



Board of Directors Meeting

Monday, June 27, 2022

Virtual Meeting

Approved 9/19/2022

RCEB BOARD MEMBERS PRESENT:

Kathy Hebert, President
Dr. Stephen Whitgob, Assistant Treasurer
Reneé Perls, Secretary
Nyron Battles, CAC Chair/Diversity & Equity Co-Chair
Teresita DeJesus
April Key-Lee
Sadia Mumtaz, Diversity & Equity Co-Chair
Frank Paré, Co-Chair, Supports & Services
Sister Marygrace Puchac, PVAC Representative
Carmen Quinones
Lisa Soloway
Linda Stevens

ABSENT:

Lilian Ansari, Vice-President
Brian Blaisch
Dinah Shapiro
Gerald Tamayo, Treasurer

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 Adult Services
Elvia Osorio-Rodriguez, Associate Director of Children's Services/Bilingual
Jeff Nagafuji, Manager of Specialized Services & Supports
Michi Toy, Executive Assistant

GUESTS:

Cynthia Alonso	Jeri Pietrelli
Kim Ard-Elutilo	Maria Ramirez
Ben Chen/ACDDC	Sheraden Nicholau/SCDD, Bay Area
Rose Coleman	Ann Pringle
Tandra DeBose	Allan Smith/DDS
Erika Gonzalez	Charlotte Tay

Vi Ibarra/CCDDC
Danielle Picard

Zachery Wheeler
Geneva Ziaore

CALL TO ORDER

Board President, Kathy Hebert explained the Webinar format that we are holding our board meetings in and read the call-to-order before proceeded to call the regularly scheduled business meeting of the Regional Center of the East Bay to order at 7:06 p.m.

CONSENT AGENDA / MINUTES

M/S/C “The Board moves to approve the June 27th agenda as presented.” [Perls/Whitgob]
Unanimous. The motion was adopted.

M/S/C “The Board moves to approve the May 23rd minutes as presented.”
[Battles/Whitgob] Unanimous. The motion was adopted.

PUBLIC COMMENT

No comments were made at this time.

COMMITTEE REPORTS

COMMITTEE REPORTS

Executive Committee: Kathy Hebert

Acronym List

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

Note: All contracts are submitted to the board of directors 10 days prior to the board meeting for their review and opportunity to ask questions and provide comments.

CONTRACT APPROVALS

Department of Developmental Services

#HD119015 C-3 Contract Amendment

This contract represents the C-3 contract amendment of the “C” series contract between DDS and RCEB.

Term: 7/1/2019-6/30/2026

Total \$5,315,196

M/S/C “The board moves to approve the Department of Developmental Services C-3 Contract Amendment as presented.”_[Battles/Whitgob] Unanimous. The motion was adopted.

HD22928 State Staff

This is the State Staff contract to fund 2 two Registered Nurses to work almost exclusively with Consumers moving to the community from Developmental Centers. The state staff will work at RCEB. This contract amount is provided in RCEB’s operations allocation annually. This amount is considered restricted funding.

Term:
7/1/22-6/30/23 Total contract Amount \$407,254
7/1/23-6/30/24 Total contract Amount \$407,254
Total \$814,508

M/S/C “The board moves to approve the Department of Developmental Services State Staff Contract Amendment as presented.”_[Perls/Battles] Unanimous. The motion was adopted.

Housing

CPP: Brilliant Corners

This contract represents CPP startup funds for the acquisition and renovation of one EBSH for adult female clients who have co-occurring mental health support needs and intensive behavioral support needs.

Term: 6/30/22-3/31/24
Total: \$800K regular CPP start-up funds [\$400K acquisition, \$400K renovation]
Total Capacity: 4 individuals

M/S/C “The board moves to approve the acquisition and renovation of Brilliant Corners as presented.” [Perls/Battles] 8-years, 4-abstain The motion was adopted.

Board members inquired on details of the contract which were addressed by Lisa Kleinbub and Jeff Nagafuji, Manager of Specialized Services & Supports.

CPP: Sele, Inc.

This contract represents the Community Placement Plan Service Provider Agreement for one four-bed specialized residential facility for individuals with mental health support needs, forensic support needs and intensive behavioral support needs. RFP’s were completed last year and awarded to applicant with forensic background and experience. Operates day and ILS agency.

