



**REGIONAL CENTER OF THE EAST BAY**  
**Board of Directors Meeting**  
**MINUTES**

Monday, February 24, 2014 7:00 p.m.

500 Davis Street, San Leandro, CA

Final

Approved 3/24/14

**RCEB BOARD MEMBERS PRESENT:**

Anne Struthers, President

Kathy Hebert, Vice-President

Mike Treppa, Budget & Finance Committee Chair

Steve Whitgob, Treasurer

Rose Coleman, Secretary

Cecilia Corral, Diversity & Equity Committee Chair

Nyron Battles, CAC Chair

Melanie Fowler, PVAC Co-Chair

Ron Clay, CAC

Chi Lee

Gwen Nash-Butler, CAC

**ABSENT:**

Donald Morris, CAC [excused]

**STAFF PRESENT:**

Jim Burton, Executive Director

Francine Davis, Director of Community Services

Terri Jones, Director of Human Resources

Lisa Kleinbub, Director of Health and Behavioral Services

Nancy Kubota, Director of Finance & Administration

Pam Thomas, Director of Consumer Services

Elvia Osorio-Rodriguez, Associate Director of Consumer Services, Contra Costa County

Ronke Sodipo, Associate Director of Consumer Services, Alameda County

Antonia Heinrich, Accounting

Michi Toy, Executive Assistant

**GUESTS:**

Darcy Ting

Evangeline Imana-Iyemura

Sharon Jiminez, DDS

Gabriel Rogan, Area Board 5

John Rodriguez, CCCDDC

Sandi Soliday, ACDDC

Todd Struthers

**CALL TO ORDER**

President, Anne Struthers called to order the regularly scheduled business meeting of the Regional Center of the East Bay at 7:05 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 minutes of January 27, 2014 as presented [Whitgob/Lee] Unanimous

M/S/C “The Board moves to approve the agenda of January 27, 2014 with the addition of Contract Approval under the Executive Committee/President’s Report” [Whitgob/Lee] Unanimous

**PUBLIC COMMENT**

No public comments

**COMMITTEE REPORTS**

**EXECUTIVE COMMITTEE:** Anne Struthers

**Department of Developmental Services Contract**

Ms. Struthers distributed the Department of Developmental Services [DDS’s] E-3 contract amendment approval sheet indicating an additional \$6,377,148 to RCEB’s Purchase of Service allocation. The term of the contract amendment is from 7/1/2009 – 6/30/2016.

M/S/C “The Board moves to approve DDS’s E-3 contract amendment as presented.” [Battles/Whitgob] Unanimous

Ms. Struther’s congratulated those who were involved in the February 21<sup>st</sup> Townhall Meeting in Oakland and advised the Board that it was a well attended event with many legislators, speakers, and members of our community.

**BUDGET AND FINANCE COMMITTEE:** Steve Whitgob

**Purchase of Service**

- The regional centers received the E-3 contract amendment on February 13<sup>th</sup> which was a bit earlier than anticipated. RCEB received approximately \$423K in Community Placement Plan funding and \$5.9M in our regular Purchase of Services Allocation.

- RCEB is currently projecting a mid-range insufficiency of approximately \$8.9M based on our expenditures through January 2014 and including the additional POS allocation.
- With more than half of the fiscal year expenditures in base, RCEB's POS insufficiency is relatively modest in comparison with other Regional Centers of our size. All 21 Regional Centers are still reporting insufficiencies in their POS budgets, despite the E-3 contract amendment. Our E-1 allocation was approximately \$18M more than we received in the first amendment for Fiscal Year 2012-13 which also included the additional funding for the 1.25% payment restoration.

#### Operations

- RCEB did not anticipate receiving nor did we receive any additional operation funds on the E-3 contract amendment. We continue to monitor our operations budget and are pleased to report a projected balanced operations budget for the current year.

#### Cash Flow status

- The agency is currently maintaining a stable cash flow and we have been receiving full reimbursement for our claims so far. DDS previously announced that cash flow could be an issue starting in March but we have not received any further updates. We will keep the Board, as well as the Executive Committee, posted on our cash flow status.

#### **MEMBERSHIP DEVELOPMENT COMMITTEE:** Anne Struthers

- Ms. Struthers reminded the board that the Committee had been actively interviewing board candidates, and is pleased to announce that at the Executive Committee meeting on February 12<sup>th</sup>, they had nominated two new members and one returning member for board membership. Ms. Struthers distributed the election ballot to the board members to cast their votes.
- Upon tallying the results, the following new board members were unanimously elected to begin their first 3 year term on RCEB's Board of Directors at this meeting:
  - Evangeline Iyemura
  - Darcy Ting
  - Carmen Quinones [previously served on the Board from 2003-2010]

#### **PROVIDER/VENDOR ADVISORY COMMITTEE:** Melanie Fowler

- The last PVAC meeting was on February 14<sup>th</sup> where there was a presentation by David Burch, Environmental Planner, on the Bay Area Commuter Benefits Program under development by the Bay Area Quality Management District. The

purpose of this program is to improve air quality by promoting the use of public transportation in the effort to reduce pollutants and greenhouse gasses caused by traffic congestion.

