



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

Board of Directors Meeting

Monday, October 25, 2021

Approved 11/22/2021

RCEB BOARD MEMBERS PRESENT:

Kathy Hebert, President
Lilian Ansari, Vice President
Gerald Tamayo, Treasurer
Dr. Stephen Whitgob, Assistant Treasurer
Reneé Perls, Secretary
Nyron Battles, CAC Chair
Brian Blaisch
Teresita DeJesus
April Key-Lee
Sadia Mumtaz
Frank Paré, Co-Chair, Supports & Services
Sister Marygrace Puchac, PVAC Representative
Dinah Shapiro
Lisa Soloway
Linda Stevens

ABSENT:

Chloe Page
Carmen Quinones

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
Silvia Siu, Controller
Michi Toy, Executive Assistant

GUESTS:

Kimberly Robertson/Marcum LLP
Theresa B.
Denise Bradley

Vi Ibarra/CCDDC
Wendell James

Flormelyn Crispino
Wardell D J
Norm Goolsby
DJ Gomes
Erika Gonzalez/24-Hr Cares
Morena Grimaldi
Marcie Hodge
Kipi Iscadari

Melisha Linzie
Sheraden Nicholau/SCDD
Ann Pringle
Maria Ramirez
Melissa Robinson/DDS
Paula Senigar

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

M/S/C “The Board moves to approve the October 25, 2021 agenda as presented.”
[Perls/Whitgob] Unanimous. The motion was adopted.

CONSENT MINUTES

Board Director Mr. Paré stated that the Budget & Finance Committee section regarding the approval of the new auditors (pg.4) needs to be re-worded. He suggested that the new auditors should be a *recommendation* to the board brought about by the Budget & Finance Committee per our ByLaws vs. a decision by the committee along with the Controller and CFO. This will be discussed at our Executive Committee meeting.

M/S/C “The Board moves to approve the September 27, 2021 minutes with exception of the last sentence of the last paragraph in the Budget & Finance Committee summary.”
[Perls/Paré] Unanimous. The motion was adopted.

PUBLIC COMMENT

No public comments were expressed at this time.

COMMITTEE REPORTS

COMMITTEE REPORTS

Executive Committee: Kathy Hebert

Housing Acronym List

CCH	Community Crisis 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

Korthos Group Healthcare – Cloud Crew, LLC

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

Term: 11/1/2021 to 10/31/2026

Total Capacity: 15 individuals

Total Cost:

- . \$7,500/client estimated monthly volume
- . \$1,350,000 annual total based on maximum capacity

M/S/C “The board moves to approve the Korthos Group Healthcare-Cloud Crew LLC Contract for SLS services as presented. [Battles/Perls] Unanimous. The motion was adopted.

Questions by board members were responded by Mr. Steve Robinson, Director of Community Services and Lisa Kleinbub.

#HD190155 C-1 Contract Amendment

Term: 7/1/2019 – 6/30/2026

OPS Allocation: \$53,950,801 and POS Allocation: \$582,699,280 Ttl: \$636,650,081

This contract amendment represents the C-1 contract amendment of the “C” series contract between DDS and RCEB for the fiscal year 2021/2.

M/S/C “The board moves to approve the DDS C-1 Contract Amendment adding a total of \$636,650,081 to the C Contract.” [Perls/Ansari] Unanimous. The motion was adopted.

Employment First Policy

This is a document that the Executive Committee reviewed at their meeting on October 13th and made a couple of adjustments to the wording to make it clearer. The draft was sent in the board packets. Ms. Kleinbub clarified that the policy is newly written but it is not a new California law. We felt that by having this as a formal written policy, we will be able to share it especially since we will be focusing on employment and it is in our Performance Contract. Mr. Robinson added that having this policy is a way to embed it into our agency more than it already has been.

M/S/C “The board moves to approve the Employment First Policy as written.”
[Shapiro/Perls] 14-yea 1-abstain The motion was adopted.

Questions were asked by the Board and addressed by Ms. Kleinbub and Mr. Robinson.

