



Board of Directors Meeting

Monday, November 27, 2023

Virtual Meeting

DRAFT

RCEB BOARD MEMBERS PRESENT:

Frank Paré, President/Supports&Services Co-Chair
Sadia Mumtaz, Vice-President/Diversity&Equity Co-Chair
Dr. Steven Whitgob, Assistant Treasurer
Reneé Perls, Secretary
Nyron Battles, CAC Chair/Diversity & Equity Co-Chair
Brian Blaisch
Teresita DeJesus
Daniel Hogue, PVAC Representative
April Key-Lee
Dinah Shapiro
Linda Stevens

ABSENT:

Carmen Quinones
Lisa Soloway

STAFF PRESENT:

Lisa Kleinbub, Executive Director
Lynn Nguyen, Director of Finance & Administration
Caylin Patterson, Director of Human Resources & Support Services
Ronke Sodipo, Director of Client Services
Steve Robinson, Director of Community Services
Ben Braun, Associate Director of Federal Programs
Chris Hanson, Associate Director of Client Services/Adults
Elvia Osorio-Rodriguez, Associate Director of Client Services/Children
Lindsay Meninger, Associate Director of Client Services/SDLAC
Michael Minton, Manager of Risk Management and Quality Assurance
Priscilla Gomez, Community Services Supervisor/Transportation, Health & Safety Waivers
Xavier Corena, Case Manager
Herb Hastings, Consumer Advocate
Michi Toy, Executive Assistant

GUESTS:

Sophia Agafonow/DDS
Denise Bradley

Vi Ibarra
Wendell James

Tracy Davis
Families United for Equity
Maureen Fitzgerald
Morena Grimaldi
Karen Hornberger
Gregory Holler
J Douglas Hollie

Anita Lofton
Sara Martinez de Osaba
Anh Nguyen
Sheraden Nicholau/SCDDC
Ann Pringle
Maria Ramirez
Karen Wallace

CALL TO ORDER

Frank Paré called the regularly scheduled business meeting of the Regional Center of the East Bay to order at 7:05 pm. A quorum was established.

CONSENT AGENDA / MINUTES

M/S/C “The Board moves to approve the November 27, 2023 Agenda as presented”
[Battles/Perls] Unanimous The motion was adopted

M/S/C “The Board moves to approve the October 23, 2023 Minutes as presented.”
[Perls/Battles] 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.

There were no public comments at this time.

BUDGET AND FINANCE COMMITTEE

Draft Audit Report from Aiello, Goodrich & Teuscher - Frank Paré

Mr. Paré added that some board members had a separate meeting with the auditors on November 14th since they were not able to attend the Finance Committee meeting the day of the October Board meeting. He stated that the audit does not cover any deficiencies with regards to internal control (pg. 32 of the audit). There was also discussion on whether the auditors agreed to provide the board with a list for the board that would enable them to review the audit reports easier in the future, or if that was not possible, then a board training instead.

Budget and Finance Report for 11/27/2023 – Dr. Steve Whitgob

Update on Independent Audit Report for Fiscal Year 2022-3

At the October board meeting the Agency’s independent auditors, AGT Advisers, presented a draft of the audit report to the Board. This report is unmodified, or a clean report. The Board also had a separate meeting with the auditors early in November for review and further discussion.

At this time, AGT has issued a final draft, with minor changes to the original draft report. 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 22-23 Independent Audit Report as presented.

M/S/C “The Budget and Finance Committee motions to approve the Fiscal Year 22-23 Independent Audit Report as presented.” [Blaisch/Mumtaz] Unanimous.
The motion was adopted.

Purchase of Service

Regional Centers typically submit a preliminary Purchase of Services Expenditure Projection (PEP) to the Department of Developmental Services (DDS). This is the basis of Regional Centers’ Purchase of Services projections each fiscal year. The PEP report advises DDS of Regional Centers’ projected expenditures for the current fiscal year and reports any funding insufficiencies in Purchase of Services (POS). The format for submitting the PEP is the same as last year and the first report is due to DDS on December 10, 2023.

