



## Board of Directors Meeting

Monday, March 27, 2023

Virtual Meeting

Approved 4/25/2023

### RCEB BOARD MEMBERS PRESENT:

Frank Paré, President/Supports & Services Co-Chair  
Sadia Mumtaz, Vice-President/Diversity & Equity Co-Chair  
Dr. Stephen Whitgob, Assistant Treasurer  
Reneé Perls, Secretary  
Lilian Ansari/Supports & Services Co-Chair  
Brian Blaisch  
Kathy Hebert  
Daniel Hogue, PVAC Representative  
April Key-Lee  
Linda Stevens

### ABSENT:

Nyron Battles, CAC Chair  
Teresita DeJesus  
Carmen Quinones  
Dinah Shapiro  
Lisa Soloway

### STAFF PRESENT:

Lisa Kleinbub, Executive Director  
Lynn Nguyen, Director of Finance & Administration  
Steve Robinson, Director of Community Services  
Ronke Sodipo, Director of Client Services  
Ben Braun, Associate Director of Federal Programs  
Lindsay Meninger, Associate Director of Client Services/SDP/Medicaid Waiver  
Elvia Osorio-Rodriguez, Associate Director of Client Services/Children  
Michael Minton, Manager of Risk Management and Quality Assurance  
Jeff Nagafuji, Manager of Specialized Services & Supports  
Michi Toy, Executive Assistant

### GUESTS:

Patricia Albeno  
Ben Chen/ACDDC  
Rose Coleman  
Erika Gonzalez  
Surlene Grant  
Vi Ibarra/CCDDC  
Diamino Lamb  
Maxine Milam/DDS

Rocky Myint  
Assata Olugbala  
Janet Patterson-Hardin  
Jeri Pietrelli  
Ann Pringle  
Zackery Wheeler  
Schantell Williams  
Families United for Equity

**CALL TO ORDER**

Frank Paré called the regularly scheduled business meeting of the Regional Center of the East Bay to order at 7:06 p.m. A quorum was established.

**CONSENT AGENDA / MINUTES**

M/S/C “The Board moves to approve the March 27, 2023 Agenda as presented.”  
[Hogue/Hebert] Unanimous. The motion was adopted

M/S/C “The Board moves to approve the February 27, 2023 Minutes as presented.”  
[Hogue/Hebert] Unanimous. The motion was adopted

**PUBLIC COMMENT**

*Regional Center of the East Bay uses Robert’s Rules of Order to guide our meetings. Robert’s Rules of Order is the most used manual of parliamentary procedure in the United States. Robert’s Rules of Order is designed to provide structure and guidance while facilitating the orderly operation of a meeting.*

*According to Robert’s Rules of Order, our board members are not allowed to comment, debate or respond to the public during our public meetings. There are other meetings such as our Diversity & Equity or Supports & Services meetings that begin at 5:30pm before the board meetings.*

Assata Olugbala spoke about Assembly Bill [AB] 649 Restoration of Access to Disability Services, and how it is confusing because there is no explanation on the board agenda. During this meeting, the link to the bill was posted: <https://www.rceb.org/clients/announcements/>.

Surlene Grant spoke about not being informed of the resources available for regional center clients as well as a lack of transparency.

**COMMITTEE REPORTS**

**Executive Committee Report/President’s Report:** Frank Paré

**Acronym List**

<b>ARFPSHN</b>	Adult Residential Facility for Persons with Specialized Health Care Needs		
<b>BAHC</b>	Bay Area Housing Corporation		
<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 Developmental Services	<b>POS</b>	Purchase of Service
<b>EBSH</b>	Enhanced Behavioral Support Home	<b>SLS</b>	Supported Living Services

**CONTRACT APPROVALS**

**Department of Developmental Services**  
**#HD119015 C-4 Contract Amendment**

This contract represents the C-4 contract amendment of the “C” series contract between DDS and RCEB.

