



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

Monday, June 22, 2020

Virtual Meeting

Approved 9/28/2020

RCEB BOARD MEMBERS PRESENT:

Kathy Hebert, President
Lilian Ansari, Vice President
Gerald Tamayo, Budget & Finance Committee
Stephen Whitgob, Budget & Finance Committee
Morena Grimaldi, Diversity & Equity Chair
Reneé Perls, Secretary
Sister Marygrace Puchac, PVAC
Caroline Ortiz
Chloe Page
Frank Paré
Carmen Quinones
Lisa Soloway
Linda Stevens

ABSENT:

Brian Blaisch
Teresita DeJesus
Yesenia Fantham
Evangeline Iyemura, Treasurer
Dinah Shapiro, CAC Chair
Gwen Nash-Butler

STAFF PRESENT:

Lisa Kleinbub, Executive Director
Lynn Nguyen, Director of Finance & Administration
Steve Robinson, Director of Community Services
Ronke Sodipo, Director of Client Services
Kiera Swan, Director of Human Resources/Support Services
Chris Hanson, Associate Director of Client Services
Evelyn Hoskins, Associate Director of Federal Programs
Elvia Osorio-Rodriguez, Associate Director of Client Services
Brent Nelson, Manager of Information Systems
Michi Toy, Executive Assistant

GUESTS:

Nyron Battles	Vi Ibarra, CCCDDC
Breanne Burris	Sheraden Nicholau/SCDD
Ben Chen/ACDDC	Melissa Robinson/DDS
Doris Harrington	

CALL TO ORDER

Board President, Kathy Hebert called the regularly scheduled business meeting of the Regional Center of the East Bay to order at 7:05 p.m. A quorum of the board members were noted.

CONSENT AGENDA / MINUTES

M/S/C “The Board moves to approve the June 22, 2020 agenda as presented.” [Soloway/Ansari] Unanimous

M/S/C “The Board moves to approve the May 18, 2020 minutes as presented.” [Puchac/Grimaldi] Unanimous.

PUBLIC COMMENT

No public comments were expressed at this time.

COMMITTEE REPORTS

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Executive Committee: Kathy Hebert

Acronyms

- CPP Community Placement Plan
- CRDP Community Resource Development Plan
- CCH Community Care Home
- EBSH Enhanced Behavioral Support Home

CONTRACT APPROVALS

Supported Living Services [SLS]

Gussie Lee Foundation

This contract represents the agreement to operate a SLS that is meant to provide the necessary support to allow clients to live in their own home in the community.

Geography: Alameda County (Albany to Hayward), Contra Costa County (mainly central Orinda/Moraga to Concord)

Term: 7/1/2020 – 6/30/2025

Average monthly cost: \$7,500

Annual cost: \$1,3500,000

Total Capacity: 15 individuals

M/S/C “The board moves to approve RCEB’s agreement with Gussie Lee Foundation to operate the Supported Living Services home as presented.” [Whitgob/Stevens] Unanimous. The motion was adopted.

Supported Living Services [SLS]

Individual Care Community Service, Inc. dba NorCal Care Services

Services individuals with behavioral issues and/or needing high levels of support, and clients with medical conditions requiring additional support, monitoring and coordination.

Geography: Alameda and Contra Costa Counties

Term: 7/1/2020 – 6/30/2025

Average monthly cost: \$7,500

Annual cost: \$1,350,000

Total Capacity: 15 individuals

M/S/C “The board moves to approve RCEB’s agreement with Individual Care Community Services, Incorporated dba NorCal Care Services to operate the Supported Living Services home as presented.” [Soloway/Ansari] Unanimous. The motion was adopted.

Community Placement Plan [CPP]

YAI- Young Adult Institute [YAI]

These contracts represents RCEB’s Safety Net start-up funds to develop a CCH and EBSH for children dually enrolled in foster care and RCEB, and a CCH for children in RCEB’s catchment area.

Term: 6/30/2020 – 3/21/2022

Capacity: Three homes with 4 individuals/home = 12 individuals total

Costs:

- One CCH for children dually enrolled \$250K from regular CPP funds
- One EBSH for children dually enrolled \$250K from regular CPP funds
- One CCH for children \$500K

M/S/C “The board moves to approve RCEB’s CPP start-up funds for the following three YAI-Young Adult Institute homes as presented”:
(1) CCH home [Perls/Soloway] Unanimous. The motion was adopted.
(2) One EBSH [Grimaldi/Stevens] Unanimous. The motion was adopted.
(3) One CCH [Ansari/Soloway] Unanimous. The motion was adopted.