Through the E-1 amendment, RCEB received a total of \$759M in NON-CPP Purchase of Services (POS) funding. Staff completed our preliminary Purchase of Services Expenditure Projection (PEP) for the current fiscal year 2023-24. Based on expenditures through October, we are projecting at this time for NON-CPP POS Expenditures a surplus of \$44M. This surplus is based on allocation through the E-1 amendment, which is a lot more POS funding than we have expected based on the current rates.

That being said, there are several new program expenditures that have impact our POS expenditures for Fiscal Year 23-24, and which will be reflected in our first PEP report:

- For the caseload growth, RCEB grew by 1,020 net new consumers for the past 12 months.
- State Minimum wage increases annually since 1/1/17 through 1/1/24 continue to impact our Residential, Supported Living Services, Respite, Day Care and some Day programs. Included in this PEP is a \$1.2M projection for the minimum wage increase effective 1/1/24 from \$15.50 to \$16.00.
- POS expenditure for new program development in FY 23-24 is projected at \$15.7M. Our senior resource specialists continue to focus on developing new programs for unmet need and new resources. There is still a lack of adequate programs to reflect consumer growth.

- Service Provider Rate Reform is estimated at \$32M for the continuation of rate increase through January 1, 2023. This projection does not include the expected increase for rate reform acceleration on July 1, 2024, which will be included in FY24-25.
- Also included in this number was the expected rate adjustment for Community Care Facility (CCF) effective 1/1/24 estimated at \$2.6M.

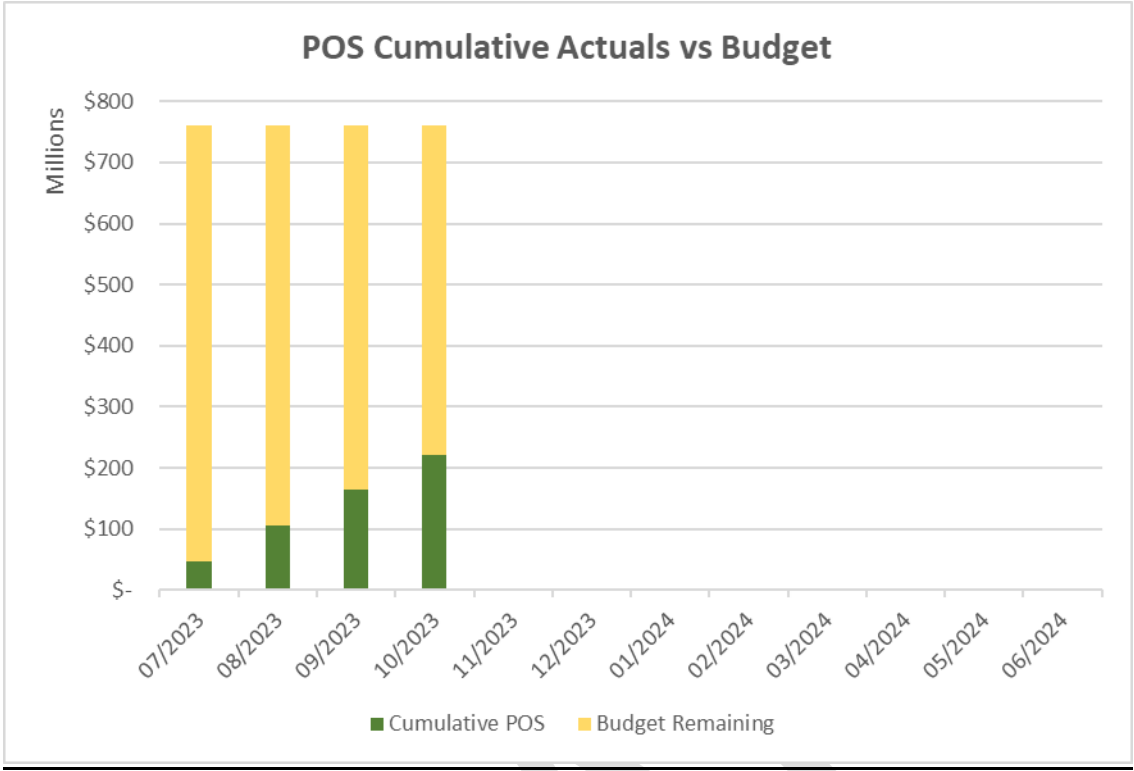
Through October 2023, we have expended 29% of the POS budget of \$759M.

