



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

Monday, November 23, 2020

Virtual Meeting

Approved 1/25/2021

RCEB BOARD MEMBERS PRESENT:

Kathy Hebert, President
Lilian Ansari, Vice President
Evangeline Iyemura, Treasurer
Gerald Tamayo, Budget & Finance
Renée Perls, Secretary
Brian Blaisch
Morena Grimaldi, Diversity & Equity Chair
Gwen Nash-Butler
Caroline Ortiz
Frank Paré
Sister Marygrace Puchac, PVAC
Dinah Shapiro, CAC Chair
Lisa Soloway
Linda Stevens
Stephen Whitgob

ABSENT:

Teresita DeJesus
Yesenia Fantham
Chloe Page
Carmen Quinones

STAFF PRESENT:

Lisa Kleinbub, Executive Director
Lynn Nguyen, Director of Finance & Administration
Lucy Rivello, Director of Health & Behavioral 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 Children's Services
Silvia Siu, Controller
Michi Toy, Executive Assistant

GUESTS:

Vi Ibarra, CCCDDC
Aviva Kirsten
Sheraden Nicholau/SCDD

Kimberly Robertson/Marcum, LLP
Melissa Robinson/DDS

CALL TO ORDER

Board President, Kathy Hebert called the regularly scheduled business meeting of the Regional Center of the East Bay to order at 7:04 p.m.

CONSENT AGENDA / MINUTES

M/S/C “The Board moves to approve the November 23, 2020 agenda as presented but with bringing forward the Marcum, LLP Draft Report after the first Public Comment section.” [Puchac/Perls] Unanimous

M/S/C “The Board moves to approve the October 26, 2020 minutes as presented.” [Perls/Shapiro] Unanimous.

PUBLIC COMMENT

Ms. Shapiro summarized her SIP living situation during the past couple of weeks.

Budget & Finance Committee – Audit Draft Report: Evangeline Iyemura

Ms. Iyemura referred the board members to the Audit Draft Report sent to the board members earlier as she welcomed and introduced Kimberly Robertson, our auditor from Marcum, LLP to present a summary of the draft audit report. Ms. Robertson stated that the audit went very well. The unmodified (clean) opinion issued on financial statements shows no deficiencies or issues in design or operating cash balances. This unmodified (clean) opinion is the highest level of assurances that a business can receive on financial statements and with no notations on any material weaknesses or significant deficiencies in our internal control structure in either the design or operation of the controls. Ms. Robertson added that the staff is doing an excellent job at handling the reconciliations and accounting throughout the year. The financial statements are from RCEB comprising the statement of financial position as of June 30, 2020 and the related statements of activities, functional expenses and cash flows for the fiscal year. The final audit report will be presented and voted on by the board at their January 25th board meeting. Additional explanations are in the Budget & Finance Committee report below.

COMMITTEE REPORTS

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Executive Committee: Kathy Hebert

Performance Contract for 2021 – Lisa Kleinbub

The Performance Contract was presented in detail by Ronke Sodipo at the October board meeting. Ms. Kleinbub presented the changes made to the Performance Contract with additions incorporated after public comments. There are limits in what we can fund in terms of the

development of resources. We also expect that will decline our measures related to employment will decline in 2021 due to COVID.

M/S/C “The board moves to approve the 2021 Performance Contract as presented at the October and November meetings.” [Perls/Puchac] Unanimous. The motion was adopted.

Questions were asked by the board members and addressed by Ms. Sodipo and Ms. Kleinbub.

Contract Approvals

There were no contract to approve this evening.

Work Plan for 2021

The board strives to achieve 4 major goals with multiple objectives every year. These are basically the same goals/objectives every year but with adjustments which do not change the overall plan. The Executive Committee reviewed the goals in the Work Plan on November 10th and made a couple of minor changes listed below.

Suggested changes to the Work Plan:

Goal#2 Adding an Objective [C]

Currently: There is no Objective [C]

Revision: Executive Director’s monthly Summary Report on Performance.

Goal#4 Objective [A]

Currently: Two (2 or 3) meetings will be held in Contra Costa County during the year.

Revision: Three meetings will be held in Contra Costa County during the year.