YAI- Young Adult Institute [YAI] START

This next contract is for YAI to provide emergency response and to work collaboratively across the system to address emergencies as they arise. This includes a 24-hour crisis response, emergency therapeutic supports as well as assisting individuals and terms with gaining access to other emergency safety net services when clinically necessary. In addition to emergency assessment, intervention and advocacy, they will also provide direction and support that will lead to client stabilization.

Term: 6/30/2020 – 3/31/2022

Total Amount: \$250K from Regular CPP Funds

M/S/C “The board moves to approve RCEB’s CPP start-up funds for Young Adult Institute [YAI] to run a START crisis stabilization team as presented.”
[Page/Ansari] Unanimous. The motion was adopted.

Questions were asked by the Board on all the housing contracts and addressed by Ms. Kleinbub.

Department of Developmental Services State Staff Contract

The Department of Developmental Service’s State Staff contract is to fund two registered nurses to work almost exclusively with consumers moving to the community from developmental centers. The state staff will work at RCEB and the contract amount is provided in RCEB’s operations allocation annually. It is considered restricted funding.

M/S/C “The Board moves to approve the Department of Developmental Service’s State Staff contract as specified.” [Ansari/Soloway] Unanimous. The motion was adopted.

Budget & Finance Committee: Evangeline Iyemura

Purchase of Service (POS)

RCEB received a letter of intent for additional funding in the A-6 contract amendment for fiscal year 19-20. Note that our projections and financials include funding in the A-6. We are waiting for the contract from DDS and therefore will submit for board approval at the next Board meeting.

The A-6 amendment provided additional total POS funding of \$29,594,516, including Home and Community-Based Services (HCBS) of \$.6M and COVID-19 expenditures of \$18.6M.

Through May 2020, 85% of our fiscal year 19-20 POS expenditures are in base. With the additional funding in the A-6, for Non CPP Purchase of Services Expenditures, we are projecting a sufficiency of approximately \$5.3M. Note that the additional allocation helped alleviate the deficit that we have been previously projected along with funding COVID-19 expenditures.

Currently, 9 out of 21 Regional Centers, including RCEB, are reporting a sufficiency in their POS projections. With the A-6 budget allocation, the statewide system is reporting in an overall sufficiency of \$9.7M, compared to last month’s deficit of \$79M, which is a big relief.

We will continue to monitor our projections as Case Managers are busy writing the additional COVID-19 purchases before the fiscal year ends.

Operations

The A-6 amendment included \$258k funding for additional COVID-19 expenditures for operations. This provides much relief to our tight Operations budget because we did not know if DDS could fund the additional COVID-19 costs.

At this time, we are pleased to report a projected balanced operations budget for the current fiscal year with 84% of expenditures in base. This is comparable to the 85% of expenditures for FY 19-20 at this time last year.

Fiscal Year 20-21 Allocation

Just last Friday, RCEB received the preliminary “B” Contract and allocation for Fiscal Year 20-21 of \$39,146,806 OPS and \$371,648,901 POS funding for a total of \$410,795,707.

Cash Flow Status

The Agency had adequate cash to fully fund our invoices for May Services that were paid out mid-June. We are ending the fiscal year with \$46M cash on hand.

At this time, DDS does not expect a delay in sending out Regional Centers’ cash advances for Fiscal Year 20-21. There will be 3 cash advances: The first and second cash advances for Fiscal Year 20-21 are expected to be released by the third week of July. The 3rd cash advance is scheduled to be released by August 1. Our cash flow projection currently shows that we will have enough cash to pay for June services mid-July even if there is a delay in getting our cash advance. We will continue to monitor our cash flows closely in early July.

The Board is reminded that we have the \$40M line of credit available with Union Bank should we need to draw down. We will inform the Executive Committee mid-month via email at the time the paperwork is submitted if we have to draw on the line. The Executive Director and Chief Financial Officer have the authority granted by the Board to sign the paperwork to drawn down the line of credit as needed.