When all 21 Regional Centers submit their PEP in early December, we will be able to compare RCEB's POS projections with other Regional Centers' projections.

We expect that DDS will issue new directives which will update ongoing supports in living option settings for continued remote services and transportation costs. As this is our preliminary PEP with only 4 months of expenditures in base, we will continue to monitor closely and refine our projections as appropriate.

For CPP POS Expenditures, RCEB received preliminarily \$730k for placement costs and initial funding start-up funding of \$1.5M. We are still working with DDS for other approvals for Community Placement Plan (CPP) and Community Resource Development Plan (CRDP) for FY23-24. More funding allocation will be provided in E-2 amendment when DDS approves the final CPP/CRDP.

The graph POS cumulative Actuals versus Budget shows POS expenditures trending month-over month compared to the overall budget for FY 23-24.



Operations

The Agency preliminarily completed its FY 23-24 budget for Operations (OPS) for \$78M. This OPS budget included \$2.2M preliminarily allocation of CPP/CRDP funding and any remaining funding will be included in the E-2 amendment. We have presented this detailed budget to the Budget and Finance Committee for review.

There are several new expenditures included in this preliminary Operations: RCEB received additional funding to reduce caseload ratios for all people service as part of the Performance Incentive, and especially for caseload ratios for Children through Age 5 to 1:40.

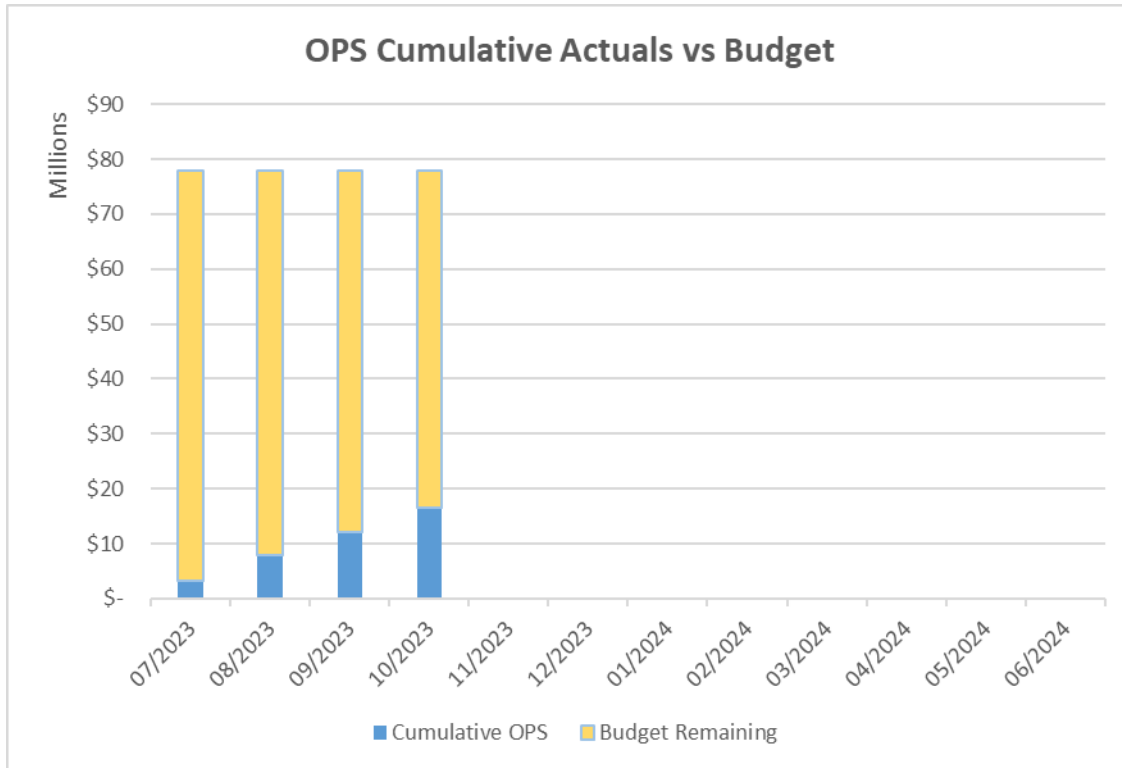
Other additional funding included funding for Service Rate Reform Acceleration to be implemented on July 1st 2024; Data Research Specialists to work on the Consumer Electronic Record management system and Uniform Fiscal System Modernization (CERMS/UFSM) project; START training per agreement with DDS; and 1 position for each regional center to work on Disparity within DDS system. These special funding are included in consultant costs in operating expenses.

