



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

Monday, April 26, 2021

Virtual Meeting

Approved 5/24/2021

RCEB BOARD MEMBERS PRESENT:

Kathy Hebert, President
Lilian Ansari, Vice President
Gerald Tamayo, Treasurer
Dr. Stephen Whitgob, Assistant Treasurer
Gwen Nash-Butler, Secretary
Nyron Battles
Brian Blaisch
Morena Grimaldi, Diversity & Equity Chair
Caroline Ortiz
Chloe Page
Frank Paré, Co-Chair, Supports & Services
Renée Perls
Sister Marygrace Puchac, PVAC
Carmen Quinones
Dinah Shapiro, CAC Chair
Lisa Soloway
Linda Stevens

ABSENT:

Teresita DeJesus

STAFF PRESENT:

Lisa Kleinbub, Executive Director
Lynn Nguyen, Director of Finance & Administration
Lucy Rivello, Director of Health & Behavioral Services
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 Children's Services
Vanessa Ibanez, Bilingual Case Manager
Herb Hastings, Consumer Advocate
Michi Toy, Executive Assistant

GUESTS:

Melinda Dubroff
Erika Gonzalez/24-Hr Cares
Vi Ibarra, CCCDDC
April Key-Lee
Sadia Mumtaz
Sheraden Nicholau/SCDD

Angeleter Pringle
Paula Senigar
Todd Senigar
Allan Smith/DDS
Ruth Tindugan
Geneva Ziaoure/Manos Home Care

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.

CONSENT AGENDA / MINUTES

M/S/C “The Board moves to approve the April 26, 2021 agenda as presented.”
[Shapiro/Battles] Unanimous. The motion was adopted.

M/S/C “The Board moves to approve the March 22, 2021 minutes as presented.”
[Shapiro/Perls] Unanimous. The motion was adopted.

PUBLIC COMMENT

No public comments were expressed at this time.

COMMITTEE REPORTS

COMMITTEE REPORTS

Executive Committee: Kathy Hebert

Acronym List

CCH	Community Care Home	ILS	Individual Living Services
CPP	Community Placement Plan	OPS	Operations
CRDP	Community Resource Development Plan	PEP	Purchase of Service Expenditure Projection
DDS	Department of Development Services	POS	Purchase of Service
EBSH	Enhanced Behavioral support Home	SLS	Supported Living Services

Contract Approvals

Telecare Corporation [EBSH]

This contract represents the CPP Service Provider Agreement for individuals transitioning from Canyon Springs and Porterville Development Center’s secure treatment program, institutes for mental diseases, or from the community.

Term: 5/1/2021 – 4/2031

Total Capacity: 4 individuals

Maximum monthly cost: \$76, 014

Annual cost: \$912,168

Note: Each client will have an individualized services and supports rate

M/S/C “The board moves to approve RCEB’s contract with Telecare Corporation to provide one Enhanced Behavioral Support Home as presented.” [Battles/Soloway] Unanimous. The motion was adopted.

MUFG Union Bank, N.A.

This agreement re-establishes our line of credit with Union Bank for fiscal year 2021.

Committed Details

Term: June 2021 through August 2021

Amount: \$30M LOC with commitment fees of .20% (2/10th of a percent or \$15,000) to retain and/or access the line. This is a decrease of \$10M from last year’s \$40M line of credit.

Interest Rate: Prime rate (currently at 3.25%)

Uncommitted Details

Term: September 2021 through May 2022

Amount: \$40M Uncommitted LOC with zero fees

Interest Rate: Prime rate (currently at 3.25%)

M/S/C “The board moves to approve RCEB’s agreements, both committed and uncommitted line of credits with MUFG Union Bank, N.A. for the 2021 Fiscal Year” [Whitgob/Soloway] Unanimous. The motion was adopted.

Board members had several inquiries on this contract, mostly surrounding the interest fee charge on the committed LOC, as well as inquiring on the possibility of resourcing other banks for a LOC for the future. Inquiries were addressed by Ms. Kleinbub and Ms. Nguyen.

Policy Approvals

Resource Development Policy – Update

The Board was sent an explanation sheet detailing the six specific reasons why this policy needed to be updated [last update was in 2015] as well as the policy itself showing where the changes needed to be made.

