



REGIONAL CENTER OF THE EAST BAY
Board of Directors Meeting
MINUTES

Monday, July 27, 2015
2151 Salvio Street, Concord, CA
Final Approved 9/28/15

RCEB BOARD MEMBERS PRESENT:

Anne Struthers, President
Evangeline Iyemura, Vice-President
Mike Treppa, Budget & Finance Committee Chair
Steve Whitgob, Treasurer
Nyron Battles, CAC Vice-Chair

Morena Grimaldi
Daniel Hogue, PVAC
Gwen Nash-Butler, CAC
Marie Parra

ABSENT:

Rose Coleman, Secretary [excused]
Chi Lee [excused]
Donald Morris [excused]

Carmen Quinones [excused]
Darcy Ting [excused]

STAFF PRESENT:

Jim Burton, Executive Director
Terri Jones, Director of Human Resources
Lisa Kleinbub, Director of Health & Behavioral Services
Nancy Kubota, Director of Finance & Administration
Ronke Sodipo, Director of Community Services
Pam Thomas, Director of Consumer Services
Melanie Fowler, Associate Director of Adult Services
Evelyn Hoskins, Associate Director of Federal Programs
Priscilla Gomez, Transportation Manager
Carol Nyhoff, Case Manager
Meredith Rosenberg, Case Manger
Michi Toy, Executive Assistant

GUESTS:

Mei Yuk Kung, Director of Sonoma Regional Project
Bill Barbaria
Cleo Manspeaker
Sister Marygrace Puchac,
East Bay Services for the Developmentally Disabled

Sandi Soliday, ACDDC
Todd Struthers
Josh Sullivan, CCCDDC

CALL TO ORDER

President, Anne Struthers called to order the regularly scheduled 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 July 27, 2015 Agenda with the addition of a Closed Session - Real Estate issue at the end of the meeting.”
[Battles/Butler] Unanimous

M/S/C “The Board moves to approve the minutes of June 22, 2015 as presented”
[Battles/Butler] Unanimous

PUBLIC COMMENT

Cleo Manspeaker expressed her appreciation to RCEB for the acknowledgement that she received at the May 18th board meeting for her success in living in the community.

COMMITTEE REPORTS

EXECUTIVE COMMITTEE: Anne Struthers

CONTRACT APPROVALS

Delegate Agencies

Asian Community Mental Health Services [ACMHS]

This contract represents the case management contract between RCEB and ACMHS for the new fiscal year, with no changes in the rate. A contract amendment will be done if State budget negotiations result in a cost-of-living-adjustment.

- Term: 7/1/15 – 6/30/16
- Rate of Reimbursement: \$87.08 per client per month and \$370 per assessment
- Monthly total contract amount: \$116,904 (approximate amount- based on caseload)
- Annual estimated contract: \$1,402,848 (approx)

M/S/C “The Board moves to authorize RCEB to enter into the contract with Asian Community Mental Health Services for Fiscal Year 2015-16.”
(Battles/Parra) Unanimous

La Familia Counseling Services [LFCS]

This contract represents the case management contract between RCEB and LFCS for the new fiscal year, with no changes in the rate. A contract amendment will be done if State budget negotiations result in a cost-of-living-adjustment.

- Term: 7/1/15 – 6/30/16
- Rate of Reimbursement: \$87.08 per client per month
- Monthly total contract amount (up to) : \$52,248
- Annual estimated contract: \$626,976

M/S/C “The Board moves to authorize RCEB to enter into the contract with La Familia Counseling Services for Fiscal Year 2015-2016.”
[Battles/Parra] Unanimous

Mr. Burton added that due to the significant growth in our Latino client population, we are in discussions with La Familia to hire an additional case manager in order to accommodate the larger case-load. Therefore, we will be amending the contract in the near future to add one additional caseload.