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

Breakdown

\$12, 149	OPS Miscellaneous
\$224,764	Early Start Part C IDEA Grant / America Rescue Plan Act [ARPA]
\$9,691,505	POS Funding for service rate reform CPP/CRDP start-up and placement
<b>\$9,948,418</b>	<b>TOTAL</b>

M/S/C “The board moves to approve the Department of Developmental Services C-4 Contract Amendment as presented.”\_[Hogue/Stevens] Unanimous. The motion was adopted.

**Ring Central**

VoIP (Voice over Internet Protocol) for RCEB Cloud based communication systems. RingCentral provides VoIP cloud communication technology for phone calls over the Internet instead of the traditional landline phone service. RCEB is currently using Mitel [bought out by Ring Central} for their phone systems.

Term: 36 months upon execution (approx. 4/1/23 – 3/31/26)

Breakdown

\$11.59 per user (plus \$4.50 per user Cost Recovery and e911 fees)  
For 560 users, approximate monthly amount \$9,051.40  
(exclusive of applicable taxes and fees)  
Total estimated contract amount for 3 year is \$325,750 (exclusive of applicable taxes and fees)

M/S/C “The Board moves to approve the Ring Central contract with RCEB as long as a BAA is submitted.” [Blaisch/Hogue] Unanimous. The motion was adopted.

**Budget & Finance Committee: Dr. Steven Whitgob**

**Acronym List**

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Purchase of Service

Through February 2023, we have expended 55% of the total POS budget of \$720M for FY22-23. At this time, for NON-CPP POS Expenditures, we are projecting a surplus of \$73M, which is an increase

of \$1.3M from the previous month's projection. While this projection included the effect of the January 1st rate increases, we have not seen a significant increase as expected with just one month of the rate increase in base expenditures. The staff is still reviewing more rate increases to implement, especially for State minimum wage and local municipal rates.

Currently, all 21 Regional Centers are reporting a surplus in their POS projections. With the D-1 budget allocation, the Statewide system is reporting in an overall surplus of \$1.032B, which is an increase of \$56M from previous month's projection.

For CPP POS expenditures, the placement cost of \$966k exceeded our funding by \$273k. The staff is reviewing these costs and will work with DDS to request for additional allocation if needed.

### Operations

Based on the D-1 allocation, through February 2023, we have expended 49% of a total of operations budget of \$68M, which is slightly less compared to the 55% for previous year at this time. We are still waiting for DDS to issue the remaining CPP allocation that was not included in the D-1.

At this time, we are projecting a balanced budget as we continue to hire more staff for new growth positions and attritions. We continue to recruit, offering stipends and initiating a trainee program.

Questions were asked by the Board, including the status of being able to have a dashboard/legend along with the Finance report so that we can reference it and have a better understanding of what we are reading in the report. Ms. Kleinbub stated that a legend with those notations were given to the board in November as well as this month, awaiting for board approval so that it can be incorporated in the report going forward. Ms. Kleinbub also added that we will be looking at the dashboard's that other regional centers use, so that we can incorporate that as well.

### **Diversity & Equity Committee [D&E]: Sadia Mumtaz**

In addition to our regularly scheduled meeting this evening, we had an in-person meeting earlier this week at the regional center with Lisa, Ronke, and Jairo to finalize the creation of our three sub-committees. One of the purposes of the committees is to investigate reasons why there are inequities and to work on solutions. Our goal is to have at least one board member on each of the sub-committees as well as an RCEB staff member. A Powerpoint will be provided outlining these sub-committees.

1. Policy, Advocacy & Grievance
2. Accessibility & Communications
3. Purchase of Service [POS] Expenditures

Also discussed were some pilot projects targeting inequities where we can utilize existing technology to help us with our endeavors. We are currently researching these possibilities with those who have expertise in this area.

