



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

**Board of Directors Meeting**

Monday, January 24, 2021

Approved 2/28/2022

**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, Diversity & Equity Co-Chair  
Sadia Mumtaz, Diversity & Equity Co-Chair  
Frank Paré, Co-Chair, Supports & Services  
Sister Marygrace Puchac, PVAC Representative  
Brian Blaisch  
April Key-Lee  
Chloe Page  
Carmen Quinones  
Dinah Shapiro  
Lisa Soloway  
Linda Stevens

**ABSENT:**

Teresita DeJesus

**STAFF PRESENT:**

Lisa Kleinbub, Executive Director  
Lynn Nguyen, Director of Finance & Administration  
Steve Robinson, Director of Community Services  
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  
Elvia Osorio-Rodriguez, Associate Director of Children's Services  
Herb Hastings, Consumer Advocate  
Michi Toy, Executive Assistant

**GUESTS:**

Denise Bradley  
Ben Chen/ACDDC  
Rose Coleman

Alcatel Joy  
Pastor Lankford  
Melisha Linzie

Vanessa Cuellar  
Melody Davis  
Tandra DeBose  
Brigitte Faison  
David Glasser  
DJ Gomes  
Erika Gonzalez  
Morena Grimaldi  
J. Douglas Hollie  
Pastor Sharon Hollie  
Vi Ibarra/CCCDCC  
Glenester Irvin  
Wendell James

Anita Lofton  
Sheraden Nicholau/SCDD  
Assata Olugbala  
Jeri Pietrelli  
Ann Pringle  
Maria Ramirez  
Will Sanford  
Dr. Jenee Scott  
Paula Senigar  
Allan Smith/DDS  
Zachary Wheeler  
Geneva Ziaoure

### **CALL TO ORDER**

Board President, Kathy Hebert called the regularly scheduled business meeting of the Regional Center of the East Bay to order at 7:00 p.m.

### **CONSENT AGENDA / MINUTES**

M/S/C        “The Board moves to approve the February 28, 2022 agenda as presented.”  
                  [Puchac/Paige] Unanimous. The motion was adopted.

M/S/C        “The Board moves to approve the January 24, 2022 minutes as presented.”  
                  [Perls/Shapiro] Unanimous. The motion was adopted.

### **PUBLIC COMMENT**

*Assata Olugbala* expressed dissatisfaction over regional centers availability of service providers representing people of color.

*David Glasser* conveyed his frustration over not being able to find services especially transportation, when the service providers’ rates are so low which results in a high turnover in staff.

*Maria Ramirez* spoke about perceived racism in the regional center system.

*Zachary Wheeler* stated how he was not in agreement with services rendered and working with his case management team.

## COMMITTEE REPORTS

**EXECUTIVE COMMITTEE:** Kathy Hebert

### **Housing Acronym List**

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

### Contract Approvals

#### *Supported Living Services [SLS]*

##### **We Thrive 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.

Geography: Central/Southern Alameda County including Hayward, Castro Valley, Fremont, Union City, Alameda and Oakland

Term: 2/1/2022 – 1/31/2027

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 We Thrive, LLC. to operate the Supported Living Services home as presented.” [Page/Battles] Yea-15 Abstain-1  
The motion was adopted.

#### *Department of Developmental Services [DDS]*

##### **#HD1990155 C-2 Contract Amendment**

Term: 7/1/2019 – 6/30/2026

OPS/ CPP/CRDP Allocation: \$2,779,072 and CPP/CRDP startup: \$20,700    Total: \$2,799,772

This contract amendment represents the C-2 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-2 Contract Amendment adding a total of \$2,799,772 to the C Contract.” [Battles/Whitgob] Unanimous. The motion was adopted.

## **BUDGET AND FINANCE COMMITTEE**

Budget and Finance Report for January 24, 2022 – Gerald Tamayo

### Update on Independent Audit Report for Fiscal Year 20-21

At the October board meeting, the Agency's independent auditors, Marcum LLC., presented a draft of the audit report to the Board. This report is unmodified, or a clean report with no Management comments. This draft report did not have the CALPERS unfunded liability amount or the related footnote disclosure at the time. Marcum requires a separate actuarial valuation of the CALPERS unfunded liability which is calculated in accordance with the Financial Accounting Standards Board (FASB). The CALPERS valuation is being calculated under the Government Accounting Standards Board (GASB). The majority of the difference in the two methodologies is attributable to the discount rate used in the FASB valuation of 2.95% versus the 7.15% used in the GASB valuation.