Investment Account

Currently, RCEB has \$600k of the Agency’s Helping Hand Fund held in an interest checking account earning interest at only .01%. The Agency plans to open an investment sub account at Union Bank that we can use to invest up to \$400k of the funds in 1-year Treasury Bill to earn interest of .10%, which is estimated at \$400 annually.

The Agency already has an investment account for the BAHP funds with Union Bank. Opening an investment sub account at Union Bank in order to keep the investment of the two funds separated does not require additional paperwork. It merely requires a letter from an Agency’s officer. The authorized traders of the accounts are listed below:

Elisabeth Kleinbub – Executive Director
Lynn Nguyen – Director of Finance and Administration

M/S/C “I would like to make a motion that the Board duly authorize the RCEB staff persons mentioned to open the investment sub account and invest the Helping Hand fund.” [Puchac/Page] Abstain-1, Approve-12 The motion carries.

Bank Signature Cards and Funds Transfer Forms

RCEB's bank signature cards need to be update due to DDS change in personnel.

The check signers on RCEB's Operating bank accounts will include the following individuals:

Elisabeth Kleinbub – Executive Director
Lynn Nguyen – Director of Finance and Administration
Ronke Sodipo – Director of Consumer Services
Lucy Rivello – Director of Health and Behavioral Services
Steve Robinson – Director of Community Placement

At this time, we are also updating the fund transfer authorization forms which allow authorized approvers to complete transaction based on specified dollar limits. Two authorized approvers are required any wire transaction. The designated authorized individuals are:

Elisabeth Kleinbub – Executive Director - specified amount is unlimited
Lynn Nguyen – Director of Finance and Administration – specified amount is unlimited
Silvia Siu – Controller – specified amount is unlimited
Antonia Heinrich – Client Trust Manager – specified amount is up to \$1M
Lolita Borja – POS Manager – specified amount is up to \$1M

M/S/C “I would like to make a motion that the Board duly authorize the RCEB staff persons mentioned above as check signers and funds transfer authorization for RCEB's operating bank accounts.” [Puchac/Soloway] Unanimous. The motion carries.

Vendor Fiscal Audits

Per DDS requirement, RCEB needs to complete 18 vendor fiscal audits by the end of fiscal 19-20, and we completed 26 vendor fiscal audits. Only 1 audit has substantial findings, which we are going through the appeal process with the vendor and DDS.

Questions were asked by the Board on all the various points and addressed by Ms. Kleinbub and Ms. Nguyen.

Membership Development Committee: Kathy Hebert

Ms. Hebert stated that we are stable with a full board of 19 members.

Provider/Vendor Advisory Committee [PVAC]: Sister Marygrace Puchac

The PVAC members met virtually on June 12th. A positive aspect to our new virtual meetings is that it appears that more people are able to attend the meetings. Mike Periera, Executive Director of Ala Costa Centers as well as the Day Program Subcommittee Chair, presented on the reentry process for services. It was a hands-on presentation where the participants were broken up into three work groups to work on various staging elements of the re-opening process. A lot

of good collective wisdom work was done by these groups and they continue to meet weekly. Also discussed at the meeting was the Governor's budget.

Consumer Advisory Committee [CAC]: Lisa Kleinbub for Dinah Shapiro

Ms. Kleinbub stated that the committee met virtually on June 8th where the topic for that evening centered on COVID-19 and the re-opening of day programs and how that would look. Ms. Kleinbub also added that RCEB has PPE supplies and for our clients to check with their homes and case manager's to let them know what is needed. One of the guests on the call, demonstrated how to put on her head mask and how that particular style would work well for those who have challenges using their hands. The next meeting will be Monday, July 13th.

Supports & Services Committee: Lilian Ansari

This committee met virtually before the board meeting, which is the second one that they have held since the creation of the committee. Ms. Ansari stated that board member Frank Paré will co-chair this committee. The meeting started off with reviewing Ms. Sodipo's hand-out titled *New Case Management Training Outline* to inform all of the breadth of material the case managers learn. At the previous meeting in April, the committee requested specific Purchase of Services data on the population. Ms. Kleinbub presented a PowerPoint on Purchase of Services and discussed the data of those with low purchase of services [POS's] in the 22-35 y/o range as differences between adults and children. The committee brainstormed on several possibilities for these figures, such as lack of transportation availability, cultural barriers, access to information of services available, etc. The committee also discussed possible solutions and regional center and service provider accountability. The regional center is also finishing its final stages in the creation of a new website, as well as looking into offering different portals for information for vendors, clients and their families. Questions were asked and answered by Ms. Grimaldi and Ms. Kleinbub. The next virtual meeting will be on July 27, 2020.