- On March 19<sup>th</sup>, the Air District will hold a public hearing in San Francisco. If this rule is approved, employers of 50+ full time employees will be required to offer their employees 4 different options ranging from a pre-tax commuter option to employer-provided transit. Additional information and details can be found on the Bay Area Air Quality Management District's website.
- The next meeting will be March 14<sup>th</sup>.

**CONSUMER ADVISORY COMMITTEE:** Gwen Nash-Butler

- The CAC meeting was on February 10th, where Ms. Nash-Butler stated that Mr. Burton's report started with the good news that Santi Rogers, the Executive Director of San Andreas Regional Center had been appointed as the new Director of the Department of Developmental Services. Mr. Burton stated that Mr. Rogers has a wealth of experience and also informed the CAC that John Doyle had been elected as Chief Deputy Director at DDS.
- It was also announced that the RC's anticipate a 3% increase in the Intellectually Disabled population. Service Providers statewide will have \$110 million in funds available to assist them with covering the cost of the increase in minimum wage.
- Ms. Nash-Butler also informed the board that Lucy Rivello, RCEB Clinical Supervisor, gave a presentation on how to take care of yourself during the Cold/Flu season.
- The next CAC meeting will be March 10, 2014.

**DIVERSITY and EQUITY COMMITTEE:** Cecilia Corral

Meeting:

- This is the fifth meeting of the Diversity & Equity Committee which was held an hour before the commencing of the board meeting.
- This was a hands-on meeting where we broke up into three sub-committee groups to actively start the process of improving services to our community based on the information gathered from our previous meetings.

Group 1: Diversity & Equity Webpage

Group 2: Training {for families as well as in-house}

Group 3: Support Groups

- There will be **NO DIVERSITY & EQUITY MEETING** in March. In lieu of our meeting, we will have a public meeting to discuss the POS data that we have been analyzing. This public meeting will be in San Leandro beginning at 7:00 on March 24<sup>th</sup>, followed by our regularly scheduled board meeting and is posted on our website.

#### **EXECUTIVE DIRECTOR'S REPORT:** Jim Burton

- Mr. Burton started off by welcoming the three new board members to RCEB.
- Mr. Burton went on to inform the Board that although Santi Roger's actual start date is March 3<sup>rd</sup>; he has been actively involved with his new role at DDS. Mr. Burton also added that Mr. Santi Roger's going-away event put on by San Andreas Regional Center on February 14<sup>th</sup> in Campbell was a very nice send-off.
- Mr. Burton commented that the Town Hall meeting in Oakland was a wonderfully organized event again this year with the focus on WORK. It was well represented by legislators and key staffers in the area and a full audience. Mr. Burton acknowledged the outstanding presentations from Anne and Todd Struthers and how all the speakers really got the attention, understanding and feedback from the legislators. He also acknowledged the many sponsors of the event.
- Mr. Burton provided details to the board about the Association of Regional Center Agencies [ARCA] Grassroots day starting on March 12<sup>th</sup> in Sacramento. Mr. Burton stated that appointments would need to be scheduled with legislators in our area and that it is a good opportunity to meet with Sacramento staff. If you are interested in attending, please contact Michi Toy at [mtoy@rceb.org](mailto:mtoy@rceb.org).

#### State Budget Main Issues

- Mr. Burton informed the board that the budget is moving along its regular process and that Hearings are scheduled on March 19<sup>th</sup> (Assembly) and \*March 27<sup>th</sup> (Senate). These hearings are great opportunities to let legislators know what your thoughts are on the Governor's proposals. The legislative analysts just issued their report on the governor's budget today. Mr. Burton promoted the idea of going to at least one of the hearings, but if that wasn't possible, he recommended sending your comments in writing.
- Mr. Burton stated that one of the biggest issues in the State budget this year is the **In-Home Support Services [IHSS]** budget. A concerted effort needs to be made to address the Governor's proposal not to allow for payment of overtime for IHSS workers, as it will be very difficult for the clients to assess necessary care and find sufficient IHSS workers.

- Another issue that will affect those with developmental disabilities the most is the restoration of services for infants and toddlers. These services are continuing to be restricted through prior year's trailer bill and budget acts. Eligibility for **Early Start** services has continued to be restricted.
- Another area is the **rates**, and rates of reimbursement for RC services provided directly by the RC and vendored services. Rates have been restored [4.25% cut], which helped but did not replace all those years of cuts. This has been very debilitating to our service providers who are struggling as well as to the RC's.
- Senator Darrel Steinberg will be holding an informational hearing on the implementation and impact of the autism mandate bill **SB 946** [bill requiring health insurers to fund behavioral services] at the State Capitol on March 4<sup>th</sup>.
- The Governor proposed to add \$110M to the budget for California's **minimum wage increase** to \$9/hour beginning in July of 2014. Implementing these changes in rates will be very difficult given the variety of ways rates are set. Residential care services rates are set in law; therefore, the Department will be issuing changes to those rates for residential care out of home placement community care facilities. Day program rates are set by the Department so the Department will be gathering information from the providers, then issuing letters to the RC's individually for each provider. There is draft trailer bill language, new law being proposed to implement this, and a lot of work to be done. The goal is to have this all done and new rates in place by July 1<sup>st</sup>, which is when the new rates take effect.

