



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

Board of Directors Meeting

Monday, February 26, 2018
500 Davis Street, San Leandro
Approved 3/26/18

RCEB BOARD MEMBERS PRESENT:

Kathy Hebert, President
Evangeline Iyemura, Vice-President
Nyron Battles, Secretary
Mike Treppa, Budget & Finance
Morena Grimaldi, Diversity & Equity Chair
Gwen Nash-Butler, CAC Vice-Chair
Sister Marygrace Puchac, PVAC
Dinah Shapiro
Linda Stevens
Gerald Tamayo

ABSENT [excused]:

Lilian Ansari
Chi Lee, Treasurer

STAFF PRESENT:

Lisa Kleinbub, Executive Director
Terri Jones, Director of Human Resources
Lynn Nguyen, Director of Finance & Administration
Lucy Rivello, Director, Health & Behavioral Services
Steve Robinson, Director of Community Placement & SDC Closure Plans
Meredith Rosenberg, Case Manager
Julie Whiskeyman, Case Manager
Herb Hastings, Consumer Advocate
Michi Toy, Executive Assistant

GUESTS:

Patricia Albeno
Vi Ibarra, CCCDDC
Sheraden Nicholau, SCDD
Geneva Ziaouré

CALL TO ORDER

Board President, Kathy Hebert called to order the regularly scheduled meeting of the Regional Center of the East Bay at 7:03 p.m.

WELCOME AND INTRODUCTIONS

Self-introductions were made and a quorum was present.

CONSENT AGENDA / MINUTES

M/S/C “The Board moves to approve the February 26, 2018 agenda as presented.”
[Battles/Shapiro] Unanimous

M/S/C “The Board moves to approve the January 22, 2018 minutes as presented.”
[Battles/Nash-Butler] Unanimous

PUBLIC COMMENT

No public comments

COMMITTEE REPORTS

EXECUTIVE COMMITTEE: Kathy Hebert

BUDGET AND FINANCE COMMITTEE

Budget and Finance Committee Report from 2/26/18 – Mike Treppa

Regional Centers just received the DDS D-2 Contract Amendment on February 22, 2018. The D-2 contract includes additional POS funding of \$1.1MM: \$640k for respite restoration, \$161k for ABX2-1 increase for competitive integrated employment incentives, and \$208k for Sonoma closure placement. Also included in the D-2 amendment is \$485k in Operations funding, which includes \$105k for facility maintenance not previously funded in the D-1 amendment, \$60k for efforts to reduce disparities, \$26k for core staffing associated with caseload growth, and \$263k for CPP operations. Additionally, RCEB also received \$31k funding for approved security costs to install key card readers on the doors to the 3rd and 4th floor of our San Leandro office.

Purchase of Service

Based on our expenditures through February 2018, RCEB is currently projecting a Non CPP Purchase of Services Expenditures sufficiency ranging from approximately \$5.6MM to \$8.4MM, an increase of \$1.4M to \$1.6MM from the previous month’s projections.

Currently, six Regional Centers including RCEB, are reporting a sufficiency POS budget in their projections. Statewide, the system has a sufficiency of \$2.1MM at a low projection and a deficit of \$30.3MM at a high projection.

- Actual cost of POS services through February continues to be less than initially projected.
- RCEB's projected program development for community clients (Non-CPP) continues to be low with new programs developing slower than initially projected.
- Our current POS projections also include our estimated cost for the increase of state minimum wage from \$10.50 to \$11.00 per hour effective 1/1/18. At this time, staff is working with vendors to determine the fiscal year impact. DDS's deadline for vendors to apply for this increase is 3/01/18.

We will monitor the status of our POS projections carefully until year end.

Operations

We continue to report a projected balanced operations budget for the current fiscal year 2017-18 with 51% of expenditures in base.

Cash Flow Status

The agency is currently maintaining a stable cash flow. We have received full reimbursement for our claims through December.

Mr. Treppa distributed the contract approval form outlining the details establishing a Line of Credit with Bank of Tokyo/Union Bank. This was also sent to our board members in their board packet. Our staff recently received documents to re-establish our Line of Credit for Fiscal Year 2017-18. The Union Bank agrees to renew our Line of Credit of \$35MM for 6 months from April through September with commitment fees of .20% (2/10th of a percent or \$35,000) to retain and/or access the line. As you may recall, last year was the first year the Bank was charging a fee for having a Line of Credit and therefore, the commitment fees was discounted to only .10%. This year, the bank is charging the normal fees of .20%. Union Bank is offering this same rate and the same terms to all regional centers. The interest rate on the loan will be prime rate (currently at 4.50%). Staff estimated that \$35MM will be sufficient to cover 1 month of expenses and recommends that the Board approve the line of credit as presented.