Goal#4 Objective [D]

Currently: Meet with each area legislator in local offices.

Revision: Participate in Legislative Advocacy.

M/S/C “The Board moves to approve the 2021 Work Plan as presented with the outlined changes above.” [Butler/Shapiro] Unanimous. The motion was adopted.

Master Calendar for 2021

The Board of Director’s Master Calendar is a schedule of target months for the completion of reports and activities. As with the Work Plan, it is basically the same calendar that we have been using annually. These suggested changes were also approved by the Executive Committee and sent to the Board along with the board packet.

Suggested changes to the Master Calendar:

- . February: Add-> NCI Public Meeting (NCI) Data Public Meeting

- . March: Add-> Board Training – short session after the board meeting.
- . April: Remove-> Semi-annual report from Membership Development Committee regarding compliance with board composition requirements
- . April: Add-> “Cancelled for 2021 due to COVID-19” in regards to Grassroots Day
- . October: Remove-> “Semi-annual” in regards to the Board Composition report
- . October: Add-> 2022 Performance Contract Public Meeting after the Performance Contract Objectives
- . November: Add-> Board Training – short session after the board meeting.

M/S/C “The Board moves to approve the 2021 Master Calendar with the suggested changes as presented.” [Nash-Butler/Grimaldi] Unanimous. The motion was adopted.

The board discussed both the Work Plan and Master Calendar.

Budget & Finance Committee: Evangeline Iyemura

The Budget and Finance Committee had a presentation from Marcum, the Agency’s independent auditors, who completed a draft audit report for Fiscal Year 19-20. The report is unmodified, meaning the report is a clean report and at this time, there are no management comments (still pending consideration from Marcum). 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.

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 B-1 contract amendment provided nearly all of our Operations allocation for the year. We still have not received the official B-2 contract amendment from DDS. At this time, the Department has not finalized the allocations for our Community Placement Plan (or CPP). The B-1 allocated only 50% of FY19-20 preliminary CPP funding. RCEB will submit our CPP/CRDP request by December 2, 2020 and we anticipate a response from DDS in early 2021.

For this preliminary detailed OPS budget of \$49M, we added \$889k that is expected to be allocated in the B-2. Through October 2020, we have expended 29%, which is comparable to the 30% for previous year at this time.

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):

Regional Centers typically submit a preliminary Purchase of Services Expenditures Projection (PEP) to the Department of Developmental Services (DDS). This is the basis of Regional Centers’ Purchase of Services projections each fiscal year. The PEP report advises DDS of Regional Centers’ projected expenditures for the current fiscal year and reports any funding insufficiencies in Purchase of Services (POS). This first PEP report is normally due on December 10th of each year. However, due to the change in the monthly rates for alternative service delivery effective December 1, 2020, for which the rates have not been released by DDS, Regional centers will not be able to prepare the PEP report and submit to DDS at this time. We are pending to hear from DDS the new due date for the preliminary PEP.

In the B-1 amendment, RCEB received a total of \$514M in Purchase of Services (POS) funding. Similar to the CPP OPS, DDS only released 50% of the CPP POS allocation based on prior year’s amount and will allocate the remainder in the B-2 allocation.

Through October 2020, we have expended 30% of the POS budget, which is comparable to the 32% for previous year at this time. Staff will report back to the Budget and Finance committee at the January Board meeting when the preliminary Purchase of Services Expenditure Projection (PEP) report can be completed with projected expenditures of the alternative service delivery under the new monthly rates in base. A detailed Purchase of Services summary will be provided to the Board at that time.

Membership Development Committee: Kathy Hebert

Terms of Service

Since we are not able to conduct our usual physical ballot voting at our board meeting, we Submitted the ballot in advance via email to receive the Board votes. Ms. Hebert announced that Linda Stevens has been approved to continue her 2nd three year term of service.

Board of Directors Officers for 2021

Ms. Hebert stated that the Membership Development Committee received the on-line votes for the 2021 board officers:

2021 Board Officers

| | |
|--------------------------|----------------|
| Kathy Hebert | President |
| Lilian Ansari | Vice-President |
| Evangeline Iyemura | Treasurer |
| Gwen Nash-Butler..... | Secretary |

Board of Director’s Training Plan

As indicated earlier, the board’s Training Plan will be reviewed and updated yearly in November. In addition to the monthly ARCA Academy Webinars, the July board meetings will continue to be

a dedicated training session, as well as two shorter training sessions during the year after the March & November board meetings.