**Provider/Vendor Advisory Committee [PVAC]: Dan Hogue**

PVAC met on March 10<sup>th</sup> with an RCEB presentation on Coordinated Family Supports & Services. This pilot program will allow the client to continue living in the family home and to receive the needed supports in the home. This is different from Independent Living Services [ILS] which focuses on teaching skills.

Another important topic delved into multiple transportation issues, especially for day program providers. The day program sub-committee is working closely with RCEB Transportation Manager, Priscilla Gomez, to discuss options and to provide guidance and recommendations. The Provider Equity Sub-Committee [1pm meetings on the 4<sup>th</sup> Friday/month] had their first meeting on the 17<sup>th</sup> with a focus on Request for Proposal [RFP] transparency.

**Consumer Advisory Committee [CAC]: Renee Perls for Nyron Battles**

Ms. Perls stated that at the March 13<sup>th</sup> CAC meeting, the focus was on Ms. Kleinbub's report on ARCA's Strategic Plan and what we feel is important to focus on and what our community needs and wants.

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

Assembly Bill 649

The Association of Regional Center Agencies [ARCA] supports Assembly Bill AB-649, Assemblymember [ASM] Lori Wilson's Restoration of Access to Disability Services' fact sheet is on our website:

<https://www.rceb.org/news/community-action-alert-ab-649-wilson-restoration-of-access-to-disability-services/>

Ms. Kleinbub added some background information of importance. In 2009 for those whose insurance company denied coverage even though they had Medicaid, private insurance, etc., it was a requirement that they would need to appeal that denial before the regional center could actually go forward and pay for a service. This service includes Medical services, wheelchairs, In-Home Support Services [IHSS], etc. This AB-649 bill would eliminate the need to appeal those denials. This old procedure has impacted communities of color and those with a lower income, due to the cumbersome appeal process that is usually offered through public programs through Medicaid. Although ASM Wilson represents a small area in Antioch/Oakley/Brentwood, she has taken on a number of our issues. Last year she sponsored a bill where we would report the use of social recreation by race, ethnicity and age. Ms. Kleinbub encourages the board to sign a letter, signed by the Board President and we will send it to ASM Wilson as well as the portal of the Assembly which takes letters of support.

M/S/C            "The Board moves to support AB 649 and to send a letter of support as outlined."  
                         [Hogue/Perls] Unanimous.    The motion was adopted

### Association of Regional Center Agency [ARCA] Strategic Plan

Ms. Kleinbub refreshed the board's memory on ARCA's Strategic Plan where she shared her PowerPoint at last month's board meeting. ARCA is requesting input from all regional centers by the end of this month, so that they can make adjustments and vote on the final 3-year plan at their June meeting. Ms. Kleinbub elaborated on page four, outlining the PowerPoint topic of Major Priorities and in particular the *Preservation of the Lanterman Act and the Efficacy of the Developmental Service System*. This means that we preserve the entitlement that those with developmental disabilities have to services and supports as well as preserving the idea of having locally based regional centers vs. a State run system. The efficacy point ties in to the ability for regional centers to be able to carry out their mission, which ties into flexible and sustainable services. Assemblymember Addis' AB1147 Disability Equity & Accountability Act may be the one that is referred to in this plan. The Lanterman Disability Services Act makes DDS responsible for providing quality services and supports via regional centers for individuals with developmental disabilities.

### Purchase of Services Backlog

We have seen the POS backlog decline with the change from alternative services during COVID to those returning to their traditional services. One of the changes we have made is to have our ongoing authorizations for Supported Living Services [SLS] extend through the IPP for three years, instead of being renewed annually. This would only be for the standard services that are ongoing. This will reduce the amount of unnecessary paperwork/time involved when there are no changes. Our RCEB Supervisors were also involved in advising which purchases did not need to have yearly authorization renewals.

There are a couple of policies that our Supports & Services Committee may want to look at tweaking.