Budget & Finance Committee: Gerald Tamayo
Independent Audit Report for Fiscal Year 20-21

Board Director Mr. Tamayo referred to the draft of the audit report from Marcum LLP that was sent out to the board members.

The Budget and Finance Committee had a presentation from Marcum LLP, the Agency's independent auditors, who completed a draft audit report for Fiscal Year 20-21. The report is unmodified, meaning the report is a clean report and at this time, 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.

Mr. Tamayo welcomed and introduced Kimberly Robertson, our auditors from Marcum to present a summary of the draft audit report. Ms. Robertson thanked everyone for allowing her to meet with everyone this evening and confirms the meeting with the Budget & Finance Committee prior to this board meeting. Due to RCEB receiving federal funds in addition to State funds, the firm also looked at federal law compliances, regulations as well as the internal roles that we have in place. Ms. Robertson listed out the assets/liabilities. She added that the audit went extremely well and smooth, and stated that Ms. Nguyen, Ms. Siu, and the whole team did a wonderful job as always, even last year when we operated under the COVID protocol restriction but that did not affect the service Marcum received from RCEB.

Board member questions were answered by Ms. Robertson and Ms. Nguyen.

Mr. Tamayo thanked Ms. Robertson for her presentation and for her time. 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 C-1 contract amendment provided nearly all of our Operations allocation for the year. The current year Operations allocation of \$54M is still based on the old core staffing formula. There were no changes or increases made to this dated formula. RCEB grew by 1,096 **net** new consumers during the past 12 months and the C-1 allocation for Operations includes funding to account for this caseload growth, and additional funding for new positions including staff for Self Determination/Participant Directed Services support, Emergency Coordinator, Enhanced Service Coordinators for people with low or no POS, Deaf Specialist, increased service coordination due to Provisional Eligibility, staff for implementation of Rate Reform, and H&S waiver assistance for non-English speaking clients.

We have not received the C-2 contract amendment from DDS. At this time, the Department has not finalized the allocations for our Community Placement Plan (CPP) and Community Resource Development Plan (CRDP). The C-1 did not have any allocation for CPP/CRDP funding.

The Agency preliminarily completed its FY 21-22 budget for Operations for \$55.7M. For this preliminary detailed OPS budget, we added \$1.8M that is expected to be allocated in the C-2 and have presented this budget to the Budget and Finance Committee for review. Through September 2021, we have expended 19%, which is comparable to the 21% for previous year at this time.

As this is a preliminary budget without the CPP/CRDP allocation, we will continue to monitor 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 C-1 amendment, RCEB received a total of \$583M in Purchase of Services (POS) funding. This is a net increase of \$68M (or 13%) over last year's B-1 allocation. We received \$871k CPP POS allocation for placement costs and the remainder will be allocated in the C-2 amendment.

Through September 2021, we have expended 21% of the POS budget, which is comparable to the 22% for previous year at this time. 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.

Supports & Services Committee: Lilian Ansari and Frank Paré

Board Director Ms. Ansari stated that the committee met before the board meeting this evening, where Ms. Ronke Sodipo presented an overview of the school age services bi-fold and will need to make some changes as we are now working with our design/printer company on a whole brochure packet project. The idea of the project would be an overview of the regional center with each age group having a separate brochure. They will also create hyperlinks to the brochures/videos for that particular segment of the population, which will be on our website and serve as an educational tool for both the family and case management. We hope to have a couple of brochures in the next weeks to present it to the board. We are also looking into the process of following up on inquiries and issues brought up from the public at our board meetings.

Diversity & Equity Committee: Kathy Hebert

Board President Ms. Hebert reminded everyone that last month was Board Director Ms. Grimaldi's last meeting as she termed out of service. In addition to a possible interest from Board Director Mr. Battles, we would like to have an additional board member co-chair this committee. This committee will meet on November 22nd before the board meeting.

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

Sister Marygrace reported that the committee met on October 8th with 69 attendees. There was a lot of good information provided by the Independent Living Association High-Quality Housing in Alameda County. Crystal Warren, Independent Living Association [ILA] and Darin Lounds of Housing Consortium of the East Bay [HCEB] gave the presentation. They spoke about the quality of care and

supervision in some unlicensed homes and saw that there was a need for an organization like the ILA to extend membership to these homes. This would be a free membership, void of criminal and background checks, for the purpose of bettering the home and its residents. The homes would benefit from ILA providing evaluation, advice and support on improvements that could be made to the homes and the services that they provide.