Multiple questions were asked and answered by Mr. Treppa and Ms. Nguyen.

M/S/C "The Budget and Finance Committee motions to approve the 6 month line-of-credit of \$35 MM from April to September, 2018 with bank fees of .20%."
[Shapiro/Puchac] Unanimous The motion was adopted.

CONTRACT APPROVALS

Ms. Hebert distributed the four new *Supported Living Services* [SLS] contracts to the board members. These contracts represents agreements to operate an SLS agency providing support to clients who live in their own home in the community.

BBMS Supported Living Services, LLC

Term: 3/1/18 – 2/28/23

Capacity: 15 individuals

Estim. Average monthly volume \$7,500/client

Estim. Annual total \$1,350,000

M/S/C “The board moves to approve of RCEB entering into the SLS contract with BBMS Supported Living Services, LLC as specified above.”
[Shapiro/Battles] Unanimous The motion was adopted.

James Thompson/Bertha Izallee Matella

Term: 3/1/18 – 2/28/23

Capacity: 15 individuals

Estim. Average monthly volume \$7,500/client

Estim. Annual total \$1,350,000

M/S/C “The board moves to approve of RCEB entering into the SLS contract with James Thompson/Bertha Izallee Matella as specified above.”
[Shapiro/Battles] Unanimous The motion was adopted.

Le Blanc Consulting, Inc.

Term: 3/1/18 – 2/28/23

Capacity: 15 individuals

Estim. Average monthly volume \$7,500/client

Estim. Annual total \$1,350,000

M/S/C “The board moves to approve of RCEB entering into the SLS contract with Le Blanc Consulting, Inc. as specified above.”
[Shapiro/Battles] Unanimous The motion was adopted.

Sentry Living Solutions

Term: 4/1/18 – 3/31/23

Capacity: 15 individuals

Estim. Average monthly volume \$7,500/client

Estim. Annual total \$1,350,000

M/S/C “The board moves to approve of RCEB entering into the SLS contract with Sentry Living Solutions as specified above.”

[Battles/Puchac] Unanimous The motion was adopted.

Ms. Hebert distributed three contracts in the *Community Placement Plan [CPP]* for ongoing service provider agreements to develop Specialized Residential Facilities and provide behavioral and sensory support to the elderly consumers residing in Sonoma Development Center [SDC] who will be moving into the community.

PFI Residential Services, INC.

Term: 5/1/18 – 4/30/23

Capacity: 4 individuals

Rate: \$18,911.70/client/month

Maximum monthly rate: \$75,646.80/client

Annual total \$75,646.80

M/S/C “The board moves to approve of RCEB entering into the contract with PFI Residential as specified above.”
[Shapiro/Battles] Unanimous The motion was adopted.

National Mentor Health Care, LLC.

Malabar Avenue

Term: 4/1/18 – 3/30/23

Capacity: 8 individuals

Rate: \$18,911.70/client/month

Maximum monthly rate: \$75,646.80/client

Annual total \$75,646.80

Marineview Drive

Term: 5/1/18 – 4/30/23

Capacity: 8 individuals

Rate: \$18,911.70/client/month

Maximum monthly rate: \$75,646.80/client

Annual total \$75,646.80

M/S/C “The board moves to approve of RCEB entering into the contract with National Mentor Health Care, LLC./Malabar Avenue and Marineview Drive properties as specified above.” [Shapiro/Battles] Unanimous The motion was adopted.

There were many questions brought up by the Board members in regards to the housing contracts and addressed by Ms. Kleinbub, Ms. Sodipo, and Mr. Robinson.

Department of Developmental Services

D-2 Contract Amendment

Ms. Hebert distributed the Department of Developmental Service’s D-2 contract amendment documents with a total increase of \$1,495,183 to the “D” Series contract.

Term: 7/1/17 – 6/30/21

OPS Allocation \$ 485,389

POS Allocation \$1,009,794

TTL D-1 Amendmt **\$1,495,183**

M/S/C “The board moves to approve the Department of Developmental Services D-2 Contract Amendment as presented.” [Battles/Shapiro] Unanimous The motion was adopted.

