



Regional Center of the East Bay
REGIONAL CENTER OF THE EAST BAY
Board of Directors Informal Meeting

Monday, October 28, 2019
1320 Willow Pass Road, Concord

RCEB BOARD MEMBERS PRESENT:

Kathy Hebert, President
Morena Grimaldi, Diversity & Equity Chair
Sister Marygrace Puchac, PVAC
Teresita DeJesus
Chloe Page
Reneé Perls
Dinah Shapiro
Lisa Soloway
Linda Stevens

ABSENT:

Lilian Ansari, Vice President
Evangeline Iyemura, Treasurer
Gerald Tamayo, Budget & Finance Committee
Stephen Whitgob, Budget & Finance Committee
Nyron Battles, Secretary
Brian Blaisch
Yesenia Fantham
Caroline Ortiz
Frank Paré
Carmen Quinones

STAFF PRESENT:

Lisa Kleinbub, Executive Director
Terri Jones, Director of Human Resources & Support Services
Lynn Nguyen, Director of Finance & Administration
Lucy Rivello, Director of Health and Behavioral Services
Steve Robinson, Director of Community Services
Ronke Sodipo, Director of Client Services
Melanie Gonzales, Associate Director of Client Services
Chris Hanson, Associate Director of Adult Services
Elvia Osorio-Rodriguez, Associate Director of Children Services
Silvia Siu, Controller
Vanessa Ibanez, Case Manager
Michi Toy, Executive Assistant

GUESTS:

Kimberly Robertson, Marcum LLP
Vi Ibarra/CCCDDC
Jeri Pietrelli

CALL TO ORDER

Board President, Kathy Hebert announced that due to the fires and PG&E shutoffs in the Bay Area this week, many of our board members were not able to attend the board meeting this evening. Although we do not have a quorum, but will proceed with an informal meeting without voting.

WELCOME AND INTRODUCTIONS

Self-introductions were made and a quorum was not present.

CONSENT AGENDA / MINUTES

Approval of the Agenda and the Minutes will be taken up at the next board meeting.

PUBLIC COMMENT

n/a

COMMITTEE REPORTS

EXECUTIVE COMMITTEE: Kathy Hebert

PERFORMANCE CONTRACT

Ms. Sodipo recapped in greater detail, the points made at the last board meeting and stated that we received productive public comments at our October 15th Performance Contract meeting in San Leandro. As discussed at our last meeting, many of these measures are those that the Department of Developmental Services [DDS] has all regional centers adhering to. Ms. Sodipo discussed that in the Lanterman Act, there are policy statements such as children will live at home with their families. The Public Policy Performance Measures are measures that relate to statements in the Lanterman Act. Most of the measures are the ones that we always have. We incorporated feedback from the public as always, and added some activities. In the minors residing with family category, we added that we would develop updated materials and processes to support families in accessing MediCal through institutional deeming. We also added that we would provide crisis intervention services through RCEB's mobile crisis team as we work with the Department in the use of intensive wrap-around services. This would include CAST as part of DDS's Safety Net. We would support access to generic community resources for medical and dental care, and IHSS and mental health services as it relates to adults residing in Independent and Supported Living. Ms. Sodipo continued to outline our employment first measures as well as to reduce disparities and improve equity in the POS expenditures category.

The board members had a few questions which were addressed by Ms. Sodipo. Ms. Kleinbub added that we are following the national push towards eliminating those with disabilities working for sub-minimal wages. We will be working with the former workshop type programs to transition them to non-sub-minimal wage work. We think that should happen so that people will not lose employment or meaningful activities. This draft report will be submitted to DDS. In the spring,

our board will receive the result of last year's Performance Contract Measures. With the new transparency requirements, all regional centers have additional responsibilities to share these results.

CONTRACT APPROVALS

All the contracts presented tonight were informational only due to not having a quorum for voting.

Department of Developmental Services Contract# HD149015 E-4 Contract Amendment

This amendment adds \$2.2M in POS Allocations for Community Placement Plan [CPP] for Sonoma, Fairview and Porterville and regular CPP start-up funding for the providers that took over the five homes from Anka.

Health Care Employees/Employer Dental & Medical Trust

This is a renewal of the current Delta Dental contract for RCEB staff. The rates remain the same for the year.

- . Term: 1/01/20 – 12/31/20
- . Contract Amount: Fiscal year \$250K; average monthly payment is currently \$39.5K which will increase as we add additional staff. The estimated annual cost is \$474K (\$39.5K x 12).

SAWA Support, Inc.