ARCA had their first Saturday statewide regional center board training on November 14th. The subject was *Boards in the Community*. It was well attended. The next ARCA training session will be on Saturday, December 12th, subject tba.

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

The PVAC members met virtually on November 13th. The main presentation was on the START Services Model: Systemic Therapeutic Assessment Resources and Treatment by Cheryl Karran, the Regional Director at the Young Adult Institute [YAI] START Services. The START services model is a crisis intervention and services for clients 6+ years old who are dually diagnosed with complex behavioral and mental health needs. Sister Marygrace stated that the presentation on their positive behavioral approach was very refreshing and impressive and that this service will address a gap that we have been experiencing in regards to mental health and behavioral health services for our community.

Consumer Advisory Committee [CAC]: Dinah Shapiro

The CAC met on November 9th, where the majority of the discussion was on COVID-19 issues, as the participants shared their experiences. Also discussed was the new legislator, Alex Yee, who will be taking Kansen Chu's place as the new legislator for District #25.

Diversity & Equity Committee: Morena Grimaldi

Ms. Grimaldi stated that their last meeting was in October and the next one would not be until January. Therefore, the committee felt that they needed to meet before the end of the year. This special goal setting planning session meeting will be on December 7th at 5pm.

Supports & Services Committee: Lilian Ansari & Frank Paré

Ms. Ansari stated that this committee met before the board meeting this evening. The topic was on the family informational pamphlet that they have been discussing, along with the possibility of having it broken down to three age groups. Ms. Sodipo presented the committee with several pamphlet/booklet examples from other regional centers used to inform clients and families of available services. Our partner SCDDC as well as DDS are also working on a document, so we will be taking a look to see what we can use and what can be customized.

Both Ms. Ansari and Mr. Paré spoke about RCEB staff creating a work plan of to-do activities to present to the committee by mid-January, and then to a focus group of families to get their input so that the committee will have something concrete to work on by the time they meet again in February.

EXECUTIVE DIRECTOR'S REPORT - Lisa Kleinbub, Executive Director
COVID-19 Update

Ms. Kleinbub began with wishing everyone a healthy holiday season especially as people are struggling with Shelter-in-Place and not having contact with others. Within the last few weeks, we have seen a major increase in the number of COVID-19 cases among our consumers. We have several licensed residential facilities where many of the residents and staff have tested positive. However, we have seen few admission to hospitals so that is a good thing.

Facilities are struggling to maintain enough staffing as well as being able to find agencies that can provide additional staffing. Our Quality Assurance [Q/A] department has been working with the facilities to make sure that they know how to access resources. Our distribution of PPE's by our Q/A, SCDD, and some of our service providers has been ongoing. If we can get through the next few months and a vaccine is distributed, we should be in a better place. At the State level, DDS has been working with the Department of Healthcare Services to prioritize the IDD community in congregate setting for receiving the vaccines early.

The regional centers have been given a lot of flexibility in terms of how services are delivered and in how case management can be provided. There are still a number of areas where we are waiting for additional information from DDS including the monthly rates for providers. This is causing confusion because the service providers do not know what the monthly rates are for services. We did receive a method where they can inform DDS via a Survey Monkey on what they are actually providing, but regional centers do not know what hours are being provided and what is being received by the service providers.

Purchase of Service

Before the end of December, we will be publishing our Purchase of Service Data. The information includes the amount that we spent on individuals by age, diagnosis, ethnicity and language. Ms. Kleinbub informed all ahead of time, that this report will probably be unusual because for some people, we have been paying for absences from programs while also providing additional services. If the dollars spent for groups are much higher this year, especially for adults, it is probably related to that. Once we get a chance to look at that data, we will be including an explanation.

Budget

We are waiting for our CPP/CRDP allocations to be developed and approved by DDS and expect those in early 2021. We have asked for funding for several programs. One of these programs is to support more inclusive multi-family housing. Another project is to develop more services to assist individuals with employment, especially those with behavioral challenges. We have also asked for start-up money to develop a residential home for individuals who are deaf/hard-of-hearing and use ASL. Those are projects that we received feedback from our community that they are needed. That is why they were selected.