At this time, we have a FASB actuarial valuation completed by Milliman and Marcum has issued a final draft of the audit report which includes the CALPERS unfunded liability and the related footnote disclosure. As of June 30, 2021, the CALPERS unfunded liability is calculated at \$112.2M reported in the FASB valuation, compared to the previous year's amount of \$123.3M. This favorable experience of \$11.1M is due to a slight increase in the discount rate from 2.92% at June 2020 to 2.95% at June 2021 and actual return in plan assets of \$23.5M. Note that under the GASB valuation provided by CALPERS, we have a net pension asset of \$.9M in June 2021, compared to a liability in June 2020 of \$16.7M.

The Budget and Finance Committee has reviewed the final draft of the audit report which is also a clean report. The Committee recommends that the Board approve the Fiscal Year 20-21 Independent Audit Report as presented.

M/S/C            "The Budget and Finance Committee motions to approve the Fiscal Year 20-21 Independent Audit Report as presented." [Battles/Perls]  
The motion was adopted.

Questions regarding the term "surplus" were asked by the board members and the misnomer was clarified by Lynn Nguyen and Lisa Kleinbub.

### Purchase of Service

Through December 2021, we have expended 43% of the total POS budget of \$583M.

At this time, we are projecting for NON-CPP POS Expenditures a surplus of \$32M which is an increase of \$1M from previous month's projection. Currently, all 21 Regional Centers are reporting a surplus in their POS projections. With the C-2 budget allocation, the statewide system is reporting in an overall surplus of \$1B. Also note that the December PEP does not have the cost impact for the rates increase in April 2022.

For CPP POS Expenditures, through the C-2 allocation RCEB received \$871k for placement costs and start-up funding of only \$20,700. RCEB has submitted our start-up project proposal plan for Community Placement Plan (CPP) and Community Resource Development Plan (CRDP) for FY21-22 and is waiting for DDS approval.

### Operations

We have received the C-2 allocation which included funding CPP/CRDP funding of \$2.1M and additional policy items of \$.6M. Policy items included additional funding for Self-Determination, Specialized Caseload Ratio, and Health & Safety waiver for non-English Speaking consumers, and Performance Incentives. We continued to work with DDS to receive the shortage of rent allocation that we did not received in the C-2 allocation.

The Agency has updated its FY 21-22 budget for Operations for \$56.7M and projected a balanced budget at this time. Through December 2021, we have expended 42%, which is comparable to the 46% for previous year at this time. We continue to hire more staff to fill open positions as well as new growth positions.

### DDS Audit for Fiscal Years 19-20 and 20-21

DDS will be conducting their audit of the two fiscal years 19-20 and 20-21 remotely beginning on January 31, 2022 with an estimated completion date of March 4, 2022.

We will present the results of the audit to the Board at a future meeting.

### **DIVERSITY & EQUITY COMMITTEE - Sadia Mumtaz/Nyron Battles**

The group did not meet this evening. The next meeting will be on February 28, 2022.

### **SUPPORTS & SERVICES COMMITTEE – Lilian Ansari/Frank Paré**

Ms. Ansari updated the board with the results of the SurveyMonkey on the two brochure sample concepts that were presented in November. Concept #2 seemed to be a favorite, but with changes to some pictures and wordings.

#### *Brochure Project Concept:*

*The idea of the brochure 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.*

Mr. Paré summarized the reasoning and the focus as to the purpose of creating these brochures.

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

Sister Marygrace reported that the committee met on January 14<sup>th</sup> co-chairing with Leslie Visbal. The meeting focused on disseminating information, which is what programs and services really need as well as having the presence of one another. At the meeting, Ms. Kleinbub informed the group on the status of the state budget while Mr. Robinson detailed and clarified the rate implementation. We always welcome the most current information from the DD councils. The day programs are experiencing a host of difficulties as a result of COVID during this time with staff shortages and trying to decide whether or not to remain open. This committee was also invited to join the Jan 26<sup>th</sup> HireAble meeting focusing on innovative ways of training and employment.

**Consumer Advisory Committee [CAC]:** Nyron Battles

The CAC met on Monday, January 10<sup>th</sup>. Herb Hastings informed the group on the importance of preparing for emergencies with a focus on safety. Ms. Kleinbub's report at the meeting focused on service provider rate changes taking effect in April. Also discussed the COVID booster vaccines.

**Membership Development Committee:** Kathy Hebert

BOD Terms

Both board members Brian Blaisch and Dr. Steve Whitgob graciously volunteered to serve their 2<sup>nd</sup> term in office effective today, January 24, 2022. The approval votes were cast via SurveyMonkey at the beginning of the month.

