday, October 24, 2016
1320 Willow Pass Road, Concord
Approved 11/28/16

RCEB BOARD MEMBERS PRESENT:

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

ABSENT [excused]:

Chi Lee
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
Nancy Kubota, 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
Lynn Nguyen, Controller
Gabriel Mendoza, Case Manager
Meredith Rosenberg, Case Manager
Michi Toy, Executive Assistant

GUESTS:

Vi Ibarra, Self-Determination Chair	Lindquist, von Husen and Joyce
Arthur Lipscomb, CRA	- Sandra Martinez
Ramsay Mashy, Calif. Autism Foundation	- Charlotte Tay
Will Sanford, Futures Explored, Inc.	
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 7:08 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 October 24, 2016 agenda as presented”
[Battles/Puchac] Unanimous

M/S/C “The Board moves to approve the September 26, 2016 minutes as presented”
[Battles/Coleman] Unanimous

PUBLIC COMMENT

There were no public comments during this period.

COMMITTEE REPORTS

EXECUTIVE COMMITTEE: Kathy Hebert

**Public Meeting – RCEB 2017 Performance Contract
Review of Annual Objectives for 2017**

Director of Consumer Services Ronke Sodipo, distributed the draft plan for the Local Public Policy Outcomes for 2017 and stated that all regional centers submit this yearly performance contract plan for the upcoming year, which is a requirement in the Lanterman Act, Section 4629. Ms. Sodipo explained that DDS provides the regional centers with expectation guidelines, so each of the measurable goals listed in the Public Policy Performance Measures hand-out as well as the activities that the regional center plans in 2017 will achieve these outcomes. All of the data from our report comes from actual, measurable outcome measures provided by the State. Mr. Burton added that the reason why these particular performance objectives were selected were because there is in fact a measurable way to look at achievement.

Ms. Sodipo covered each of the measurable goals listed in the draft plan and explained how the State measures and analyzes these goals. One of the key measures relates to the focus on developing new residential and community supports for those who are currently residing in the developmental centers who will move into the community. In last year’s report, there were two outcome measures added that related to reducing disparity and improving equity in purchase of services expenditures. We will continue with these additional outcome measures for next year. We also added a third outcome which relates to increasing opportunities for adult consumers to participate in Supported Employment as it was a suggested item from our

community and Department of Disability Service. As we do every year, we look into the factors to reduce these disparities and to improve equity in purchase of services. We are continually addressing these needs and implementing the ideas that we develop during our Board Diversity & Equity Committee meetings. The questions asked by the Board were addressed by Ms. Sodipo and Mr. Burton accordingly.

M/S/C “The Board moves to approve the 2017 Local Public Policy Outcome and Public Policy Performance Measures as presented. [Battles/Coleman] Unanimous

Mr. Burton added his thanks to the board for approving these measures, as we need to put them in place for the coming year, and reminded them that in February, we will be submitting the calendar year 2016 Performance Contract Year-End report to the Department and it will be presented to our Board at the February board meeting.

CONTRACT APPROVALS

Las Trampas, Inc.

This contract represents a Community Placement Plan service agreement for Las Trampas, Inc. to provide a four bed Specialized Residential Facility [SRF] for consumers with significant behavioral challenges moving from Sonoma Developmental Center. The effective date of this contract is 11/1/16 through 10/31/26 with an estimated maximum monthly rate of \$17,681.88/client and an annual total of \$17,681.88/client. The annual disbursement for all four consumers is estimated to be up to \$848,730.24.

M/S/C “The Board moves to approve the Specialized Residential Facility contract with Las Trampas, Inc. as presented.” [Butler/Battles] Unanimous

BUDGET AND FINANCE COMMITTEE Report from 10/24/16 - Whitgob

Independent Audit Report for Fiscal Year 2015-16

The Budget and Finance Committee had a presentation from Lindquist, von Husen and Joyce, the agency’s independent auditors, who completed a draft audit report for Fiscal Year 2015-16. The report is unmodified and is a clean report with no management comments. The review and approval of this report will be an action item at the November Board Meeting.