*Supported Living Services Policy*- currently this policy does not have the statement that no one is excluded, so we added that to our procedure, but want to add that terminology to our policy as well.

*Independent Living Services Policy*- this may be another policy to discuss.

*Social Recreational Policy*- This is a policy that we are providing where more people are benefitting from an array of activities that fall under the category of Social Recreational. There are a number of ways over the course of last year that we have learned more and would like to streamline the policy so that there are more activities that can be approved without falling into the category of uncommon purchases and need exceptions. We will also want to divide the category of non-medical therapies to make it more precise. An example would be equestrian therapy separated from musical therapy. This will then be categorized as standard authorizations for individuals.

### Everbridge System

We are using our Everbridge mass notification system to inform the agency and the community of emergencies and significant storm developments. We had a state-of-emergency declared in our county about 1.5 months ago.

If you are impacted by any of these emergencies, please contact your case manager for support to you/family. We have relocated individuals due to flooding and other emergencies. We have a new Emergency Coordination Specialist who is assisting in addressing these crisis situations that arise.

### **PUBLIC COMMENT**

*Assata Olgubala* brought attention to a March 23<sup>rd</sup> Sub-Committee hearing by the Senate, and in particular the section on racial disparities within the developmental services system, as well as AB 1147 the Disability Equity and Accountability Act, and how regional centers need to move forward on making changes and supporting both.

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

Mr. Chen started with the announcement of passing of Bill Pelter, a longtime ACDDC Board Member. He was a strong advocate for supporting the developmental disability services for many years, and his dedication and love for the community will be missed. The celebration of life service will be on May 14<sup>th</sup> at Fern Cottage/Kennedy Grove Recreation Area in El Sobrante. Our March Transition Fair has been dedicated to Mr. Pelter.

2023 Alameda County Transition Fair was in-person on Saturday, March 25<sup>th</sup> and it was a great turnout with 50 registered vendors and 160 families. There were presentations throughout the day and a wonderful entertainment by the Dream Achievers.

**April 12:** This is the next ACDDC board meeting. We will be looking at ByLaw changes to be able to continue holding our meetings virtually for safety as well as to maximize access to all.

**April 22:** FCSN'S Yearly Talent Showcase from 4-6pm at the Santa Clara Convention Center

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

Ms. Ibarra stated that CCCDDC is currently updating their website, so stay tuned for many great changes that you will see. Ms. Ibarra thanked Steve Robinson and Ronke Sodipo for their presentation at their CCCDDC board meeting. The topics were Social Recreation, Camping, and non-medical therapies, as it was good timing.

**April 22:** West Contra Costa Resource and Transition Fair will be in-person outside at 10am. It is a well attended event with many providers and families and lots of community resources.

**April 26:** This is the next CCCDDC board meeting and the topic will be on Conservatorship

### **ARCA – Frank Paré**

Mr. Paré stated that at the ARCA meeting, one of the subjects was on the ASM Addis AB-1147 Disability Equity and Accountability Act 2023 and how perhaps some elements can be implemented at the regional center's best practice.

Mr Paré also acknowledged our former Board President, Kathy Hebert, who is terming out at the end of this month. Ms. Hebert has been on/off the board for 13 total years. She joined the board in 2009 and was the Vice-President in 2012 for three years, took a year off, and re-joined and became President from 2016. Mr. Paré thanked her for her dedication and passion to want to make a difference not just for your family, but for all in the community. Ms. Hebert shared that it is a bittersweet time, and that it has been an honor to serve along with the other board members. She added that she interviewed many of them, and due to COVID, have not even seen a couple of them in-person. Kathy also added her thanks and honor to work with the RCEB staff, and recalled that her first job as President, was to lead the Executive Director search after Jim Burton retired.

**Closed Session - Personnel**

**MEETING ADJOURNED**

The board meeting adjourned at 8:36 p.m.

**Virtual Meetings on April 24, 2023**

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

The next Board Meeting will be at 7:00 PM