EXECUTIVE DIRECTOR'S REPORT - Lisa Kleinbub, Executive Director
State Budget Highlights

Ms. Kleinbub announced that the Governor and the legislature have come to agreement on the State budget, and that it favors the legislature's approach. This includes not imposing the July trigger cuts and to wait until more information is found regarding federal funding. The legislature also wanted to fill the gaps in the budget with more of the rainy day funds as well as other reductions and deferrals of expenditures over the next year. Ms. Kleinbub stated that we have just been informed of the trailer bill language that has been published. These trailer bills will detail what we will/will not see in the budget. One positive takeaway is that the large reductions that we were anticipating in both POS and Operations [OPS] are not in the budget. The Governor still has to sign the budget and could blue pencil items. There is talk about increasing rates for ILS and Early Start as of January 1, 2021, which is very good news since those two services did not receive rate increases last year. For the new 2020-21 fiscal year, we are assuming we will see hardships partly due to the reduced tax in 2020 revenue, but that is just speculation at the moment. Regarding the advances that we are expecting in July, we will still have a smaller advance even if the budget does not include reductions. The advance we will be receiving is based

off of the May Revise, so we will have to wait until later in the year before we receive the full advance. There continues to be focus on our service system and the dollars expended as we grow.

We still have service providers who have not been able to benefit from the minimum wage increases in our area due to the fact that the service providers are paying above minimum wage. The only way they can recruit and retain quality employees in the Bay Area is to pay higher than minimum wage. This means that the service providers do not receive the benefits of minimum wage increases as there are limits to those who were paying exactly minimum wage. We are hoping and waiting for a solution to that issue.

COVID-19

We continue to receive multiple Directives from DDS. Last week, we received a particularly positive Directive for the extension of Early Start services. This Directive waives certain time requirements for children transitioning out of Early Start services, especially if the transition to the school district is not going smoothly. In our area, many school districts are transitioning their Early start kids to remote learning, but not all areas are doing so and regional centers were not able to fill in that gap until children start receiving services from the school district. Regional centers have been given a 30-day extension in order to ensure continuity of services during the COVID-19 pandemic.

As of today, we have 14 known positive cases of COVID-19 cases in our area, and one death. We are concerned that 4 out of 14 of those cases occurred in the last four to five days. We will be keeping an eye on spikes in these cases as we move forward.

We are working with the State Council on Developmental Disability, Bay Area [SCDD, Bay Area] on receiving and distributing a large stock of Personal Protective Equipment [PPE] for our service providers, clients and their families, day services and residential homes. The PPE consist of face masks, face shields and hand sanitizers. Last Saturday, we distributed PPE's to over 400 Alameda County families, and will do the same in Contra Costa County this coming weekend. Ms. Kleinbub thanked Sheraden Nicolau/SCDD as well as many staff members for their assistance in this endeavor.

Re-Entry to Programs

Another Directive issued recently extends the deadline for absence billing for non-residential services through July 31, 2020. This is really important as Sister Marygrace's report indicated earlier, that all the planning for re-entry needs to be done by joint efforts including our DD Councils, and DDS. We are expecting guidance later this week from DDS on re-entry, which will be important for service providers to follow in order to reopen and re-enter. We are also anticipating those plans would include steps for the programs to take if there is a positive case of COVID-19 in their program. When the plans are submitted to the regional center, we will review them thoroughly. The providers will be responsible for following public health guidance and make changes as needed to their plans. We do not want to have a rapid re-entry, as we need to follow careful and judicial planning to allow for a safe re-entry process for everyone.

Self-Determination - SD

Our Self-Determination committee has been meeting continually during COVID-19. The committee has a deadline of June 30th to decide how to spend the dollars allocated to this committee. Some of the local advisory committees in California have not decided on how to spend the funds. And although challenging, our committee has been proactive and have decided to spend the funds on coaching and independent facilitation for those moving into SD before they have a budget. In order to increase information sharing, the committee wants to include a newsletter and a website. There are increasingly more participants with developed budgets, but just three individuals who are actually complete with the preliminary preparations. We assume that since the pandemic, many are experiencing situations that have put a hold on proceeding with SD but hope that it will pick up in the fall.