M/S/C “The board moves to approve of the Resource Development Policy changes as submitted on the Word document.” [Shapiro/Perls] Unanimous. The motion was adopted

PVAC Member List Approval

Ms. Hebert stated that the board members need to approve the Board's PVAC membership list, as indicated on the ByLaws page 22:

Section 8.5 Advisory Committees

2. The members of the Provider Vendor Advisory Committee shall be elected as such by the Board of Directors and shall each serve for a two (2) year term. Vacancies on said Committee caused by death, resignation or removal shall be filled by the Board of Directors for the balance of the term of the Committee member who died, resigned, or was removed. Each member of the Provider Vendor Advisory Committee shall be either an employee of, a member of the governing board of, a partner in, or a proprietor of, a service provider.

M/S/C "The board moves to approve of the PVAC membership list as submitted"
[Battles/Puchac] Unanimous. The motion was adopted

Budget & Finance Committee: Gerald Tamayo

Purchase of Service

Through March 2021, 70% of our fiscal year 20-21 POS expenditures are in base. At this time, we are projecting a surplus of \$5.3M for NON-CPP POS Expenditures. This is an increase of \$.4M over the previous month's projections.

Similar to last month, 10 out of 21 Regional Centers, including RCEB, are reporting a surplus in their POS projections. With the B-2 budget allocation, the statewide system is reporting in an overall deficit of \$19M, which is a decrease of \$14M from previous month's deficit of \$33M.

From the April COVID tracker report, RCEB already spent \$30M in additional COVID related costs through the February claims. We project to spend an additional \$30M for the fiscal year as the pandemic continues. COVID related costs include Health and Safety needs for additional staffing hours and overtime hours for Supported Living Services (SLS) providers, increased respite and personal assistance hours due to school and day program closures, and additional staff costs, including PPE supplies for residential homes and individuals receiving SLS/ILS supports.

For CPP POS Expenditures, even with the additional funding from the B-2 allocation, we currently have a deficit of \$.7M for CPP POS Expenditures. We have spent \$.9M for CPP placements of 15 clients to date from Porterville and Fairview developmental centers, skilled nursing facilities (SNFs) and Institutions for Mental Disease (IMD) facilities. DDS will fully reimburse for these expenses even if they are not allocated in advance. The Department has also approved start-up funding of \$1.8M, including a \$1.5M funding for development of affordable housing in a multifamily development. We continue to work with the Department to request additional CPP funding in the B-3 and B-4.

Operations

As of March 2021, we have 67% of Operation expenditures in base, which is comparable to the 69% for last year's OPS expenditures at this time. Since receiving the B-2 allocation last month,

the Staff completed analyzing our OPS budget and reviewing the additional COVID related costs, which are chargeable through the CARES funding from HHS. As a result, we are reporting a balanced budget for fiscal year 20-21.

In addition, the Staff can now present to the Board a schedule that summarizes how the CARES funding of \$627k will be spent. In summary, \$289k (or 46%) will be spent on increased technology for remote work; \$263k (or 42%) on increased staff costs; \$69k (or 11%) on increased health and safety measures for the office and the remaining \$7k (or 1%) on PPE and PPE distribution to our vendors and clients. Also refer to the attached schedule for more detailed information on specific expenditures.

Line of Credit

Staff recently received documents to re-establish our Line of Credit for Fiscal Year 20-21. Union Bank agrees to renew our Line of Credit of \$30M for 3 months from June 2021 through August 2021 with commitment fees of .20% (2/10th of a percent or \$15,000) to retain and/or access the line. This is a decrease of \$10M from last year's \$40M line of credit. The interest rate on the loan will be prime rate (currently at 3.25%). Last year, the Agency drew \$5M from its \$40M line of credit.

In addition to the committed line of credit, Union Bank also agreed to issue an uncommitted Line of Credit of \$40M from September 2021 to May 2022 at zero fees. However, under the uncommitted line of credit, the lender is not obligated to make any loans and will make loans on its sole discretion.

Staff recommended and that the Executive Committee of the Board on April 14th approved both the committed and uncommitted line of credit as presented.