Term: 6/14/2022-6/30/2027
Max rate/mo: \$81.8K
Annual Disbursement: \$982K
Total Capacity: 4 individuals

M/S/C “The board moves to approve the agreement with Sele, Inc. to operate the home as presented.” [Battles/Perls] 10-years, 1-nay, 1-abstain The motion was adopted.

BAHC: CRDP

This contract represents CRDP startup funds for the acquisition and renovation of one (1) specialized residential home for (4) adult consumers who are Deaf or Hard of Hearing and who need staff that are fluent in American Sign Language (ASL). The consumer of this home may have intensive behavioral, nursing or sensory support needs.

Term: 6/30/22-03/31/24
Total: \$750K CRDP start-up funds [\$400K acquisition, \$350K renovation]

M/S/C “The board moves to approve the agreement with BAHC for the acquisition and renovation and operation of the home as presented.” [Battles/Stevens] 9-years, 3-abstain The motion was adopted.

Questions were asked by the board members regarding all the housing contracts.

Budget & Finance Committee: Dr. Steven Whitgob

Purchase of Service [POS]

RCEB received the C-3 amendment from DDS, which the staff submitted to the Executive Committee for approval and the contract has been executed. As reported at last month’s board meeting, the C-3 contract included funding of \$1.2M Home and Community-Based Services (HCBS) and \$2.1M CPP/CRDP start-up and placement. The total POS allocation through the C-3 is \$585.9M.

Through May 2022, 82% of our fiscal year 21-22 POS expenditures are in base. For Non CPP Purchase of Services Expenditures, we are projecting a surplus of \$29.5M. Note that this is a decrease of \$2.7M from previous month’s surplus due to the impact of the rate implementation that was put in place effective April 1st. The full impact of the rate implementation still cannot be determined as we continue to work with DDS to determine the rate increase for certain services, such as 113-Specialized Residential Facility, 900s-Enhanced Behavioral Supports Home, and other vendors who have yet received their increase, including the new Median rates for new vendors.

Currently, all 21 Regional Centers, including RCEB, are reporting a surplus in their POS projections. With the C-3 budget allocation, the statewide system is reporting an overall surplus of \$804M, a decrease of \$5M compared to last month’s surplus of \$809M.

Operations

As reported last month, the C-3 contract provided an additional allocation of \$2.1M for Operations for rent and other policy items, including \$1.5M funding for Language Access and Cultural Competency, and \$.1M American Rescue Plan Act (ARPA) grant. We have submitted a plan for the Language Access funds to DDS and will hire 1 position for the ARPA grant to focus on developing collaborative partnerships with local school districts to promote inclusive options for the children we serve.

At this time, we project a balanced operations budget for the current fiscal year, with 75% of expenditures in base through May 2022. This projection included various costs at the fiscal year-end, including facility-related costs for the move from 1390 to 1320 Willow Pass in Concord and the 4th floor expansion, and technology costs as we bring on increased staff.

Fiscal Year 22-23 Allocation

Every year in early June, Regional Centers are expected to receive the preliminary Contract and the allocation for the next Fiscal Year. However, this year we have not received our preliminary contract. ARCA has been working with DDS to include several new items required by the State Department of General Services. ARCA informed us that we can expect DDS to release it in the next few days.

Cash Flow Status

The Agency had adequate cash to fully fund our invoices for May Services that were paid out mid-June. We are ending the fiscal year with \$45M cash on hand.

At this time, DDS informed us that assuming the budget passes on time, DDS plans to pay the first two advances for Fiscal Year 22-23 earlier than around July 15, as soon as the State Controller's Office sets up their appropriation accounts. There will be 3 cash advances: the first and second cash advances for Fiscal Year 22-23 are expected to be released mid-July. The 3rd cash advance is scheduled to be released in early August.

We will continue to monitor our cash flows closely in early July and will work with DDS to obtain any additional cash we can to avoid needing to draw on our \$30M line of credit.