- . Terms: Nov 1, 2019 through October 31, 2024
- . Average monthly funding based on the projected impact of the 6 clients that the agency will immediately support: \$21K
- . Annual Disbursement: \$7.5M

New RCEB Board Committee

The Executive Committee has discussed the need to bring back a committee that used to be in existence prior to 2010 called the Supports and Services Committee. We will go through the proper procedures and foresee it up and running in February 2020. Ms. Hebert presented the wording to be added to the ByLaws (this was also sent along with the board packet a week earlier) as a month notice, and the board will vote on it at the next board meeting.

Also discussed was the meeting dates/times for this new committee, which would alternate with our Diversity & Equity Committee meetings. The board would vote on this at the next meeting.

BUDGET AND FINANCE COMMITTEE – Lynn Nguyen for Evangeline Iyemura

Independent Audit Report for Fiscal Year 18-19

Ms. Nguyen distributed the Audit report to the board members. In the absence of the Board's Treasurer and the Budget & Finance Committee members, Board President, Kathy Hebert was

given a presentation from Marcum, LLP the Agency's independent auditors, who completed a draft audit report for Fiscal Year 18-19. The report is unmodified, meaning the report is a clean report and there are no management comments. Please note that this draft report does not have the CALPERS unfunded liability amount or the related footnote disclosure. Marcum requires a separate FASB valuation of the CALPERS unfunded liability which cannot be completed until the CALPERS information is available in mid-January. Therefore, the final audit report will not be issued or presented for the Board's approval until the January board meeting.

Ms. Nguyen introduced Kimberly Robertson, our auditor representative from Marcum, LLP to present a summary of the draft audit report. Ms. Robertson introduced herself and began to summarize the audit that was conducted over a period of three weeks in September at RCEB. She also stated that the auditors looked at the internal control structure and compliance with federal laws and regulations. The audit went well as usual, as there were no issues in terms of non-compliance, material weaknesses or significant deficiencies in our control structure. Ms. Robertson thanked Ms. Nguyen and our Controller, Ms. Siu as well as the rest of the team for working with them as this audit is always a joint effort.

As mentioned earlier, the review and approval of this report will be an action item at the January Board Meeting. If you have any questions prior to the January meeting, please do not hesitate to contact Lynn Nguyen, our Director of Finance and Administration.

Operations

As reported last month, the A-1 contract amendment provided nearly all of our Operations allocation for the year. We have not received the official A-2 contract amendment from DDS which is expected to include the remaining 50% for Intake and other Policy items, such as CalFresh, 1:25 Caseload ratio, and Specialized Home Monitoring. We have received preliminary approval schedules for the Community Placement Plan (CPP) Operations budget, including funding for the CPP regular and CPP ongoing budget.

RCEB grew by 714 net new consumers during the past 12 months and the A-1 allocation for Operations includes funding to account for this caseload growth. 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.

The Center preliminarily completed its 19-20 budget for Operations for \$48M. Through September 2018, we have expended 22%. As this is a preliminary budget, we will continue to monitor closely to ensure that we have a balanced budget in operations and will be keeping the board apprised at future meetings.

Purchase of Service (POS):

In the A-1 amendment, RCEB received a total of \$421.9M in Purchase of Services (POS) funding. This is a net increase of \$43.6M over last year's allocation. We are still expecting the official A-2 amendment from DDS, which will include the \$1.5M start-up funding for the Children

Community Crisis Homes, and other CPP start-up and placement funding, totaling \$3.9M. The total POS budget including CPP funding is expected to be \$425.8M.

Through September 2019, we have expended 23% of the POS budget. Staff will report back to the Budget and Finance committee at the November Board meeting when the Purchase of Services Expenditure Projection (PEP) report has been completed. A detailed Purchase of Services summary will be provided to the Board at that time.

MEMBERSHIP DEVELOPMENT COMMITTEE: Kathy Hebert

Ms. Hebert stated that the Membership Development Committee will be taking nominations from the floor for Board officers at this October meeting, and will vote for the new officers at our Annual Meeting, which is in November.

CURRENT 2019 SLATE OF OFFICERS

Kathy Hebert	President
Lilian Ansari	Vice-President
Evangeline Iyemura	Treasurer
Nyron Battles	Secretary

There were two board members, Reneé Perls and Dinah Shapiro, who have nominated themselves for the Secretary positions in 2020. Since we only had half of the of board members present at this meeting, we will also make an inquiry to the full board prior to our November meeting in order to conduct a fair vote at that board meeting.

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

The PVAC meeting was held on October 11th and it was a full house of interested participants. There was a presentation by Daniel Savino, Government Affairs Director for the Association of Regional Center Agencies [ARCA]. Ms. Puchac stated that Mr. Savino is a talented speaker who is dedicated to his craft of knowing all the ins/outs of the legislature and had everyone mesmerized. He spoke about the ins/outs, and research on the legislators that needs to be done prior to seeing your legislator and gave the group some very good ideas. He had a couple of mock scenarios set-up and surprised everyone with having a couple of legislative staff, Sherry McCoy from Senator Skinner’s office and Tonya Love from Assembly member Rob Bonta’s office, participate in the scenarios.