Diversity & Equity Committee: Morena Grimaldi

Ms. Grimaldi stated that the committee had a special planning meeting on April 21st to continue developing the goals and strategies as agreed upon during the regular meeting that was in January. The three sub-committees are: Communication-Digital Accessibility, Equity in POS Expenditure, and Anti-Racism/Education. These sub-committees met together as they were not able to break into separate groups due to technical difficulties.

The next regular meeting will be before the Board meeting on May 24th.

Supports & Services Committee: Lilian Ansari & Frank Paré

Ms. Ansari stated that at the meeting this evening, Ms. Sodipo presented the first draft of the bi-fold brochure with the initial edits for the *School Aged Children Living in the Family Home* which encompasses minors from age 3-18. We are on track with the timeline for Phase 1 that we created, with the goal of having a more comprehensive catalog of services that would help our families as well as case managers. After we present the drafts to the board and receive their

opinions, then we will present them to a focus group of families (@12 families) and any interested board members for additional feedback. Our next committee meeting will be on June 28th.

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

Sister Marygrace stated that the committee met on April 9th with a large attendance of 102 people and a declaration that we are moving into hopeful times. There was a storytelling of Julian of Norwich, the young woman who contracted the Black Plague in the 1300's, which killed 60% of the population. Julian's optimism and hope after her survival encouraged others as well. Therefore, the theme the meeting took on was Julian's mantra of "All Will Be Well". Also discussed was the Home and Community Based Services [HCBS] Final Rule. The Final Rule came from the Centers for Medicaid & Medicare Services to assure that services are individualized and person-centered. A group was created to perform a 2-hour site assessment to see where the Bay Area stands in regards to the Final Rule. There is a goal of reaching 1,200 sites to evaluate.

Strategies for reopening of day programs and services were also discussed. They will do so in small, safe clusters using the most restrictive measures and being in complete compliance with the public health mandates. Licensing requirements and mandates have to be followed and factored in closely.

Consumer Advisory Committee [CAC]: Dinah Shapiro

The CAC met on April 12th where there were two major issues discussed; COVID-19 vaccine status and the new Chair positions. There was a mail-in vote conducted this past month, and the new Chairperson is Nyron Battles, and the Assistant Chairperson is Renee Perls. Ms. Shapiro thanked everyone and wished both new officers well.

Membership Development Committee: Kathy Hebert

Our committee received a few applications for board membership, and since we are short in the Asian representation in order to be compliant in our board composition requirements per WIC section 4622, we will be interviewing a couple of applicants next month.

We are sad to acknowledge that our longtime board member, Gwen Nash-Butler, will be moving out-of-state at the end of this month. Ms. Hebert stated that words cannot express how grateful we are for the many years she has given us and touched our hearts. Ms. Nash-Butler has been a staple regularly on our board since January 2012, and we wish her well in her new venture.

Since Ms. Nash-Butler is our current Secretary, she will be replaced by the 1st runner-up from the November Annual Meeting, Renee Perls.

ARCA Academy Board Training

Ms. Hebert stated that there will be another board training on Saturday, May 8th on *Diversity (pt.2)* and once again our board member, Chloe Page will be on the panel. We hope that many board members will be able to attend.

EXECUTIVE DIRECTOR'S REPORT - Lisa Kleinbub, Executive Director

Ms. Kleinbub took this opportunity to thank Ms. Nash-Butler and stated that it was so wonderful having her as a board member as she was always willing to share her great ideas and thoughts. Gwen participated in an Alameda County Vaccine Advisory Committee to share her opinions, as a strong voice in the community. She also attended every Grassroots event in Sacramento and was a strong advocate attending meetings with our local legislators and she also attended our East Bay Legislative Committee's breakfast. She is also the publisher of Henry & Henry Adult Day Care Center's monthly newsletter, and will be missed greatly at that program. Ms. Hebert stated that we wish her all the best and to stay in contact.

Budget/Legislation

We are currently awaiting the Governor's May Revise, which is due to come out on May 10th. It appears that California is unusually flush with revenue, which is not what we envisioned in 2020 when we entered into the pandemic. Until May 15th when the taxes come in, it currently appears that the tax revenues are healthy. The State is also the beneficiary of a lot of cash from the last of the federal stimulus that was passed from the American Rescue Plan. Money that is coming in ties a lot to our service system.