We will inform the Executive Committee via email at the time the paperwork is submitted if we have to draw on the line. The Executive Director and Chief Financial Officer have the authority granted by the Board to sign the paperwork to drawn down the line of credit as needed.

The Jim Burton Helping Hand Fund

The Staff would like to provide an update on how the fund has been spent in FY21-22. The fund received donations of \$4,970. As of June 2022, the fund balance is \$662,931.

Activities from July 2021 through June 2022 show a total of \$23,152 were spent: \$17,213 in grants and \$5,939 in loans for rent/lodging, utilities, food, clothing and other miscellaneous. Compared to FY20-21, we spent a total of \$33,146. The detailed schedule below shows each total by category for both grants and loans.

Helping Hands allocation (7/1/21 - 6/30/2022)			
	Loans	Grants	total
Rent / Lodging	5,239	11,483	16,722
Utilities	280	-	280
Food Exp	77	-	77
Clothing	50	-	50
Misc Exp.	293	5,730	6,023
	5,939	17,213	23,152

Diversity & Equity Committee: Nyron Battles & Sadia Mumtaz

Ms. Mumtaz reported that the committee met this evening with discussion on the May 2022 Public Council report on disparities in the regional center system. Ms. Kleinbub provided an overview of this report and how these disparities are what has been in existence for many years. She provided information that would enable others to have a better understanding of the report and the validity of some of the information. Some of the differences in spending can be attributed not to inequity but to other reasons that were not taken into consideration in the report. The participants brainstormed on how they can utilize the information; such as pulling together what other regional centers have accomplished, and using the report findings to restructure the D&E subcommittees. We are looking at focusing on three areas; difference in POS, grievances from families, and legislative advocating. There were many ideas discussed this evening, and we will work on scheduling a workshop before our next meeting.

Supports & Services Committee: Frank Paré

Mr. Paré reported that the committee did not meet this month; however, Ms. Sodipo presented the update of the brochure. They received better quality pictures to use, which is what the holdup was before. The brochure is completed and currently being translated into our threshold languages. We will be meeting with our website consultant along with the graphic agency for logistical planning. In addition to the brochure, all the RCEB supporting policies and the one page description of the services are also being translated in to our threshold languages.

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

Ms. Puchac reported that the committee met on June 10th and there was an extension of gratitude to both DD Council representatives; Ben Chen and Vi Ibarra for putting on a very successful and inspiring 32nd Annual Joint DD Councils Awards Event last night. The evening spotlighted amazing things that people in our community are doing.

An important *Nuts & Bolts of Housing* was presented by Darin Lounds/Executive Director of Housing Consortium of the East Bay and Tom Heinz/Executive Director of East Bay Innovations. Their

presentation covered many of the intricacies surrounding housing such as public housing, project based housing, HUD, housing authority, vouchers, section 8, etc.
The next PVAC meeting will be on July 8th.

Consumer Advisory Committee [CAC]: Kathy Hebert for Nyron Battles
CAC did not meet this month. The next meeting will be July 11th at 4pm.

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

The Governor has signed one of the budget versions that the Senate and Assembly have agree upon. There is another version going through the Assembly that includes changes in it that the Governor will also be signing by the June 30th deadline. We expect to receive funding by early July. The trailer bills that come after the budget are very important to our service system, as they will have all the details on what we will be responsible for in the next year as part of the implementation of the budget. We are hoping that they will be passed and signed by the end of August. These bills could be passed by both houses and signed up to the end of August.

The Association of Regional Center Agencies [ARCA] had several top priorities:

- Rate Increase Acceleration
- Modernize the Core Staffing Formula
- Eliminating Family Fees permanently

Some of these have occurred in the budget agreement with the legislature. Some of the more significant items in the budget are touched on below.

- The **service provider rates** will be increased by the second 25% starting January 1, 2023. Although the Ask was by July 1, 2022, it is a more reasonable timeframe to complete the rates as it has been such a huge task.
- They have accelerated the full implementation of the **rate models**, which was 100% of what was proposed to 7/1/2024 instead of 7/1/2025. We should see providers receiving more of their funding sooner. There still are no answers to the numerous questions about the rate model, such as ILS, Early Start, and larger facilities (> 6 beds) not receiving rate increases. We are hearing that there is work going on around those issues at the state level.
- The **core staffing formula** for regional centers were not addressed.
- The **Annual Family Program Fee [AFPF]** and family **cost participation** have been suspended until next June 2023. DDS has been requested to come up with a plan for these in the next budget years.
- **Caseload reductions** are continuing in the budget, including the reduction of caseloads for children under 6 year-old to 1:40.