Consumer Advisory Committee [CAC]: Nyron Battles

The CAC met on Monday, October 11th where the discussion was on the fire situation due to global warming and also on Julie Whiskeyman, the RCEB case manager who used to attend the CAC meetings and her move to her hometown which is out-of-state.

Membership Development Committee: Kathy Hebert

Slate of Officers for 2022

Ms. Hebert stated that the committee announced last month that we will present the new slate of officers at the next meeting, take any nominations from the floor, and have a ballot vote by the November meeting. The Membership Development Committee received confirmations from the current board officers that they would like to continue in their officer capacity for 2022. As we did last year, we have three candidates for the position of Secretary. Since the board meets virtually, we will send out a SurveyMonkey to our members to place their votes before our annual November meeting.

PROPOSED 2022 SLATE OF OFFICERS

Kathy Hebert	President
Lilian Ansari	Vice-President
Gerald Tamayo	Treasurer
Dr. Stephen Whitgob	Assistant Treasurer

There are three candidates for Secretary: Renee Perls, Nyron Battles, and Dinah Shapiro

EXECUTIVE DIRECTOR’S REPORT - Lisa Kleinbub, Executive Director

Budget

Ms. Kleinbub welcomed everyone to our board meeting and started with the acknowledged receipt of the DDS C-1 contract allocation which allowed us to be able to develop our plans for our Operations dollars. We are taking a look at what positions we will be adding this year. We will have six case managers who will have intensive caseload ratios of 1:40 which will target underserved communities. These clients are those with no or very low purchase of services in the past year. This will in turn lower our other caseloads as those clients are moved to the intensive caseload group. We will also have six more case managers in order to address growth. We are looking forward to next year when DDS and the legislature are committed to making sure our high caseloads are addressed. We are also hiring to address the rollout of Self-Determination to all in our DD community, and this will include staff to assist with the complicated budgeting process.

Burns Rate Study- In April 2022, our service providers will be seeing the first implementation of approximately 25% of what is proposed in the Burns Rate Study, to be added to the current rates. There will also be an adjustment to what they proposed in 2018 to more current realities. This includes different salaries to tie to what the cost right now are for salaries, mileage and other rates which have changed over the last few years. We are seeing the struggle of many providers to find adequate staff to staff their programs. There is a lot of advocacy going on at the State level to try to address some of this earlier than April, however, the time frame for any legislative fix before April makes this challenging. Every provider will be getting an individualized rate developed for their service. The formula will be one that DDS will work on. We will share those rates with our providers and will update them in our system. We have started to add staff for that long process. The last bit of the rate increase, which is about 10% will be based on performance measures for service providers. At this point, we do not know what those will look like or how they will be measured, but it is intended to be consumer outcome driven. There are DDS sub-committees made up of many stakeholders that have been meeting over this. We will keep you informed of the status.

COVID-19 Vaccination

Last month, a question was raised by our board member regarding RCEB staff and vaccination requirements. The next day, September 28th, the State's Public Health Officer issued a public health order requiring regional center workers, service providers and IHSS workers all to be fully vaccinated by November 30, 2021. There is an allowance for exemption for qualified medical or religious reasons. If an employee is exempted, they must be tested weekly and wear a medical mask at all times in the office/homes. RCEB ran a voluntary survey of our staff and are pleased to report that 90% of our staff are vaccinated. We see this as a step towards re-opening of regional center offices and slowly moving into in-person meetings again. However, at this time, we are not opening up our offices. Our staff have been conducting face-to-face visits with their clients who are on quarterly monitoring. Our Intake Department has also been conducting in-person assessments with those who could not be assessed virtually.

We have learned many things due to the pandemic, and we will probably do some things differently in the future, such as hold more specific meetings remotely for the convenience of the client, family and to streamline the process.