Board member Chloe Page will be leaving the board this month after serving for 2 years of her first term. We are very appreciative and thankful, as she is very busy serving on the teacher's union board as well. Ms. Hebert thanked Ms. Page and thanked her for being on the panel presentation at the ARCA training session on Diversity, Equity & Inclusion. Ms. Page stated that it was a very good experience for her.

We are still recruiting for a Latinx individual, preferably a consumer to join our board. Details are on our website: <https://www.rceb.org/about-us/board-directors/>

**EXECUTIVE DIRECTOR'S REPORT** - Lisa Kleinbub, Executive Director

Ms. Kleinbub welcomed everyone to the first RCEB board meeting of the year.

State Budget Status

Ms. Kleinbub stated that there are many positive points in the Governor's state budget for the regional center system. The legislature will weigh in on this budget and will list out their proposals, then in May, the Governor will revise the budget based on new fiscal projections and other changes. The legislature and the Governor will then work to finalize a budget by June 30, 2022. There is continued new client growth and the estimate in 2023 is 407,000 clients across California, which is an increase of 17,000/year.

This year's budget contains a continuation of things that were promised in last year's budget as well as new items:

- . Rate increases for service providers in April. Although the percentage increase is 25%, it is not a clearly defined rate increase. It will vary according to service type and especially geographic region. Since we have one of the highest costs for labor in the state, some of our providers will be receiving higher rates.
- . Funding from bills that were passed early in the Biden presidency includes coordinated family support for families who have an adult family member living at home. This is a supported living type of service to care for family members at home, which- especially needed for when there are aging parents. Funding is also there for improving Informational Technology for regional centers.
- . Performance Incentive Program funding through DDS: These will be via changes to our Performance Contract as well as the dollars to be able to hire staff to fulfill our caseload ratio requirements. Our Medicaid Waiver requirement is 1:62 and non-Medicaid Waiver is 1:65. A ratio we have been unable to meet for more than 12 years. There is also a continuation of funding for those clients who have low to no POS.
- . Lower caseload ratio of 1:40 for every child under 6 years old. This will be for Early Start through age 5. In order to fulfill that lower ratio, we would have to hire 30-35 more case managers just for that age group and 50 more case managers for those over age 6.
- . There is also new funding for an educational IDEA Specialist for each regional center to assist with navigation through the school districts. There has been a lot of difficulty for those transitioning from Early Start to the school district. Some districts have delayed providing timely services during the pandemic.
- . There are also proposals for work activity programs such as workshops that currently pay sub-minimum wage. This will be in the form of pilot projects to create new models that will move people into jobs paying at least minimum wage. We only have one workshop program in our catchment area, whereas other regional centers may have more.
- . Comprehensive Communication Assessments are proposed for the deaf/HOH DD community. More details should follow when we learn about the program.
- . The increase of SSP living dollars through 2024 for those who live independently in the community. The increase should reflect the dollars that they were in in 2008.
- . Multiple changes in the Medi-Cal program including making anyone, including non U.S. citizens, eligible as long as they meet the other qualifications.

### Important Service System Updates

There are other very important things going on that will affect our DD community.

- Quality Incentives for Service Providers- There are a number of stakeholder workgroups at the state level looking at quality measures that will impact rates in 2023/4.
- Performance Incentives for Regional Centers- There will be an overhaul of some of the measures in the regional center's performance contract. Some of the items may be tied to are the National Core Indicator [NCI] data, client satisfaction, timeliness of certain assessments and moving through processes, and clearly defining what those performance measures are. There is an interest in looking at what data can be produced and tailoring new technology to be available to report on future outcome measures.
- The vendor staffing dilemma continues and hopefully will be improved with rate increases.

There will be a lot of discussion about these changes over the next half year and we should be able to comment on the final regional center measures by May/June of this year. If the measures are met, then our Regional Center will get additional dollars. Over time, some measures will remain the same and some will change.

### COVID-19 Update

Ms. Kleinbub stated that in this most recent surge of COVID, we increased from 876 reported cases in our population to 1,113 cases reported last week. There has also been a rise in staff testing positive among providers as well as at RCEB. The vast majority of people who were testing positive were vaccinated. Very few were hospitalized and very few deaths, but it is concerning how quickly this has spread. Also surprising was the number of children under 3 years old and whole families who were COVID positive, which is different from previous waves. However, it does appear that things are slightly improving as more people are getting boosters.

### Miscellaneous

Mason Tillman Consultants – We have been working with Mason Tillman for a few months to look at concerns of our black providers. Mason Tillman will be holding focus groups with providers in these coming weeks. We will look at what other areas we may want them to focus on in the future to assure we are moving towards equity.