- **Early Start** eligibility expansion of eligibility with a 25% delay in one area as well as having either an expressive or receptive language delay will be sufficient in the language area for eligibility.
- **Alternative non-residential services** will end on 12/31/2022.
- **Tailored day services** has been expanded, and this will allow more flexibility for adult day services. Individuals will be able to receive both tailored day services and traditional day services on separate days.
- The **Financial Management Services [FMS]** fees are moving out of the Self-Determination budgets. People will be able to utilize these funds in their budget. This will allow for more flexibility and hopefully will also allow for changes to support FMS providers.
- There are also changes to the regional center's **Fair Hearing** process, but we do not have all the details at this time. These changes will not immediately take effect.

Ms. Kleinbub stated that this is an exciting time because we will be able to hire additional case managers and are seeing more initiatives to support regional centers and people served.

COVID-19

We are not reporting numbers for COVID cases as we were early in the pandemic but since May 1st, we have had 300 clients diagnosed with COVID-19; no hospitalizations and one death. Any clients who lived with their families and were hospitalized would not be reflected in the numbers since that would not be considered a Special Incident Report category. Although people are generally not showing major illnesses, there have been wide-spread outbreaks at day programs.

Caseload Plan of Correction

We submitted our Caseload Plan of Correction to DDS after we had a public meeting where we reported on our current caseload ratio's and received input from the community on what they feel would be important in terms of position allocations. Although we did not receive a lot of input, one thing that was clearly requested was additional support in the Self-Determination program. The Self-Determination program is very specialized and we have been working on getting more staff in this area, as well as lowering caseload ratios across the board. We do not know how many new managers we will be funded for but will prioritize SDP.

RCEB Changes

Last year we received funding to hire an Emergency Coordinator and three new participant choice specialist/Self-Determination positions. We have made the job offers and foresee all being filled in early July. For the Emergency Coordinator position, we are fortunate that a manager who has headed our internal emergency system has stepped up to accept that role, which is a very challenging position.

We also received funding for hiring a liaison to school districts. We will be developing a job description for that, and it will be very supportive to those in Early Start and transition to special education.

Our Early Start case managers will also be talking to families quarterly, and to participate in IEP/transition meetings in a more robust way than they have been able to in past years.

We will be moving into a new space in our Concord office, which we spoke about eight months ago. We had to leave one space and were able to acquire another in the same building as our main Concord office. This new space has room for growth, and we will be looking at what we need as we hire more staff. We continue to work on improving our technology and work towards a hybrid form of business.

Mason Tillman Associates, Ltd.

Mason Tillman has been working with our service providers in focus groups. Ms. Kleinbub provided them with additional data and they are in the final stages of the report.

Coordinated Care Change

There is a new initiative that will take effect next year for those over 21 years old who live in their family home. This initiative originally started with the American Rescue Act funds. The Governor and the legislature want this to be a full project with Directives from DDS with how this support is to be provided. This may be similar to supported living services in the family home. This new initiative is intended to provide structure for those who are having difficulty organizing respite workers or personal assistant workers, so that they are not doing this all on their own. Futures planning would also be included, so that goals can be created and the future for the individual can be planned, especially if parents are aging and worried about their family member's future.

Language Access and Cultural Competency Plan

We sent our plan to DDS last week, on how we will utilize the \$1.4M for Language Access and Cultural Competency Initiatives. We will be hiring staff, including a manager of equity and access, to coordinate these activities. We will also routinely provide a Spanish interpreter for all our public meetings. We will provide interpretation in other languages when requested in advance. Other than Spanish, we are asked for interpretation in ASL, Cantonese, and Vietnamese. We will be reviewing all our informational documents to see what needs to be translated as well as which ones need to be written in an easier to understand format for all.