This year’s budget did not include any increase specific to regional center salary and wages, which is still based on the old core staffing formula. The additional salary and wages for these additional positions to reduce caseload ratios and related payroll expenses are included in personnel services.

Other increased operation expenditures included additional technology costs, legal, equipment purchases for growth positions, advertising and recruiting costs as RCEB plans to aggressive hire for growth while offering referral stipends and other hiring incentives.

Through October 2023, we have expended 21% of the \$78M, which is comparable to the 23% for previous year at this time. As this is a preliminary budget, we will continue to monitor and update the budget accordingly.

The graph OPS cumulative Actuals versus Budget below shows OPS expenditures trending month-over-month compared to the overall budget for FY23-24.



Ms. Kleinbub added that in the future, we will be providing the board with year-to-year trends in graph form in both Operations and POS for a quick overview of the numbers.

EXECUTIVE DIRECTOR’S REPORT - Lisa Kleinbub, Executive Director
Board Training Plan for 2024

The layout is consistent with what we used for 2023 with a long training session in July, and a couple of shorter sessions during the year, falling in March and November. It was discussed during our Executive Committee meeting to move the shorter trainings from immediately following the board meeting, to scheduling a separate time specifically for the training.

ARCA is planning to continue their ARCA Academy trainings. All board members are encouraged to attend for additional training.

We will be sending out a survey to the board on what topics they are interested in, in addition to topics that we are required to present [board governance, cultural humility issues as it relates to our

diverse community]. Please take the time to review the training plan and advise if you have any questions or comments, as the final will be sent to DDS by mid-December.

Staff Recruitment

We are heavily into recruitment at RCEB and are conducting in-person job fairs at both our Concord [Jan 5th] and San Leandro [Jan 7th] offices. Last year's job fair was successful, as we were able to hire qualified individuals for case management positions. A few months ago, we created a new category of case managers named Associate Case Managers and are training them to qualify for entry-level case management positions in six months.

Many of the service challenges that we have seen are due to our high caseloads that all the case managers carry. We may never get to the required caseloads unless we get a core staffing formula update from the Department, but we are attempting to get closer with the money that we have been given for recruitment.

CPP/CRDP [Community Placement Plan/Community Resource Development Plans]

This is a resource development plan, which used to be only for those moving out of developmental centers but now we can also address community needs. We submitted this plan to the Department a couple of weeks ago. Two of the projects on those plans are for affordable housing, inclusion, and affordable housing development projects. The locations are in Newark, and the other one is in a senior community in Hayward. We are excited about these projects that will bring 20 more units to our DD community. Our survey about resource needs continue to identify housing as the #1 request for us to develop.