Performance Contract

Ms. Kleinbub stated that all regional centers must submit their yearly performance contract plan for the upcoming year to DDS by December 1, 2021. This is a requirement in the Lanterman Act, Section 4629. DDS provides the regional centers with required measurable goals listed in the Public Policy Performance, Outcome, and Compliance Measures and the regional center plan adds activities to achieve these goals in 2022. The submission of the performance contract is submitted to DDS after we have had conversations with the community, after posting drafts and sharing the draft with our board, who will need to vote on it. We have held two public meetings; a general meeting as well as one focused on the black and African American community, and provided the objectives as well as the activities that support those objectives, where some of the feedback from the public has been incorporated into those objectives.

Ms. Sodipo reported on a few of the objectives that have been adopted; particularly around reducing disparity and increasing purchase of services by ethnicity, language, etc. as well as looking in-house by representation of all ethnicities and language groups. We have adopted a few inputs that we received where we can quickly take action on, which is also on our website:

<https://www.rceb.org/about-us/public-information/performance/>

Recommendation Highlights:

- . Identify community organizations in the African American community who are not currently partnering with RCEB.
- . Disparity fund program development with family resource centers
- . Hiring of additional qualified culturally competent case managers to mirror our diverse community
- . Public meeting access via different language interpretations

Ms. Kleinbub added that some of the measures may change in July 2022 when DDS implements a performance incentive program for regional centers. Currently, DDS is working with a group of stakeholders to look at what measures would be important to support positive outcomes for those served in our system. What does this mean, how is it measured, how do you measure a satisfied and good life. These are areas that are hard to generate quantifiable data to measure. DDS has stated that some of the measures in the first couple of years under this performance incentive program might be in establishing those data points and getting the system in place so that they can be measured. Ms. Kleinbub stated that this is an exciting time as there are many creative ideas being worked on across the board.

Ms. Kleinbub added that we will want to finalize the performance contract drafts by November 10th and encouraged participation from our local community to provide input via writetous@rceb.org.

Questions/comments were made by the board directors and addressed by Ms. Kleinbub.

Trailer Bill Language Affecting Regional Centers

Last week, we received a 26 page letter from DDS regarding the trailer bill language that passed in July on the initiatives that we have been working on. *Social Recreation* – DDS sent out a new directive that is requiring regional centers to develop a plan for implementation including outreach to underserved communities to bring awareness of the availability of this restored service. The regional center needs to submit their outreach plan by December 15th. We will also need to build new providers for that service since it has been a few years since we have had those services available.

National Core Indicator Data [NCI]

The NCI is used to gather data on family outcomes from demographic and service & supports data collected from the surveys that are sent to the families as well as interviews with families. An example of a question is whether the individual or family are aware of what they need to do in case of an emergency and if the regional center discussed this with them. That data will be shared with you next month as we look at areas where we do well in, as well as those areas where we need to focus on to improve.

RCEB Retirement

Ms. Kleinbub introduced Evelyn Hoskins, RCEB's Associate Director of Federal Programs, who is retiring after 34 years with us. Ms. Hoskins began her career at RCEB as a case manager, then a Quality Assurance Specialist before moving on to our Early Start program which also handles our Medicaid Waiver program. Ms. Kleinbub thanked Ms. Hoskins for her many years of service at RCEB and added that her retirement is well deserved. Ms. Hoskins thanked everyone and added that her daughter was 14 months old when she started her career at RCEB, and now her daughter is 35 years-old. Ms. Hoskins added that overall, she has been in the workforce for 45 years in various positions all over the country. Ms. Hoskins has worked with many families, adults, children, and infants in Early Start and thanks everyone for the opportunity for that experience for so many years.

PUBLIC COMMENT

Maria Ramirez expressed her thoughts on the computer glitch that occurred at our October 20th Performance Contract meeting.

Norman Goolsby thanked Lisa for her support that she gave him offline. He inquired about where the responsibility lies regarding expiring POS'. Ms. Kleinbub responded that it is the case manager's responsibility and the service providers to communicate with the case manager as collaboratively as possible. Ms. Kleinbub also thanked Associate Director, Chris Hanson for developing a procedural method whereby follow up will be improved.