MEMBERSHIP DEVELOPMENT COMMITTEE: Kathy Hebert

Ms. Hebert reminded the Board that Gwen Nash-Butler and both our Finance Committee members; Chi Lee and Mike Treppa, will be terming out after their last year of service on our board at the end of 2018. The board conducted a ballot election with Evangeline Iyemura tallying the votes and all three were unanimously elected to serve out their last term for 2018.

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

The PVAC meeting was on February 9th. There was a presentation by Shauna Farabaugh on Sexuality in Transition. Ms. Farabaugh provides education, consulting, and coaching for caregivers and service providers in supporting their clients.

There was also a presentation by Julia McGriff, LCSW regarding the under-utilization of the Schreiber Center and the referral process. The next PVAC meeting will be on March 9th.

CONSUMER ADVISORY COMMITTEE [CAC]: Nyron Battles and Gwen Nash-Butler

Mr. Battles stated that the CAC met on Monday, February 12th where Ms. Kleinbub informed the committee of the Governor’s budget and what we might expect in the May Revise. Ms. Kleinbub also presented a short video relating to Self-Determination. An on-going challenge is recruiting for new CAC members. Ms. Whiskeyman, our RCEB Case Manager, advised the CAC committee that she will work with Nyron to write-up a referral request flyer to be sent out to all our case managers. The next CAC meeting will be on March 12, 2018.

DIVERSITY and EQUITY COMMITTEE: Morena Grimaldi

Ms. Grimaldi reported that the Diversity & Equity meeting met this evening where the majority of what was discussed revolved around the Purchase of Services [POS's] for RCEB clients. Ms. Kleinbub added that our data shows that overall our clients have less spent on purchase of services, which may be attributed to not having enough resources available. Due to the rates being so low, our providers are not finding it beneficial to develop new programs, and some can't continue with existing programs due to staff attrition. Ms. Kleinbub added that there should be an increase in day services for underserved communities within the next couple of months. There was a discussion about new service providers finding that the vendorization process for applying to regional centers is very involved for English speaking vendors, and more so for the mono and bi-lingual providers servicing that particular population.

The scheduled public meetings to discuss and provide input on our Purchase of Services are on our website <https://www.rceb.org/form/purchase-services>

Scheduled Meetings:

March 2nd at 4:00 PM: Interpretation in Cambodian, Vietnamese
Regional Center of the East Bay Conference Room
500 Davis Street, Suite 100, San Leandro, CA 94577

March 3th at 4:30 PM: Translation in Mandarin, Cantonese
Friends of Children with Special Needs
2190 Peralta Blvd., Fremont, CA 94536

March 9th at 9:00 AM: Interpretation in Spanish
Oakley Union School District
91 Mercedes Lane, Room 6, Oakley, CA 94561

March 10th at 10:00 AM: Interpretation in Cantonese, Mandarin
Chinese Community United Methodist Church
321 8th Street, Oakland, CA 94607

March 12th, 2018 at 9 AM Interpretation in Spanish
George Miller Center
2801 Robert Miller Drive, Richmond, CA 94806

March 21st at 9:30 AM: Interpretation in Spanish
Church of the Living God
1125 Harbor St, Pittsburg, CA 94565

March 31st, 2018 at 10:30 AM. Interpretation in Spanish
La Familia Neighborhood Resource Center
22366 Fuller Avenue, Hayward, CA 94541

March 20th through 31st
Virtual Meeting

A PowerPoint video of the data presentation will be available on our web site from March 20th-31st, with the ability to provide comments via an online form.

The next Diversity & Equity meeting will be on March 26, 2018 from 6:00-7:00 pm.

EXECUTIVE DIRECTOR'S REPORT: Lisa Kleinbub, Executive Director

State Budget – Governor's Proposal 2017-2018

As stated last month, the Governor released his budget to the State last month, and the Department of Developmental Services highlights are posted on our website:

<https://www.rceb.org/post/legislation-and-state-budget>

There will be hearings regarding the budget on March 7th in the Assembly, and on March 15th in the Senate. These hearings will be broadcasted live on the California Channel website and are open to the public. This is the time that DDS will be questioned about different items in the budget and overall, it is a quiet time until the Governor issues his May Revise. It is then that the Senate and Assembly hearings will take on greater importance since decisions are made.