We are also looking to develop homes for our specialized forensic population and are expecting funds for that category. When we do receive those funds, we will be issuing a Request for Proposal [RFP] for specialized transportation as well as one for wrap-around services for young people.

Miscellaneous

Deaf Plus Conference – On Saturday, December 2nd RCEB & GGRC are co-sponsoring this conference at the California School for the Deaf in Fremont from 10am to 6pm. This will be for those who are deaf/hard of hearing in our community and we will look at what resources need to be developed. There will be at least 150 participants, and we have had a lot of demand in other areas to hold this in their city in the future.

We are very excited about our first D/HOH conference. This population has been identified as underserved and we at RCEB have many service providers who have staff that can sign, as well as some case managers who sign.

Mason Tillman Associates

We are continually working with Mason Tillman to help them complete their report. We have had multiple meetings to explain some of our complicated data and the challenging ways we have it stored in our system. We are looking for the report to be completed before January 2024.

COMMITTEE REPORTS

Executive Committee Report/President’s Report: Frank Paré

Acronym List

| | | | |
|----------------|---|-------------|--|
| ARFPSHN | Adult Residential Facility for Persons with Specialized Health Care Needs | HCBS | Home and Community Based Services |
| BAHC | Bay Area Housing Corporation | ILS | Individual Living Services |
| 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 |
| FHA | Family Home Agency | | |

CONTRACT APPROVAL

Regional centers are required by Medicaid law to vendorize SLS applicants if they meet the minimum qualifications. All the contracts for SLS providers very similar at the basic level. The rates are moving towards all the SLS providers to be the same by 2024. The provision of a higher rate than the standard rate is only possible if a vendor files for a health & safety exception on behalf of an individual consumer due to a specialized need, such as needing a qualified staff person with training in that specific area. SLS contracts are different from those for start-ups or housing developments.

Zula’s Helping Hands, LLC

Zula’s Helping Hands, LLC has applied to become a Supported Living Services (SLS) service provider. The agency is prepared to serve up to 10 individuals who have intellectual or physical disabilities. The agency is able to serve both ambulatory and non-ambulatory clients. They are able to serve individuals who also have a secondary diagnosis of mental health, substance abuse challenges, or are currently on parole or probation. They will also be able to serve participants with behaviors such as self-injurious behaviors and AWOL. They report being able to serve clients with visual impairments and clients who are deaf.

Term: 12/1/2023 – @11/30/2026

Capacity: 10 clients

Avg monthly volume/client: estimated \$10,000

Annual Total: up to \$1,200,000 at total capacity

M/S/C “The board moves to approve the Supported Living Service contract with Zula’s Helping Hands, LLC. As presented” [Battles/Stevens] 1-abstain The motion was adopted.

Ms. Kleinbub added that we will be working with PVAC’s Equity Committee in regards to developing a process for SLS and ILS referrals. This is to also make sure that there is a fair way that referrals are being made where providers are able to be the decision makers on what clients they will be able to serve. We are looking into a system where one can see which providers serve forensic individuals, as well as certain medical and care needs. We will be looking at the end of May 2024 when such a system will be set-up. Mr. Hogue concurred that this will be the committee’s next project. One of the biggest challenges providers have is not having enough staff.

DDS E-1 Contract Amendment

This contract represents the E-1 contract amendment of the “E” series contract between DDS and RCEB for fiscal year 2023-24.

Term: 7/1/2023-6/30/2026

OPS Allocation: \$78M

POS Allocation: \$761M

TOTAL: \$839M

M/S/C “The Board moves to approve the Department of Developmental Service’s E-1 contract amendment as specified.” [Hogue/Battles] Unanimous. The motion was adopted.

2024 Work Plan and Master Calendar

Mr. Paré stated that the *Work Plan* does not have the agency’s mission, vision, core values and strategic plan. Ms. Kleinbub stated that since our Strategic Planning committee is working on those via the feedback we will be analyzing from the survey, we should postpone the revision of the Work Plan until after those elements are decided. The other goals in the Work Plan need to be worked on as well.