#### State Developmental Centers

- It is expected that the developmental center issue will be talked about during the budget hearings, and most likely will have its own hearings. In the interim, the SDC's continue to work to improve services. The Task Force's report on the future of California State Developmental Centers did an exceptional job outlining the steps that California will need to take to further reduce reliance on SDC's. By the end of 2014/15, there will be 277,000+ people living in the community and only 1,049 remaining at the DC's. RCEB has roughly 170 clients in the DC's, and legally cannot place anymore people in DC's; however, the Courts can place people in Porterville, a secured treatment facility with a long waiting list. RCEB placed 16 clients from the DC's back to the community last year.

#### Financial

- Regional Center representatives met with John Doyle, Chief Deputy Director of DDS to work on cash flow issues, which have been troublesome in prior years. The meeting was very positive and collaborative, and Mr. Burton is hopeful that in the budget process changes will be seen so that borrowing from our line-of-credit will not be necessary.

- Although the E-3 contract amendment adds \$6M to POS allocation, we still have a remaining insufficiency deficit of about \$9M, which although lower than we have seen in a long time, is still higher than where we would like to be.
- RCEB is currently having our regular every-other-year contract compliance audit that the Department performs. It is a very thorough audit not just of fiscal matters, but for compliance with State and Federal law, contract, and State regulations. The auditors will be on-site for 5 weeks.

#### Way Forward Project

- There is a meeting on April 3<sup>rd</sup> of “The Way Forward”, which was spearheaded by a couple of the Los Angeles RC’s a couple of years ago with a goal of how our service system should be re-configured for the future. This was not sponsored by ARCA and has about 60% of the RC’s participating in this effort. RCEB has respectfully declined to participate, but Mr. Burton wanted to inform the board of the project’s existence.

#### Board Training

- This topic was discussed at our Executive Committee Meeting this month. It decided that it would be an opportune time to conduct training as we did a few years ago, especially in light of the new board members who have just joined. Methods discussed were whether we should have Saturday meetings, or monthly meetings; both of which we have done in the past.
- It was decided that we will introduce a topic every month, and have a presentation and question/answer session for the board members to broaden their knowledge of what we do at RCEB. We will begin in March, an hour before the board meeting, with a presentation by our Director of Community Services, Francine Davis. The Executive Committee will determine training topics for future meetings.

#### **PUBLIC COMMENT**

*Sandi Soliday*, Alameda County Developmental Disabilities Council

Ms. Soliday stated that the Council is now recruiting for new Council members.

The council will soon be recruiting for a clinician and a psychiatrist for the Shreiber Center as well.

March meeting:	There will be no meeting of the ACDDC
March 15, 2014:	Transition Fair at the College of Alameda on March 15 <sup>th</sup> [one workshop will be in Spanish]. Registration forms are available.
April 9 <sup>th</sup> , 2014:	Next ACDDC meeting
April 12 <sup>th</sup> , 2014:	STAR Conference – Parent Conference on Autism and Resource Fair at RCEB in San Leandro

*John Rodriguez*, Contra Costa County Developmental Disabilities Council  
Mr. Rodriguez welcomed RCEB's Associate Director of Consumer Services, Elvia Osorio-Rodriguez as a new board member of the CCCDDC.

February 26<sup>th</sup>, 2014: The next presentation meeting will be the impact on service providers as a result of the recent legislative and regulatory changes.

*Gabriel Rogan*, Area Board 5

Mr. Rogan informed the board that the State Council and Area Boards are under intense scrutiny by the Federal Government, and that in response a bill will be presented to the Legislature that will change the structure of Area Boards to report directly to the Council instead of continuing with independent boards. The bill would require that instead of "Area Boards" they will be known as Advisory Committees at Council Regional Offices which will result in the Area Boards having less autonomy and flexibility.

February 26<sup>th</sup>, 2014: Next meeting at GGRC in San Mateo, main topic on sub-minimum wage

**ARCA REPORT:** Anne Struthers

- March 20/21, 2014: Next ARCA meeting in Sacramento.
- Ms. Struther's also informed the board that the deadline for introducing new legislation was last Friday the 21<sup>st</sup>.

**Closed Session**

There was no closed session.

**MEETING ADJOURNED**

The board meeting adjourned at 8:00 p.m.

The next board meeting will be on March 24, 2014 in San Leandro immediately following the public meeting on POS Data