Mr. Whitgob welcomed and introduced RCEB’s independent auditors Charlotte Tay and Sandra Martinez from Lindquist, von Husen and Joyce as they presented the results of the draft audit report to the board and the guests this evening. Ms. Tay congratulated the board and the Regional Center of the East Bay for consistently receiving a clean opinion on the financial statements as well as on the compliances of the Federal programs. Ms. Tay reminded the board that this was their last year of their 5 year engagement with RCEB and expressed her appreciation to her partner Sandra Martinez, as well as to the RCEB team consisting of Nancy Kubota, Lynn Nguyen, the Accounting department, board members, and to RCEB staff. Mr. Burton added his appreciation to both Ms. Tay and Ms. Martinez for a great 5 years of their

audits with RCEB, and for their outstanding staff, and wished their organization great success. Mr. Burton also thanked Ms. Kubota, Ms. Nguyen and our Accounting department for striving to achieve these outstanding fiscal audits.

Mr. Burton encouraged the board to read the draft report and if they have questions prior to the next meeting, to contact Lynn Nguyen, who will replace Nancy Kubota, as our new Director of Finance and Administration effective November 1, 2016.

Operations Budget

Staff completed a preliminary operations budget based on the C-1 allocation. As we reported last month, the Department allocated nearly all of the operations funds for the year, including funding for the Community Placement Plan [CPP] and Continuation Funding for workload related to the Agnews closure. In addition, we received funding for the Sonoma Closure Plan. The allocation for CPP, Agnews workload, and the Sonoma Closure Funds are all restricted funds. Having all of our operations funding allows us to finalize our preliminary operations budget for the fiscal year.

As we reported last month, RCEB received additional Operations funding for regular caseload growth this fiscal year as well as ABX2 1 funding to increase Regional Center's direct care salaries and benefits. Also received was the SB826 State budget funding which was provided to Regional Centers specifically to hire more Case Managers to improve caseload ratios and to bring us closer to meeting Federal funding requirements. It is important to also note that RCEB grew by 752 net new consumers during the past 12 months. Please be advised that the operations allocation methodology for Regional Centers' growth is still based on the old core staffing formula. There were no changes or increases made to this dated formula despite the additional increase received through special legislation.

At this time, we are projecting a balanced budget in operations. Staff will be keeping the board apprised of our operations budget for the year.

Purchase of Service Budget

The POS allocation methodology for Fiscal Year 2016-17 was based on an equitable proration of prior year expenditures of each Regional Center. This was the same POS allocation methodology used last fiscal year.

In the C-1 amendment, RCEB received \$11MM more in regular POS base funding than in last year's B-1 allocation as well as \$27.3MM for Service Provider ABX2 1 rates increases. In addition, we received ongoing funding for the annualized impact of the increase in State minimum wage effective 1/1/16 and ongoing funding for the implementation of new State laws and regulations such as AB1522- Sick Leave Act, effective 7/1/15 and the Federal Labor Standards Act effective 12/1/15. We also received a reduction of \$8.90MM for our Regular and Sonoma Community Placement Plan as most of the one-time start up and resource development funding were provided in last year's budget. This totals to more than \$35MM in Regular POS funding than we received last fiscal year.

Regional Centers' preliminary Sufficiency of Allocation Report [SOAR] which is the basis of the annual Purchase of Services projections is expected to be completed in late November. The SOAR report informs the Department of Regional Centers' projected expenditures for the current fiscal year and reports any funding insufficiencies in Purchase of Services. In the SOAR report, staff will be estimating the fiscal cost impact of services for clients and family members, and also the impact of new legislation such as the ABX2 1 rate increases, minimum wage, sick leave act and Federal Labor Act.

Staff will report back at the Budget and Finance committee at the November Board meeting when the SOAR report has been completed. A detailed Purchase of Services summary will be provided to the Board at that time.

In the meantime, our financial report shows actual POS expenditures to date through September, which is 25% of the fiscal year. This percentage does not, however, take into account any late bills. We will be able to provide the board with more details regarding our POS projections when the SOAR report has been completed.

Line of Credit and Cash Flow

At this time, we are pleased to report that the agency's cash flow is stable. Union Bank has not provided this agency with the documents to renew the line of credit but it is possible the bank is holding the loan documents to renew the line for now as RCEB does not typically need a line of credit until closer to the end of the fiscal year. We understand from other Regional Centers that Union Bank may waive their Line of Credit fee for Fiscal Year 2016-17 if Regional Centers in general are willing to accept a reduced amount for their line. Our annual line of credit in the past 2 years has been \$46.4MM. Staff will start further discussions with Union Bank but it is probable the Board will need to decide in the near future whether to accept a smaller line of credit amount in lieu of bank fees. Staff will continue to work with Union Bank and bring forward an analysis and recommendations to the Executive Committee of the Board. Again, the board is reminded that RCEB is currently without a line of credit. Staff will continue to update the board on the agency's cash flow status.