Marcie Hodge spoke of the listening session with the PVAC group a while back and how beneficial that was to all, especially to African American service providers. Ms. Hodge invited the board to coordinate with her to hold the same, with the Developmental Disability Planning Advisory Racial & Equity Steering Committee, which she is a part of.

Denise Bradley spoke about her letter from last year regarding equity concerns that she has over black service providers and participants and how she and Ms. Kleinbub have been in communication since. Ms. Bradley inquired how the BOD is going to monitor the progress that our disparity consultant, Mason Tillman Associates and RCEB will be making towards addressing the issues. Ms. Kleinbub acknowledged that the survey put out by the consultant has taken a while, but it is now completed and they are at the next step where the consultant will be reaching out to the service providers to give them an update and to form focus groups. The results of those surveys will be presented to the board by the consultant with an update on the plans.

Paula Senigar stated that she also wrote a letter in regards to African American clients, and has met with Ms. Kleinbub and Ms. Hebert. Ms. Senigar recommend a listening session for all those who identify as African American to listen to the community as a whole.

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

Ms. Ibarra shared that Open House Center is administering COVID Pfizer Vaccine and flu shots at their sensory sensitive clinic through November at 2600 Stanwell Drive, Suite 120 in Concord from 9-3pm, 925-349-4244. Registration required:

Oct 27: This will our next board meeting, and we do have two open seats for board membership.

Dec 1: The Transition Task Force will present on “What is Person-Centered Thinking?” geared towards parents and school district staff.

Vi Ibarra for Ben Chen, Alameda County Developmental Disabilities Council [ACDDC]

Ms. Ibarra is reporting on behalf of both DDC’s this evening. Their joint Vision for the Future Conference just wrapped up with two events; Oct 16th and 23rd. This annual conference is designed for parents, caregivers, professionals and students with disabilities, ages 14+ to explore the landscape of post-secondary educational opportunities and lifelong learning. They were able to record a panel presentation from a number of students who are either attending college or recent grads, and followed by a Q&A session. Ms. Ibarra added that Ben and Gabby/ACDDC worked tirelessly on that endeavor.

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

The State Council office is looking to hire a Community Program Specialist II.

This is a dynamic position serving the Bay Area for the State Council’s advocacy, capacity building, and systemic change work. You’ll partner with people with disabilities, advocates, allies, and professionals of all types and from all sectors for this important work.

<https://www.calcareers.ca.gov/CalHrPublic/Jobs/JobPosting.aspx?JobControllId=274741>

The California State Council on Developmental Disabilities (SCDD) invites you to join the monthly California Statewide Self-Advocacy Chats every third Wednesday.

https://bit.ly/ca_selfadvocacychats2021

If you are interested in sharing your advocacy story, need accommodations, and/or have questions related to the California Statewide Self-Advocacy Chats, please email riana.hardin@scdd.ca.gov or call 916-263-8196.

Nov 6: Congreso Familiar Individualized Education Program (IEP) Training in Spanish

Two set of laws that give rights to students with disabilities: special education law and civil rights law. These work together to ensure that your child has a meaningful and appropriate education. In this Spanish-language training, you will learn how to effectively advocate for your child.

Nov 16: Please join CalTASH as they examine the Federal HCBS Setting Rule including the challenges and obstacles that need to be overcome to align with the ruling. To register:

https://csun.zoom.us/webinar/register/WN_f1XbjrUiSXmFbmuaUwPnBw

ARCA REPORT: Lisa Kleinbub

Ms. Kleinbub stated that ARCA is continuing to work with other organizations and creating Thank-You videos for showing their appreciation to the legislature for a lot of the trailer bill language this year. They are also looking into what legislature to sponsor as we are moving into the new year. As far as the ARCA Academy training subjects for 2022, they will be reaching out to the regional center boards and trying to increase enrollment in those trainings.

CLOSED SESSION - Legal

MEETING ADJOURNED

The board meeting adjourned at 9:04 p.m.

Virtual Meetings on November 22, 2021:
Diversity & Equity Meeting will be at 5:30 PM
Board Meeting will be at 7:00 PM