CONSUMER ADVISORY COMMITTEE [CAC]: Dinah Shapiro and Reneé Perls for Nyron Battles

Ms. Shapiro and Ms. Perls commented that in light of the recent electrical shutoffs in our area, the focus of the meeting was on the importance of being prepared for emergencies and what one should have in their emergency pack.

DIVERSITY and EQUITY COMMITTEE: Morena Grimaldi

Ms. Grimaldi reported that the committee reviewed the Mission Statement that the board will be voting on to approve at their next meeting. There will also be an update on the RCEB website regarding posting of an events calendar. Ian Mendoza will also be launching a Filipino/American support group created for Tagalog speaking families. This group's first meeting will be on November 20th at 6pm in RCEB/Concord. The Diversity & Equity committee also talked about the Indigenous Red Market which is a free event every first Sunday of the month at the Fruitvale Cedar Center where Native American designers and artists sell their ware and of course there's music and food. The Diversity & Equity committee is looking at the possibility of meeting every other month in partnership with the proposed Supports & Services committee, as well as moving up the time of this meeting to 5:30 pm instead of 6:00 pm. The next Diversity & Equity meeting will be in San Leandro on November 25th.

EXECUTIVE DIRECTOR'S REPORT: Lisa Kleinbub, Executive Director

Ms. Kleinbub welcomed everyone this evening and stated that those of us in the Bay Area have been very fortunate that we have not had to endure the fires that our northern neighbors have been experiencing. North Bay Regional Center had 2,000 people who had to evacuate quickly due to fire. We will support NBRC where we can.

Budget Highlights

RCEB has grown by 714 new consumers over the last year. We are still funded by our outdated formula for staffing with no cost of living adjustments. This makes it very difficult to meet our caseload ratios, which is a struggle yearly for all the regional centers.

This year we experienced very late allocations from DDS and are also waiting for the allocation information for the transparency funds totaling \$4.45M for regional centers across the State. This funding should be distributed to regional centers to fulfill rate changes that will happen for the providers in January 2020. Other new responsibilities including transparency about our 4731 complaints and fair hearings are part of this legislation. We are having difficulty in planning our budgets and in knowing how many people we can hire and what other supports we can provide. Given our increase of 714 new consumers, we should be hiring 10 new case managers, but that is not possible given the current allocation methodology. It would help if DDS could at least provide the funds that they know that they have to allocate to us this year.

Fundings Received

We are pleased that we received Community Resource Development funding this year and our Resource Development Department performed a lot of outreach and hosted requests for information about our community needs. Although we did not get all of our projects funded, we did get a number funded that are very significant. We received \$1.5M towards multi-family housing which will allow for 15 set-aside units in a large development in Berkeley working with SAHA [Satellite Affordable Housing Association]. We also received \$400K to partner with Contra Costa Mental Health to serve adults in that county. Given that we have built a good relationship with them over the last year, we are hoping they will partner with us in developing this adult

mental health service. We received funding for benefits planning for those who are employed as that can be a barrier to employment. We received funding to work with a provider on developing new micro-enterprise and self-employment strategies for those individuals who might want to run their own business. Much needed funds for expanding Early Start services were also received. It has been challenging for those in monolingual families to receive services, so now we will work on providing those resources. We were also given funds to develop a children's crisis facility which is a new model based off of the community crisis home for adults. One will be developed in our area. It will be a higher level of support than what we have had in the past so we are really excited about that.

Self-Determination [SD]

As stated at the last board meeting, there have been individuals who have opted out of the Self Determination program for one reason or another. The total opt out statewide is 450 individuals who have chosen not to continue to participate in the program, with an equal range by ethnicity, language and age. DDS will be conducting another round of selections on November 22nd for those individuals who are on the Interest List. As far as we know, there is no deadline to be added to the *Interest List*, so those interested may view the information on Self-Determination at <https://www.rceb.org/self-determination> then fill out the information on the Interest List page.

The selection criteria that DDS has this time is different from the previous one:

- . First priority will be given to individuals over the age of 42
- . Siblings of those who were previously selected will also be prioritized
- . Those who have been members of our local advisory committees

DDS will pick more individuals than what is needed, to allow for additional attrition without having to go through another selection process.

DDS is foreseeing that the program will be available to everyone in 2021. RCEB is currently very close to having the chosen individuals start using their budgets and being a part of self-determination in our area.