MEMBERSHIP DEVELOPMENT COMMITTEE: Kathy Hebert

Ms. Hebert announced that our Treasurer, Steve Whitgob has completed his 7 year service on our board as of this evening. Mr. Whitgob served two completed terms totaling 14 years on our Board of Directors, and we wish him well. Ms. Hebert presented Mr. Whitgob with a plaque as well as a painting from a client from Creative Growth. Mr. Burton added his appreciation for Mr. Whitgob's many years of dedicated service and his commitment to RCEB.

Slate of Board Officers

In RCEB’s ByLaws Section 5.10(b), officers of the Corporation shall be elected by the Board at its annual meeting, which is in November. In Section 6.2(b), opportunity should be given for those interested in holding an office, to be nominated at the board meeting prior to the annual meeting.

Ms. Hebert read the proposed Slate of Officers for. Ms. Hebert nominated Chi Lee as Treasurer and board member Nyron Battles expressed interest in holding the position of Secretary. There will be a ballot vote at the November meeting for the slate of officers.

PROPOSED 2017 SLATE OF OFFICERS

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

M/S/C “The Board moves to approve of the proposed 2017 Slate of Officers for RCEB’s Board of Directors, and will conduct a ballot vote at the November board meeting.” [Battles/Marquez] Unanimous

PROVIDER/VENDOR ADVISORY COMMITTEE [PVAC]: Sister Marygrace Puchac
The October 14th meeting included an informative presentation by Wesley Moss on Fiscal Management Services as it relates to the Self-Determination program.

CONSUMER ADVISORY COMMITTEE [CAC]: Nyron Battles
Mr. Battles stated that the meeting on October 10th focused on their committee’s attempts to request fast-food restaurant chains, starting with Wendy’s® restaurant to provide full wheelchair accessibility. Mr. Burton added that our CAC committee is very active and commended their persistent advocacy in the past when they took on BART and the City of San Leandro with issues related to safety and accessibility.

DIVERSITY and EQUITY COMMITTEE: Morena Grimaldi
Ms. Grimaldi summarized the meeting that took place this evening. Ms. Kleinbub updated the group in that meeting on the ABX2 1 proposal that was submitted to the Department on September 8th with an expected response from DDS shortly on these proposals. Ms. Osorio-Rodriguez updated the committee members on the two Spanish speaking support groups in Concord and Pittsburg, with the goal to educate the participants on regional center services as well as to gather feedback on areas of improvement. There will also be additional support

groups organized to reach the Mien/Cambodian/Vietnamese/Korean and Farsi populations where the meetings would be held in a location that is readily accessible.

Mr. Burton thanked the Board for supporting our Diversity & Equity Committee which was created in September, 2013 for the purpose of addressing these important equity issues.

EXECUTIVE DIRECTOR'S REPORT: Jim Burton

Mr. Burton began with informing the board about our board member, Carmen Quinones who suffered a stroke recently and is recuperating at a nursing facility. We will keep the board informed of her health status.

Mr. Burton spoke about the upcoming elections and the focus on getting individuals to register and vote this election year. Mr. Burton added that we are likely to have new legislators this coming election due to existing term limits and there is a constant effort to keep people informed and educated on our issues. Along with changes in the legislature, there will be changes in leadership and committee assignments. There are more new legislators interested in chairing committees than in the past, and once the election is over, we will have a better idea of who those individuals will be as they take their offices in December. On January 10th, the Governor will be issuing his budget and we can hope to see a number of continuations of efforts that we saw in this year's budget in ABX2 1. We can expect that the closures of the developmental centers will be high on the list, including efforts to speed the closure of the centers. We are hopeful there will be efforts to decrease caseloads for case managers started this year. Additionally, this year's budget allowed RCEB to establish three new positions that we have needed for a very long time. Specifically, one position having to do with the coordination of diversity and equity efforts, an employment specialist, and the third new position relates to providing compliance with all the Federal rules and in particular with CMS settings rules.

Developmental Center [SDC] Closures

Fairview and Porterville Developmental Centers

Mr. Burton stated that the closure process has begun in earnest with Fairview and the non-secured portion of Porterville Developmental Centers. These two developmental center closures may be completed earlier than planned due to that facility housing less residents. Although RCEB has only a few residents in those two facilities, we are involved in the preliminary planning that needs to be done to begin implementation.