The state budget will come out on January 8th, so we will see what that budget holds for all of California. Revenues are not as bad as had been originally projected, so we will see what that holds for our system as we move into the FY 2021/22.

Self-Determination - SD

Ms. Kleinbub stated that in Self-Determination, we are seeing more people who were selected, actively moving into the program. However, there are still those accepted who are choosing not to proceed yet. DDS has sent out a directive allowing some fees for Financial Management Service [FMS] to be outside of budgets during COVID. We anticipate changes in the processes when the program is rolled out to all next spring/summer.

Miscellaneous

There's has been a decline in referrals for eligibility to all regional centers for Early Start to our older population. Early Start is just starting to pick up.

DDS has put out a survey for self-advocates and families to advise how COVID-19 has impacted them and what is/isn't working during this time. They would like to know what would be important and helpful to have in place that is not available. We would appreciate it if providers can assist our consumers in filling out the survey as well. <https://www.rceb.org/news/dds-family-and-self-advocate-survey/>

PUBLIC COMMENT

Kathy Hebert for Ben Chen, Alameda County Developmental Disabilities Council [ACDDC]

Alameda County's DD Council held a Disability & COVID-19 listening session on Nov 14th. We had some great comments and input from folks that were able to attend. Input shared at this meeting will be compiled into a report that will be shared with leadership within Alameda County Public Health Department and help inform our COVID-19 response. It will also be shared with our partners who helped put on the event.

For those who couldn't make it they can still send comments directly to Ben at Benjamin.Chen2@acgov.org or take our survey at <http://surveymonkey.com/r/KJSMSY6>. Mr. Chen wants to emphasize that this is a great chance to elevate the experiences of individuals with disabilities during COVID and we hope that folks can help provide input.

Dec 9: This is the next DD Council meeting from 9:30 – 12pm where we will be hearing from a panel on Mental Health and Wellness during COVID-19. We hope that folks can join us.

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

Ms. Ibarra stated that they moved up their last meeting by a week due to the holiday, and will not be meeting in December.

Dec 2: This will be the next EBLC meeting as we continue to plan the Legislative Breakfast. If you are interested in helping out with the planning of this event, you can attend this meeting.

Jan 27: This is the next CCCDDC Board meeting.

Jan 29: EBLC is coordinating the next Legislative Breakfast (virtual), therefore it will be very different from the previous Legislative Breakfasts.

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

Ms. Nicholau gave an update on the California Tax Credit Allocation Committee's public hearing which including the proposal to reduce the number of accessible housing units to be constructed. Many of those from the disability community provided testimony and the proposal was withdrawn and replaced with a proposal to increase the number of units to 15%. The Council then submitted a letter and gave the public an opportunity to weigh in their support. In the end, they received support from 127 organizations and 341 individuals sign their letter which then included 133 stories regarding affordable housing for the DD community.

We see continued requests from the community regarding technical assistance as well as for crisis intervention training within law enforcement/criminal justice groups.

Nov 30: Self Advocate Advisory Committee Meeting

Dec 1: SCDDC Meeting

Dec 2: Bay Area Regional Advisory Committee Meeting

Dec 8/9/16 or 17: Virtual Emergency Awareness Training will include a lottery where winners will receive backpacks from the Red Cross.

ARCA REPORT: Lisa Kleinbub

Ms. Kleinbub added that ARCA continues to look at changes at the federal level and is working with the federal legislators on a number of the issues. President Elect Biden's platform included a considerable amount on support for caregivers including new supports including wages. ARCA will be meeting in December and January. As the budget is released, they will be preparing statements about the budget and developing advocacy points. Ms. Kleinbub thanked Ms. Ibarra/CCCDDC for mentioning the EBLC breakfast which will take place on January 29th and the board members will be invited to attend.

Executive Session – Legal Issue

MEETING ADJOURNED

The board meeting adjourned at 8:38 p.m.

The next Board Meeting will be at 7:00 PM on January 25, 2021 via Virtual Call
We will not have a meeting in December