Sonoma Developmental Center [SDC]

Most of the houses developed for those still to move from the developmental centers into the community, will be ready for occupancy by mid-April. Before occupancy can take place, the construction of these homes need to be completed, as well as finalizing details such as licensing and fire clearance. Scioto Properties, LLC., which is the last housing organization that we contracted with, is currently working on 8 Enhanced Behavioral Support Homes [EBSH] and a crisis facility for the closure. Overall, it has been smooth with minor construction issues but we still anticipate meeting the December 31, 2018 deadline by having the moves completed by August. The EBSH homes are a new model type that we have never had in our area; so we are hoping to have a couple ready soon so that we have time to test the model to see if additional changes/improvements need to be made. When the Agnews Developmental Center closed in 2009 and we had the Adult Residential Facility for Persons with Special Health Care Needs [ARFPSHN] developed, we learned what we needed to improve so when those homes were developed for this SDC closure, we included those improvements. These homes require specialized construction to accommodate the medically fragile client's needs along with specially licensed nurses. Our current ARFPSHN homes have vacancies, so we are looking to fill them with community consumers who may be able to utilize those homes. That will also be the case in the future with the EBSH homes.

Things are going well and all the families have had their initial meet-and-greets with RCEB and the potential service providers. Ms. Kleinbub congratulated Mr. Robinson and his case managers for working with the families every step of the way and answering all their questions and concerns. We currently have 47 individuals residing at SDC.

We are also working on the DDS Safety Net Services plan to include new developments of the Northern Star Homes for the individuals from the community currently residing at SDC with severe behavioral needs that require intensive crisis placement. American Canyon is a location in consideration, and these small facilities of 5-beds will be run and staffed by the State. They also

have a safety consultation support team, who make house visits to individuals and their families who are experiencing difficulty.

We had a legislative briefing in late January where legislative staffers listened to the reports from DDS and the regional centers regarding the progress of the developmental services closures, as well as other service needs. A major topic of discussion was the Safety Net Services.

Self-Determination

At our last board meeting in January, Ms. Kleinbub stated that it looked like DDS may be submitting the final waiver application to the Federal government at the end of January/early February. However, the application has not yet been submitted to the Centers for Medicaid/Medicare Services [CMS]. The hope is that when it is submitted, there will not be many questions from CMS regarding Self-Determination.

Our local Self-Determination committee will be publicizing a number of trainings covering a variety of dates and times, where RCEB staff and committee members will be available to provide information to families in the community to learn about self-determination and sign up for the SD pilot program lottery, which will be 150 people in our area. These will be posted on our website.

DDS Audit

DDS is conducting their scheduled audit for fiscal years 2015/16 and 2016/17 to make sure that we are following the Federal compliance programs, fund management, and many other items. All the records requested needs to be compiled prior to and throughout the auditor's five week visit with RCEB. It's a very busy time for us especially for our CFO and Controller as they have the responsibility for making sure that the records are available and the questions that they have are answered. Our last DDS audit was in 2015, and we are awaiting the final report; only draft reports exist from that audit.

Respite Policy

As reported at last month's board meeting, DDS approved our Respite Policy revision on December 29, 2017 for a period of only three months, in order for us to include a more *specific* Exception Procedure as well as to provide clarity on In-Home-Support-Services [IHSS] and how they will be used in conjunction with respite. Our deadline for submitting the revision to DDS is tomorrow, February 27th. The Board was sent the revision in their board packet on February 16th to review, where the changes were indicated in italics. Ms. Kleinbub went over each change that was made and explained that the specific language that DDS wanted included, was added.

M/S/C "The Board moves to approve the updated third draft of the Respite Policy [revised on 2/26], as outlined in the document and explained at this Board meeting." [Shapiro/Battles] Unanimous The motion was adopted.

Questions were asked and addressed accordingly.

Legislative Breakfast

The East Bay Developmental Disabilities Legislative Coalition [EBLC] hosted a Legislative Breakfast on February 2nd at RCEB in San Leandro. There was an impressive turnout of around eight legislative office staffers, including Assembly Members Catharine Baker and Jim Frazier. Ms. Kleinbub stated that those in attendance were able to speak to their representatives about the issues and challenges that the clients and their families face every day. Ms. Kleinbub added that this venue was more conducive to face-to-face interaction with the legislators vs. in a large auditorium, and the environment was more relaxing. The theme was It's a Rainy Day Now, which related to Governor Brown's Rainy-Day Fund and how our service system is experiencing emergency needs now. The decoration of the room reflected that theme, and we thank Sister Marygrace Puchac for her always perfect decorations at this successful event.