Regarding the Medicaid Waiver dollars which are reimbursed by our federal government, the match for our dollars has gone up by 10% for one year. This will bring in a significant amount of money into the state. As a result, there are multiple advocates with multiple ideas on how our system can spend that money. Some of those ideas are just one-time ideas for funding, because the state is reluctant to make long term financial commitments. We expect to see some of these addressed in the May Revise and see others addressed in other forms as the money comes in.

Options Offered

Housing: One of the popular subjects being discussed is the revolving housing fund so that money be invested in affordable inclusive housing. The money could be repaid through rents/leases on the properties and then go back and be refilled to be used for a number of different projects.

Early Start: There is also a focus on outreach in the Early Start area, especially since the numbers of those applying during the pandemic has dropped. There is a lot of interest in bringing in the infants and toddlers before their third birthday, as well as the feasibility of expanding the age since there are those who missed out during the pandemic.

Diversity & Equity: There are also conversations on increasing funds for diverse communities and making sure that all of the plans for inclusion can be achieved this year. There are always many

applicants for grants in reducing inequities in our system and there's hope that they can be funded for at least a limited time period.

Employment: Other ideas are tax incentives for employers to employ those with intellectual and developmental disabilities. Although that idea was brought up a while ago, there is now an interest in piloting that type of program which will lead to a rise in our employment numbers.

Computer Billing System: There is great interest in replacing regional center's antiquated 1980's UFS billing system which keeps track of all our fiscal issues and needs to be replaced as it is not adaptable to making the changes that we require.

It is good to see that the revenue are there in the budget, and that perhaps some of these deferred projects may be able to be addresses.

Self-Determination

We are hoping to see some proposals in the May Revise related to Self-Determination. In June, the original three year ramp-up period ends, which means that Self-Determination should be available to everyone. However, one of the benefits of having a pilot program is to be able to learn and make changes that will be meaningful as we move forward with the program. We are hoping that changes will be made, in particular those very challenging areas that families have experienced. Some of these areas include the development of individualized budgets, developing spending plans, and supporting individuals in person-centered planning as they go into self-determination. This is a very complicated program that takes a dedicated team's time and support. We expect to see more people move into the program in late June/July, although we are not sure what that program will look like or what the parameters for that move will be, but there's a lot of hope that more people will be a part of self-determination. Therefore, we are anxiously awaiting for word on the budget related to self-determination.

We are also looking forward to seeing some expansion of certain complex caseloads, as we were given funds last year to have 1:25 caseload ratio's for those who are experiencing crisis or other challenges including involvement with the Courts. We were allocated (3) such positions at our regional center but when we look at that population that meets that specific definition, we would need (6) case managers to serve that population. There is money in the budget that was proposed in January for additional positions but we are hoping there will be more available for this category for all who need more intensive support.

Emergency Preparedness Coordinators also have been proposed and regional centers have discussed as needing a different salary for that position are also being hoped for in the budget.

COVID-19 Update

Since the start of the pandemic last year, we have had 568 individuals test positive for COVID and 14 deaths. The numbers have been dwindling in the community as more people are getting vaccinated. In March, we had 15 positive cases and in April, we have only had 4 cases reported. We are seeing minimal if at all, cases of individuals testing positive in licensed group homes since

most of them have been vaccinated. However, for those who are working in licensed care facilities, it is a different story and that is an issue that will be long-term and we will have to work through. Vaccine hesitancy is the reason why a few of our clients are not getting the vaccine.

Program Reopening

We are anticipating our programs will be opening with a hybrid style similar to schools, due to the requirements of mask wearing and social distancing. This will entail smaller group settings and possibly shorter days for a while. For those who are medically fragile, the hybrid style may be longer. We will be working with residential and day service providers on how to navigate this and what supports will be needed when the individual is at home instead of at a program. Right now, there is no guidance from the counties on reopening, so we will follow both licensing and state guidance. The individuals who attend programs and live in licensed residential care facilities cannot be turned away from their homes or programs due to their vaccination status. This is the guidance from Community Care Licensing. Programs need to account for how to keep everyone safe. Our service providers will be continuing to work with their clients to see who wants to return and how often they want to attend.