Questions were asked regarding her report and addressed by Ms. Kleinbub.

Miscellaneous

HOUSING

Ms. Kleinbub added that we are seeing some housing opportunities opening up in our community, including a development in Pleasanton called Sunflower Hill. Sunflower Hill is beginning to certify people to live in the 29 affordable housing units. We are also expecting some housing units to be set aside in the Tri-Valley area as well as units in a new Oakland development. Most of these are long term projects that take a few years to come to fruition; some faster than others.

SYSTEMIC INEQUITIES

The death of George Floyd highlighted the systemic inequities in our country, and has impacted many of our case managers and families. RCEB is talking about what we need to do address and take action against those inequities. We need to do this for our staff, consumers, and for the larger community to make positive change both internally at our regional center as well as how we serve individuals in our community.

RCEB STAFF

We are saddened to report that one of our long-time staff members, Dorothy Babbitt who was our Vendor Database Coordinator, passed away last week. Dorothy was a valued employee who had worked at RCEB for 35 years. Dorothy began her employment at RCEB in September of 1985 as an Administrative Secretary, became an office manager for Community Services and then a Vendor Database Coordinator in 1997. Many of our vendors know her as she was the person they spoke to when they were applying for vendorization. She was the face of vendorization for RCEB in the community. Dorothy's positive outlook and commitment to the regional center will be greatly missed.

PUBLIC COMMENT

Ben Chen, Alameda County Developmental Disabilities Council [ACDDC]

Mr. Chen announced that although Sandi Soliday has transitioned out of the roll that he has taken over, she is still available for questions and other matters until the end of July. Mr. Chen announced that at the last ACDDC meeting, Ms. Soliday was awarded the Lifetime Achievement award for her 12 years of dedicated service.

June 25: Transition Team meeting from 2-3:30 to plan for the 2021 Transition Faire. There will be a presentation from SRI Education on their work to improve mental health service for adolescents and young adults.

July 1: EBLC will meet on Wednesday at 10-12:00 pm.

July 8: ACDDC Board meeting to plan for the next series of speakers and goals for the new year.

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

Ms. Ibarra thanked RCEB for their assistance in connecting a resource that provides hand-sewn cloth face masks with group homes in the county. Ms. Ibarra was able to deliver 500 masks to 20 group homes.

7/15: Vision for the Future conference planning meeting 10-12:00 pm. This conference includes post-secondary educational opportunities for the DD community.

7/24: CCCDDC Board meeting from 10-12:00 pm. Participants will also hear from our county testing branch on the latest of the COVID-19 testing.

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

Advocacy works to create change:

Ms. Nicholau spoke of policy initiatives that the state council was following. One of them was a month ago where they asked people to sign on to a letter going to the Governor regarding the importance to our providers and those we serve to receive PPE's as a preventative measure. As a result of the numerous signatures that were garnered, there were several Directives and policy memos stating that goal. In the Bay Area, we received a large quantity of face masks (1.5M), face shields (180K), hand sanitizers (several thousand gallons) for distribution.

A while ago, the council reported that the California Dept of Health put out new guidelines for surge healthcare and triage healthcare at crisis facilities which had triage protocols that were discerning due to the language used which was discriminatory against those with DD. As a result of advocacy from Californians across the state, the California Dept of Health worked with our community to update their guidelines.

June 24: Regional Advisory Committee meeting from 7:00-9 pm. featuring special education, rights and planning, and advocacy updates. Ms. Nicholau stated that it is easier to get legislators to speak at meetings now that they are virtual.

ARCA REPORT: Lisa Kleinbub

Ms. Kleinbub stated that ARCA has been extremely busy and focused on advocacy at the State level and backed by so many other advocates. Everyone is working hard to keeping our system whole as we all continue to serve. When we see the budget language, we will see some of the impact of the behind-the-scenes work that has been taking place. Ms. Kleinbub stated that our RCEB Board President, Kathy Hebert is also the ARCA Board President and has been busy chairing those meetings.

Executive Session – Personnel Issue

MEETING ADJOURNED

The board meeting adjourned at 9:00 p.m.

There will be a Board of Director's Training Meeting on July 27th.
The Board of Director's do not meet in August.
The next Board Meeting will be at 7:00 PM on September 28, 2020 via Virtual Call