DDS Task Force

As part of the budget process, DDS was charged with developing a task force with one of the responsibilities being how to have a sustainable service system going forward that prioritizes individual outcomes and puts the people that we serve first so that those outcomes can be achieved. DDS received almost 200 applications across the State from individuals who wanted to serve on the committee or on sub-committees. We expect them to choose the individuals by early November. The committees will advance recommendations for the future of the California DD system.

Miscellaneous

Ability Now Bay Area [formerly Cerebral Palsy Center] was created in 1939. They recently celebrated their 80th anniversary. Ms. Kleinbub attended this celebration and exclaimed that they have changed with the times in their approach of how they see their services and how they have

been innovative in the area of micro enterprise and augmentative communication. It will be exciting to see them move forward in the coming years.

PUBLIC COMMENT

Kathy Hebert for Sandi Soliday, Alameda County Developmental Disabilities Council [ACDDC]

Ms. Soliday stated in her update to Ms. Hebert, that they had a very successful Vision for the Future Conference at Chabot College in Hayward on Saturday and thanks those who contributed to this conference. Ms. Soliday's coordinator position has now been posted, and will be open until November 7th. <https://jobapscloud.com/Alameda/default.asp>

March 14: The Alameda County Transition Faire is at the College of Alameda. Registration will be available in January, and workshop planning has begun.

Nov 6: The next EBLC meeting is at the Public Health office. We will begin planning the EBLC Legislative Breakfast scheduled for January 31st.

Nov 13: The next Alameda County Developmental Disabilities Council meeting and will have a very special presentation entitled *Health Disparities at the Intersection of Disability, Race and Gender*. All are invited to attend.

Nov 8: The next Health & Wellness Committee meeting is scheduled for Friday at the Public Health office. They will have a report from Alameda Alliance on the focus group they facilitated at one of our meetings a few months ago. Again, all are welcome.

Vi Ibarra, Contra Costa County Developmental Disabilities Council [CCCDDC]

Sept 26: Ms. Ibarra commented that the Vision for the Future Conference at Chabot College in for those 14+ years-old and their parents/staff was the most cooperative and collaborative committee that she has worked with.

Oct 30: 6th Annual Disability and Access and Functional Needs Forum at IBEW Local 302 Union Hall in Martinez from 9am to 12pm. There will be a couple of panel presentations discussing lessons learned on emergency response for disasters that have happened in the last two years. There will also be lots of resources available.

Nov 20: This is the next CCCDDC meeting. Note that there will not be a meeting in December.

Kathy Hebert for Sheraden Nicholau, State Council on Developmental Disabilities [SCDD], Bay Area Office

Nov 14: The next State Council meeting will be held in Sacramento, from 10am to 4pm

Dec 4: The next Regional Advisory Committee meeting will be from 7pm to 9pm with a 6:30 networking session at RCEB's San Leandro Office.

Ms. Nicholau's update stated that they are collecting everyone's feedback for California's 5-yr state plan and requested for all to take a few minutes to let them know how they should prioritize their work across the state for the next 5-year cycle.

Two ways to provide your feedback:

Go to SCDD, Bay Area's site: <https://scdd.ca.gov/> and select the language you prefer, and complete the survey online or complete a paper-copy and provide it to us. We can send along paper copies in other languages, as well, upon request. We really appreciate your participation!

ARCA REPORT: Lisa Kleinbub

Ms. Kleinbub stated that the ARCA meeting this month was in San Diego. ARCA has written a letter to Governor Newsom requesting ILS and infant development programs to receive the 8.2% increase that other providers received as part of the January 2020 increases. ARCA also requested that Family Cost Participation and Annual Family Program Fee [AFPF] be discontinued for our Early Start programs. There is some difficulty in stopping it for anyone over the age of 3 but they are going to target that goal for Early Start because SB412 for all ages did not pass. ARCA's letter also requests for full funding of the regional center caseload ratios as well as the additional staffing that goes along with those caseload ratios. ARCA is also working with the Lanterman Coalition to have the demand for full funding of regional center caseload ratios be a key issue in everyone's advocacy this year, so we are hopeful that will happen.

ARCA is also creating outreach materials and graphics that will be useful in showing positive outcomes for our service system, and to show service coordinator responsibilities and the importance of case management as we reach out to the legislature around the issue of fully funding service coordination.

ARCA Academy is a training event to provide regional center board members an opportunity to network and to be trained on several subjects relating to their responsibilities. Based on the feedback from the survey, this event will be planned for a Saturday in February in Sacramento. The language in the trailer bill budget act last year included board training so this is one approach to try to facilitate this in a way that allows the board members across the region to get together with their counterparts.

Executive Session – Contract Negotiations

MEETING ADJOURNED

The board meeting adjourned at 8:30 p.m.

The next Board Meeting will be at 7:00 PM on November 25, 2019 in **San Leandro**