We are planning focus groups to discuss and receive feedback to hear input on our policies, especially those that impact our families. Some examples are respite, ILS, child in daycare, etc. We want to do this to make sure our policies are reflecting the different needs of our communities. We will receive this money over the years, which will enable us to complete the assessment and make changes moving forward. We would also like to recruit case managers speaking when there are languages spoken by more than 60/70 families served. We currently do not have any case managers who can speak Arabic and Hindi.

We will also be working on developing and understanding the cultural, ethnic and language backgrounds of our service providers, who will be able to share their services, and inform the family

members who are interested in searching that provider data base. This will be a good avenue to increase referrals and interest.

Deaf and Hard of Hearing [DHOH] Conference: RCEB will be working in collaboration with Golden Gate Regional Center sharing and receiving information on needs.

American Indian population: We will be reaching out and developing relationships with the American Indian community across our regional centers, as the numbers in the census data are not reflective of the DD population, so we will need to see if we need to do additional outreach or if it is data issues. Ms. Kleinbub was a panelist at a May conference organized by the disability community for the American Indian DD families, which is the first one held in California. There are also early start tribal community outreach projects.

PUBLIC COMMENT

Zachery Wheeler expressed is dissatisfaction with the vendorizing of our EBSH home, when his apartment in S.F. that has many issues.

Maria Ramirez spoke about inequities in the system that are not due to a language issue.

Ben Chen, Alameda County Developmental Disabilities Council [ACDDC]

Mr. Chen reported that the COVID cases have been rising. A mask mandate was instituted on June 3rd and the numbers peaked on June 6th, and the mandate has been lifted again.

We had a successful 32nd Annual Joint DD Councils Awards Event over ZOOM. He thanked Sister Marygrace for her kind words, the sponsors and everyone who attended and gave support.

July 13: This will be ACDDC next board meeting from 9:30-12:30. We will be planning on what we will be working on for the next year. In our June meeting, we had an election of new board members and officers

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

Ms. Ibarra stated that they already had their June meeting; they do not meet in July, and August is their summer holiday.

August 24: This will be the next CCCDDC meeting

Here is the link to the Specialty Health Ambassador job description:

<https://drive.google.com/file/d/13-cF06RQuMQOCQvqZJhcTD59yOwrw8T/view?usp=sharing>.

Here is the link to the Program Coordinator for the Specialty Health Ambassadors:

<https://drive.google.com/file/d/1PS7jAeTBX1dY4w3s6sCGjm5iuQaXXjoC/view?usp=sharing>

Sheraden Nicholau, State Council on Developmental Disabilities [SCDD], Bay Area Office
Contact us if you need PPE's or COVID antigen testing.

Ms. Nicholau spoke of the new Program Development Grant in the grant cycle 45, where they can award up to \$260K. Request for Proposals are due July 27th. They are looking for proposals in the areas of education, employment, health & safety, and housing. The focus is on disparities and the underserved population. <https://scdd.ca.gov/grantinformation/>

June 28: Statewide Self-Determination Advisory Committee meeting

June 29: Bay Area Regional Advisory Committee meeting which will be held in-person, on ZOOM or call-in. Discussions will include member advocacy updates and on policy updates.

June 29/30: Statewide Self-Advocacy Committee meeting

July 14: Employment First Committee meeting

July 25: Self-Advocates Advisory Committee meeting

ARCA REPORT: Lisa Kleinbub

June 17th was the first in-person hybrid ARCA meeting in Sacramento, after two years of shelter in time. Ms. Kleinbub stated that ARCA has been working on budget advocacy as well as looking at the different trailer bill languages and how they will impact regional centers and our clients.

There was also an e-mail forwarded to the board regarding several issues occurring across the state. ARCA's Training Academy for regional center board members will be July 12th and will explore the basics of the Budget process, the status of major Budget initiatives that ARCA is involved in, and what's coming next. Ms. Kleinbub highly recommended for our board members who did not attend our RCEB Budget training session, to attend this class.

CLOSED SESSION - Personnel

MEETING ADJOURNED

The board meeting adjourned at 8:51 p.m.

Virtual Meetings on September 19, 2022

The next Supports & Services Meeting will be at 5:30 PM

The next Board Meeting will be at 7:00 PM