Suggested changes to the *Master Calendar*:

- Annual Whistleblower Policy- Move from November to July
- Annual Performance Report- Move from February to September
- Presentation of Draft Audit Report for current F/Y- Move from November to October
- Acceptance of prior Fiscal year Audit report- Move from January to November

Since there is a lot to be analyzed in the Work Plan, the suggestion was to move the approvals of both the following year’s Work Plan and Master Calendar activity from November to September in the Master Calendar starting next year. Other than that additional change and the changes that were made on November 20th from the Executive Committee, we are ready to approve the 2024 Master Calendar.

M/S/C “The Board moves to approve the 2024 Master Calendar with the suggested changes as presented.” [Battles/Shapiro] Unanimous. The motion was adopted.

2024 Board of Director’s Meeting Schedule

The proposed 2024 calendar of board meetings went out to the board in their board packets. In instances where there is a Federal holiday on the 4th Monday of the month, it would be moved to the third Monday of the month. The days that were religious holidays (Holi and Passover) were not an issue.

M/S/C “The Board moves to approve the 2024 Board of Director’s meeting schedule as indicated.” [Blaisch/Mumtaz] Unanimous. The motion was adopted.

Strategic Plan Update

Ms. Kleinbub informed all that the surveys have gone out, and we have been receiving many responses. The count from a couple of weeks ago was 300 completed surveys, and more are coming in due to our improved tracking system. There will be a couple more mass e-mail reminders before the poll closes this weekend. We are working with Helen Sanderson & Company who will be collecting and analyzing the data and will be meeting with the board in January to go over and plan everything.

Consumer Advisory Committee [CAC]: Nyron Battles

There was a virtual meeting on Monday, November 13th where we received an update on the Strategic Plan that the Board is working on, as well as how there will be an update to the Social Recreation Policy to include activities such as camping, gym, etc. for the regional center to fund. We also talked about how it would be beneficial to have clarity on the Medicare changes; where Alameda County switches to Alameda Alliance and Contra Costa County to Kaiser. We will probably have a guest speaker on that at our next meeting in January.

Membership Development Committee: April Key-Lee

BOD Officers for 2024

Ms. Key-Lee announced the results of the votes for the individuals on the slate that was formally presented in October. By a majority vote on the individuals, we present the following:

BOD Officers for 2024

President Frank Paré
Vice-President Sadia Mumtaz
Treasurer (vacant)
Assistant Treasurer ... Dr. Steven Whitgob
Secretary Reneé Perls

Last Term of One Year

The total number of years an officer can serve is 7 years (2 terms of three years, and 1 term of one year)

The board members voted via SurveyMonkey on Linda Stevens to serve her last year on the board; from November 30, 2023 – December 1, 2024.

We are currently looking for new members who are Latinx who reside in the Contra Costa County. Please check our website and read about the board and e-mail your interest:

<https://www.rceb.org/about-us/board-directors/members/>

Diversity & Equity Committee: Sadia Mumtaz

This meeting was different, in that the participants shared very personal experiences with the group and how there were inconsistencies in follow-up and services. Due to the sensitivity nature of the subject, there will be a separate discussion with the board members on the specifics at the end of this board meeting.

Provider/Vendor Advisory Committee [PVAC]: Dan Hogue

PVAC met on November 17th, which was a great meeting with robust discussions. RCEB reported at the meeting that there are items that are waiting for DDS guidance, such as sub-code conversions, payment to providers who have completed the staff stability survey, bi-lingual stipends, etc. For the providers who have staff participating in the staff training stipends, RCEB has set up an efficient process whereby reimbursements payments can be sent to the providers to pay their staff.

There was also a presentation by Mains' I Services, an agency that provides mental and behavioral supports to our community. They are partnering with RCEB to create not only success story videos, but also the process of navigating the system and the services, and what steps to take and what that looks like.