Sonoma Developmental Center

There has been a huge effort made in this endeavor as the closure timeline is very pressing, especially with the current loss of a portion of the Federal funding of Sonoma Developmental Center and the expected future loss of all Federal funding for SDC at the end of 2018. Mr. Burton was pleased to add that our efforts at RCEB have been going very well, and he thanked Steve Robinson as he has been managing the many aspects of this closure effort. We have purchased a substantial number of homes in our area and will continue in this effort. We

continue to have great collaboration from DDS to do this as well as additional funding to help us in that process. We also have day programs and residential services in place for those who will be moving from SDC. This allows us to begin in earnest, our meetings with the individual families. Our caseload ratio in this particular area is 1 case manager to 30 consumers, which is far lower than our standard caseload, due to the intensity of the work that needs to be done to do this correctly and completely. It has been a difficult housing market, but we are confident that we will be able to complete our home purchases and will assist other regional centers in their efforts. Mr. Burton reiterated that SDC will probably be a big topic at budget hearings this coming spring.

Self-Determination

Mr. Burton introduced our Self-Determination Local Advisory Committee Chairperson, Vi Ibarra, who was in attendance. He added that Vi has done a fabulous job and thanked her for chairing the group and keeping this focused and on track. He further expressed that the committee is making great progress. Vi introduced the Vice Chairperson, Maria Marquez, who is also at this board meeting as a RCEB board member. Vi informed the board on the status of the Self-Determination committee, and the different presentations that were given to them. The committee's first meeting was in June 2015, and they have been meeting monthly since.

ABX2 1

Mr. Burton stated that in addition to the rate increases included in ABX2 1, there is a requirement that the State complete a rate study and put together a new rate system by March 2019. DDS has drafted the Request for Proposal [RFP], which we hope to see soon. A new rate system has been long awaited and we will be watching this closely. Mr. Burton added that there are two DDS audits occurring; one by the California State Auditors on In-Home Respite services [due at the end of the week] and the other by the State Controller's office as a general audit, which has been downgraded to a review instead of an audit.

Director of Finance and Administration

Mr. Burton informed everyone that this was Nancy Kubota's last board meeting after 34 years of distinguished service to RCEB. He added that we are all pleased that Ms. Kubota will be able to enjoy her well earned retirement and thank her for her many significant contributions to RCEB and to individuals with developmental disabilities. Mr. Burton also advised that our current Controller, Lynn Nguyen will become the Director of Finance and Administration starting November 1st. Although Nancy's last day is October 31st, she will be providing us with much appreciated guidance over the next 6 months for a smooth and seamless transition. Ms. Kubota thanked the Board and stated that she has enjoyed every moment at RCEB and added her thanks to board members Mike Treppa, Steve Whitgob and Chi Lee for their dedication to the Budget & Finance Committee. Ms. Kubota also thanked the staff at RCEB for all their support and guidance throughout the years.

PUBLIC COMMENT

Sandi Soliday, Alameda County Developmental Disabilities Council [ACDDC]

- Oct 28th There will be two meetings; one by the East Bay Employment Task Force at the San Leandro Public Health Department in the morning, then in the afternoon the quarterly Health & Wellness Committee meeting, where the Policy Director will be speaking about a grant of \$24.7M/year for 5 years.
- Nov 4th This ABLE Act meeting will be in the San Leandro Public Health building and will be the first in a series of 5 meetings conducted in Alameda County to educate the public on the Able Act.
- Nov 9th This will be the next ACDDC meeting with a presentation by the Alameda County Transportation Commission on needs assessment and regional center resource development.

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

Mr. Sullivan informed the board that the Going to College with a Disability Conference took place in early October and was a great success.

- 10/22nd This will be the 2016 Autism STAR Parent Conference with presentations to address the concerns and needs of families with autistic children aged 0-14.
- 10/26th This will be the council board meeting and will focus on reviewing the summer POD training event.
- 11/2nd This EBLC meeting is to plan for the 2017 Town Hall Meeting.

ARCA REPORT: Kathy Hebert

Ms. Hebert reported on the ARCA meeting on October 13/14th at the San Gabriel/Pomona Regional Center, where Mr. Burton was the Guest of Honor at the Board member dinner. Ms. Herbert added that the board members discussed the Lanterman Act as well as how each regional center board is structured, the committee, how it works, etc. which was very interesting to see the range of differences.

MEETING ADJOURNED

The board meeting adjourned at 8:37 p.m.

The next Board Meeting will be at 7:00 p.m. on November 28, 2016
500 Davis Street, San Leandro
There is a Diversity & Equity Meeting at 6:00 prior to the board meeting