One of the concerns that we are hearing from families is regarding their child not being at their school full-day, and if they will receive expanded daycare/supports. Another concern of families is that currently, there is no vaccine for those kids younger than 16 years old. Until we know of schools fully reopening, we will be continuing with the purchases to support families with kids who aren't attending schools full time.

RCEB Offices

In early April, we announced to our staff that our offices will "re-open" on June 7th to more in-office activities since many have been working-at-home most days. DDS sent a Directive on April 21st stating that as of May 21st, regional centers will be returning to in-person face-to-face monitoring visits with their clients living in licensed residential facilities, Family Home Agency settings, and Supported Living/Independent Living arrangements. Indoor meetings will probably be shorter with preliminary work accomplished via phone. We will be discussing safety strategies with our union to make sure to follow safety protocols as well as other details on remote work. This will be quite an undertaking, as it will be more difficult to reopen than it was to shut down. Overall, we feel that many of our clients and staff are apprehensive but excited about the upcoming reopening.

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

PUBLIC COMMENT

Gwen Nash-Butler thanked everyone for all the kind words, and that she is sad that this is her last board meeting.

Herb Hastings informed all that Clipper Cards are now accessible via a phone app.

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

The Autism Star Conference for parents of school aged children was via ZOOM on Saturday, April 24th with 100 participants. The Keynote Speaker was our board Vice-President, Lilian Ansari followed by two presentations; one on behavior health needs and the other on supporting the mental health needs.

Closed Vaccination Clinics- Several community partners have offered to have these vaccination clinics at their sites to serve the DD community in the area.

DDC Annual Awards Event

Each year, Alameda County's Developmental Disabilities Council and Contra Costa County's Developmental Disabilities Council holds a joint annual awards event to recognize the contributions of our community members. This year our 31st annual Joint Council awards event will be held virtually. Registration is required. We need nominations to recognize an individual, agency, or organization that has made significant contributions toward enriching the quality of life of people with developmental disabilities. Nominees may include: self-advocates, parents, service providers, educators, political and business leaders, and other citizens or groups. The deadline to submit nominations is May 7.

April 28: Next CCCDDC Board Meeting is at 10am and there will be a presentation by Bill Pelter and Marianne Iversen on *Aging Concerns in the I/DD Community*.

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

COVID-19 cases *Statewide*: As of April 26, California has 3,631,740 confirmed cases of COVID-19, resulting in 60,203 deaths.

CASES: 3.6M total, 2K today, 4.6 new cases per 100K
DEATHS: 60K total, 15 today, .08 new deaths per 100K
TESTS: 59K total, 232K today, 1.2% positivity
VACCINES ADMINISTERED: 28M

If PPE's are still needed, please contact the State Council bayarea@scdd.ca.gov since we currently still have that relationship with California Office of Emergency Services.

SCDD Statewide Grants: We have two of them this year. Proposals are being accepted up to May 15th as we have up to \$160K to spend on health & safety related grants, and \$100K for inclusive education. <https://scdd.ca.gov/grantinformation/>

4/28: SCDD Bay Area Regional Advisory Committee Meeting: Special Education Rights / Updates in CA, featuring DREDF
<https://scdd.ca.gov/wp-content/uploads/sites/33/2021/04/RAC-Packet-4-2021.pdf>

May 6: CA Employment First Committee

May 12: CA Community Vaccine Advisory Committee is meeting from 3-5pm. [YouTube](#)

(April 14): previous meeting presentation:

<https://www.cdph.ca.gov/Programs/CID/DCDC/CDPH%20Document%20Library/COVID-19/CVACPresentation4.12.2021.pdf>

May 24: Self-Advocacy Advisory Committee

May 25: SCDD Council meeting

ARCA REPORT: Lisa Kleinbub

Ms. Kleinbub stated that ARCA's Virtual Grassroots Day was all day on Tuesday, April 20th with 19 regional centers participating. Our regional center representatives (3 staff and 7 board/parent members) met with a total of 8 legislative offices (2 Senator/6 assembly) and told their stories which related to what is being asked of them.

CLOSED SESSION - Personnel

MEETING ADJOURNED

The board meeting adjourned at 8:40 p.m.

The next Diversity & Equity Meeting will be at 5:30 PM on May 24, 2021
The next Board Meeting will be at 7:00 PM on May 24, 2021 via Virtual Call