The Service Provider Equity Group

This group met on October 27th and would like there to be more attendance at these meetings as there are important issues to focus on. Some of the subjects discussed are RCEB's RFP process and the inclusion of language requested, which should be posted on their website soon. Also being focused on is the vendor referral process as this will be a project that we will be partnering with RCEB to develop. Another subject is the pending Mason Tillman report and the time that it is taking to receive the final report.

PUBLIC COMMENT

Tracy Davis expressed appreciation to RCEB for all the work that is being done. She stated that her son has been with RCEB for over 20 years and has made many strides but has been deactivated this year and is experiencing hardships at this time and would like him to be reactivated.

(Tracy will share her contact information with us and we will work with her on that reactivation)

Wendell James is a service provider and spoke about how he as well as others are needing referral clients, whereas others have a large waiting list.

Karen Wallace spoke about the inequities and cultural competency that have existed in the system for over a decade.

Zelma spoke about her family member and her need for assistance and a funeral grant. She requested an organization to assist her with that.

Denise Bradley expressed concern over how new case managers are being trained and how much they know about services that are available to them. Her second question related to if RCEB studies how some case managers are able to get their work done and service their caseload timely, even with high caseloads.

Ann Pringle added her thoughts on the other public commenters in regards to homelessness and the loss of a relative, and how their cases should be prioritized.

Maria Ramirez relayed her support for the Board President and the requests for measurements in processes.

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

The Contra Costa County's Office of Emergency Services is currently gathering information for the county's hazard mitigation plan. They are looking for feedback for overall community preparedness for natural disasters. Please fill out the survey if you live in Contra Costa County, and assist others in that action as well.

Community Preparedness Assessment Survey in English:

<https://survey.alchemer.com/s3/7511228/2024-Contra-Costa-County-Hazard-Mitigation-Questionnaire>

Jan 24: This will be the next ACDDC meeting, as we will not be meeting in December.

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

Annual Disability Stats and supplemental reports from the Institute on Disability, University of New Hampshire: https://disabilitycompendium.org/?mc_cid=0df9929658&mc_eid=6742c4919a

Thank you to those that attended community conversations or emailed us feedback, or completed the survey to give insight into what you want to see for the statewide Supported Decision-Making Technical Assistance Program. We are still looking to hear from others – people with lived experience, family advocates, self-advocates, professionals, etc. See all the ways to reach us about this and to get on our communication list for SDM-TAP: <https://scdd.ca.gov/sdm-tap/>

SCDD Meetings Calendar: <https://scdd.ca.gov/scddcalendar/>

SCDD Virtual Trainings Calendar: <https://scdd.ca.gov/scdd-trainings/>

11/28: Council Meeting 2023 SCDD Council Meeting | SCDD (ca.gov) including policy planning for 2024

11/29: Statewide Self-Advocacy Chat 2023 California Statewide Self-Advocacy Chat | SCDD

Dec 4: Trainings on Coping in Times of Change in Spanish 10a to 12p.

<https://files.constantcontact.com/be05f332501/bd19eb68-3ae8-4ac7-a925-a7b9c0186cb7.pdf>

Dec 12: Statewide Self-Advocacy Network <https://scdd.ca.gov/event/2023-statewide-self-advocacy-network-ssan-meeting-2023-12-12/>

Nov 29: Bay Area Regional Advisory Committee Meeting from 5:15-5:30 p.m. for networking and the meeting will be from 5:30-8:00 p.m. Featured this meeting: Year recap, RAC priorities exploration for the year ahead, member updates in advocacy, RAC Vice-Chair election, and more. This meeting will be on zoom. Where to find the flyers, logon info, and packet: <https://scdd.ca.gov/bayarea/>

ARCA – Frank Paré
No report at this time.

DISCUSSION SESSION (In lieu of a Closed Session) – Optional Board member discussion on confidential client information.

MEETING ADJOURNED

The board meeting adjourned at 9:01 p.m.

Virtual Meetings on January 22, 2024

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

The next Board Meeting will be at 7:00 PM