Purchase of Service Data- Every March we are required to have public meetings related to our Purchase of Service [POS] Data, on expenditures by ethnicity, language, diagnosis, age, and residence of our consumers. We will hold a number of meetings in March; some of them in conjunction with community based organizations, Family Resource centers as well as two hosted by RCEB. These meetings will be posted on our website this week.



## **PUBLIC COMMENT**

*Will Sanford* spoke regarding the Social Recreation Policy and how those activities can be added to the Self-Determination budget but there is a lack of available services at this time.

*J. Douglas Hollie* inquired about the completion and the distribution procedure for the RCEB brochure that the Supports & Services committee has been working on with RCEB staff. He also suggested to connect with the faith-based communities. Ms. Kleinbub informed all that the completion date is by March 1<sup>st</sup> this year and the distribution would be via our case managers (including part of the new case management training program), Intake Department, community organizations especially those that assist with navigating the system as well as many other ways including pintables off our website.

*David Glasser* clarified the Brown Act as it relates to regional centers, and that requests can be made directly to DDS as well as data that is available on their website.

Assata Olugbala expressed her views about discrimination towards people of color in our service system.

### *Ben Chen, Alameda County Developmental Disabilities Council [ACDDC]*

Mr. Chen thanked RCEB for hosting the Jan 24<sup>th</sup> booster clinic at our San Leandro parking lot.

The Family Resource Navigators [FRN] have their 2022 schedule of workshops and training events available <https://familyresourcenavigators.org/what-we-do/services-programs/find-a-training/>

**Feb 9:** This is the next ACDDC meeting 9:30 – 12pm with a presentation on services and supports.

**March 12/15<sup>th</sup>:** The yearly Transition Faire is being held virtually again over a period of two days. The first day will be workshops and the second day will be a vendor fair. Details are also on RCEB's website <https://www.rceb.org/event/transition-faire-save-the-date/>.

New this year will be a social recreation track from 11am – 3pm for youth. This session will be filled with fun activities including dancing, to enhance peer connections.

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

**Jan 26:** This is the next Contra Costa Council meeting at 10am. We will go over the Governor's proposed budget, specifically looking at the funding to the DDS service system

**January 28:** This is the annual EBLC Legislative Forum. After a presentation by EBLC, guests will go in to breakout rooms where they will be able to engage directly with their local representatives. Attendees will receive information prior to the event so you can review the EBLC ask and talking points. All are welcome to register and attend and we encourage self-advocates and their families to participate.

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

Ms. Nicholau announced a new team member Gabriela Solval is a Community Program Specialist II/ AGPA serving 100% in our State Plan work. Gabriela has served the Bay Area community in several roles over the years, as an interventionist and social group leader, a family support specialist, and most recently as a case manager, working closely with a disparity reduction program focused on regional center-served community members.

We continue to support community groups and service providers in securing PPE for people with disabilities, their families and their DSPs. Email us if you know of a group that could use help securing PPE.

Calendar: <https://scdd.ca.gov/councilcalendar/>

**Jan 25:** This is the next SCDDC, Bay Area meeting

**Feb 10:** This is the next Employment First Committee meeting

**Feb 15:** Next Statewide Self-Determination Meeting

**Feb 23:** Next RAC meeting from 6:30-9pm

A couple of events:

**Jan 31:** A Spanish presentation from 1-3pm on Special Education evaluations and the foundation of good goals presented by Christopher Arroyo, Regional Manager of SCDD, Los Angeles

**Feb 7:** A Spanish presentation from 1-3pm on what to do when you disagree with your school district and how to file due process complaint presented by Clifford Black, CRA at Disability Rights CA.

*California's Institute on Secondary Transition*

Bridge to the Future V

[www.catransitionalliance.org](http://www.catransitionalliance.org)

March 7-9, 2022

Registration is Now OPEN!

<https://catab2tinstitute.vfairs.com/>

*Spanning the Transition Landscape*

The Times They Are A-Changin'

Target Audience:

All Pre-K through age 22 educators, administrators, families, and community stakeholders committed to ensuring all students are prepared for competitive, integrated and family-sustaining employment.

**ARCA REPORT:** Lisa Kleinbub

Ms. Kleinbub stated that ARCA supports many of the budget points including moving the second year funding for service provider rates up by one year. ARCA also voted on a conservatorship policy statement to support legislation that would formalize supported decision. This would be an option

for those who wanted a circle of support to help them with medical and other decision making. Currently the lack of formal adoption in law means many medical providers question this process.

**MEETING ADJOURNED**

The board meeting adjourned at 8:55 p.m.

Virtual Meetings on February 28, 2022  
Diversity & Equity will be at 5:30 PM  
Board Meeting will be at 7:00 PM