Winterfest

Our yearly staff Winterfest event was held this year on January 24th; a month later than usual, in a very nice venue in Pleasant Hill where over 200 staff and board members enjoyed socializing, food, music and dancing.

All Staff Meeting

We had All Staff Meetings in both our Concord and San Leandro offices on February 7th. This was an opportunity to inform staff about the Governor's budget, concerns and challenges in the system, and especially for recognizing RCEB staff who have been with the agency for 5, 10, 15, and 20 years. We acknowledged one employee for 30 years and one for 40 years of service at RCEB.

PUBLIC COMMENT

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

Jan 24: At this CCCDDC meeting, Lisa Kleinbub gave a presentation on the highlights of the Governor's proposed budget.

Feb 15: This is the first Crossroads Speaker Series by the Transition Task Force. The topic was Choosing the Right Path: Pro's and Con's of choosing to get a diploma or transition to adult services.

Feb 28: This is the next CCCDDC meeting with a presentation on Mental Health & The Developmental Disability Community: Navigating the Challenges, by Robert Field, PhD.

Mar 15: The topic of the second speaker series event is Managing Wealth: How to Get and Save Benefits.

Mar 17: The Autism Star Conference will be at Diablo College/Pleasant Hill from 8am – 2pm for clients (birth to 16 years-old), families and caregivers.

Lisa Kleinbub for Sandi Soliday, Alameda County Developmental Disabilities Council [ACDDC]

Ms. Kleinbub gave the report for Ms. Soliday who is attending a UCSF Benioff training sponsored by ACDDC. There is no ACDDC meeting this month due to the Transition Faire.

March 24: Alameda County Transition Faire at the College of Alameda. Registration for this event is ongoing and they need more volunteers.

April 11: This will be the next ACDDC meeting where there will be a presentation from Stephen Dale on the Life Passage Planning Project.

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

Ms. Nicholau pointed out that CMS had not yet approved of California's Transition plan for the Home and Community-Based Services [HCBS] New Settings Rule, *until* last week on Friday, February 23rd, where a letter was finally received from CMS. Due to the multiple back-and-forth of the plan revisions, there is no longer a need for a 90-day public comment period. Therefore, we can move into the next phase with the Federal government. Ms. Nicholau also added that this relates to the approval from CMS on the Self-Determination program, so we are gradually moving along.

Feb 16: This was the last date for the California legislature to present bills for this State calendar. There are about 30 bills directly related to topics that the SCDD is interested in. SCDD also co-sponsored a couple of the bills relating to employment, one bill with Assemblymember Frazer [AB2171] and the other with Senator McGuire [SB1274].

Feb 28: The Regional Advisory Committee meeting at the S.M. Office of Education

March 5: Legislation and Public Policy Committee- detailing all the bills

March 13: State-wide Self-Determination meeting

March 13: West Contra Costa Unified School District- start of the Special Ed Beyond Series meetings for the next few months

March 15: State-wide Employment First meeting

Mar 19: Self-Advocate Advisory Committee meeting

March 20: Next State Council Meeting in Sacramento

March 28/29: State-wide Self Advocacy Network

Evangeline Iyemura, RCEB Board Vice-President/Chairperson for the Autism Speaks Walk in S.J.

Ms. Iyemura informed every one of the yearly Autism Speaks walk on April 14th at History Park in San Jose. The Dream Achievers Band will also be performing. The website is current and anyone may register online.

Dinah Shapiro, RCEB Board Member/CAC Member

Ms. Shapiro stated that there will be a regional Northern California Special Olympics basketball tournament this weekend at Amador High in Pleasanton. She also added that Creative Growth is having their annual runway event fashion show on March 31st at the Oakland Scottish Rite Center.

ARCA REPORT: Lisa Kleinbub

Ms. Kleinbub informed everyone that Grassroots Day at the Capitol will be on March 20th, so if board members are interested in attending, please let us know. The primary talking point is the restoration of camp and recreational services. There will also be an ARCA meeting in March.

MEETING ADJOURNED

The board meeting adjourned at 8:41 p.m.

The next Board Meeting will be at 7:00 PM on March 26, 2018 in San Leandro