A question regarding the reason that ACMHS is paid for assessments whereas La Familia is not, was asked and addressed by Mr. Burton who stated that RCEB performs the assessments for all monolingual Spanish speaking individuals since we have Spanish speaking intake and assessment staff. ACMHS does assessments primarily due to the large number of Asian languages that are spoken and we do not currently have staff fluent in those languages.

BUDGET AND FINANCE COMMITTEE: Steve Whitgob

The financial statement reflects 12 months of expenditures through June 2015. Please note that staff members are still in the process of year-end close for accounting purposes, therefore not all POS and Operations expenses are fully reflected in the expended year-to-date column as we continue to receive and pay late bills for the prior fiscal year.

Purchase of Services [POS]

Since last month, there is only a slight change in our Fiscal Year 2014-15 POS budget projections. Our June 2015 non Community Placement Plan (CPP) Purchase of Services Projection reflects a mid-range insufficiency of approximately \$7.7M. We continue to work closely with the Department in reporting our POS insufficiency. As reported to the Board previously, the Department of Developmental Services has stated that they believe there are sufficient funds in the 2014-15 State budget to cover all deficiencies. At this point in time, 18 of the 21 regional centers are still projecting insufficiencies in POS. In the past, our regional center had larger insufficiencies compared to where we are now, and the Department has always kept its commitment to fund those insufficiencies. We will keep the board apprised of the status of our 2014-15 POS expenditures and any future allocations to the ‘A’ Series contract.

Fiscal Year 2014-15 Operations

Staff is still in the process of completing year-end work for operations, and some late bills and journal entries are not reflected in our financial report under “expended year-to-date totals”. We are pleased to report as projected throughout the year, that we will end the fiscal year with a balanced operations budget.

Status of Fiscal Year 2015-16 allocation

As reported last month, RCEB received the preliminary “B” Contract and allocation for Fiscal Year 2015-16 in June. Staff is currently analyzing the 2015-16 POS and Operations allocations that we received but since this is only the preliminary contract, we will need to wait until we receive the B-1 contract amendment, which is expected to be released by August 15 in order to provide the board with this year’s operations budget and projections.

The Sufficiency of Allocation Report (SOAR) is typically completed and due to the State in October/November of each year. Staff will provide the Board with our Purchase of Services projections for Fiscal Year 2015-16 after completion of the SOAR report.

Line of Credit and Cash Flow

As we have been reporting to the board, our cash reserves were getting very low towards the end of the fiscal year. Although we ended the fiscal year with a small cash reserve, we had expected the F/Y 2015-16 cash advance to arrive shortly after the start of the fiscal year. Unfortunately, there was a delay at the State Controller’s office which caused the cash advances to be issued late. On July 13, staff was preparing to notify the Executive Committee of the Board and get bank documents ready in the event we would need to borrow. Our POS payments are released on the 15th of every month so we were only 2 days away from running out of cash. Fortunately, the cash advance arrived on July 14th and we did not need to access our line of credit.

We want to acknowledge and thank the Department for their hard work with the Controller’s office to expedite the cash advances for the Regional Centers. Many Regional Centers had to borrow from their lines of credits, despite the Department’s best efforts, so RCEB was fortunate that we did not have to borrow. We also want to thank Union Bank as they made special efforts to allow the deposits to be accessed immediately to prevent a delay in provider payments. We should be getting our 3rd cash advance on August 1, 2015. We will continue to update the Board, as well as the Executive Committee, on our cash flow status.

RCEB made inquiries to Union Bank about a line of credit for Fiscal Year 2015-16 in the event State warrants are delayed for any reason going forward. Our current line of credit expires at the end of September. As of this date, the bank has made no decision regarding the establishment of a Fiscal Year 2015-16 Line of Credit for their Regional Center account holders. However, like last year, they may extend the current line of credit. We will keep the Board apprised on the agency’s cash flow and any developments regarding a Fiscal Year 2015-16 line of credit.

Bank Signature Cards

The Department of Development Services is requiring that all Regional Centers update their bank signature cards. Bank signature cards establish the authorized signers of all of RCEB's bank accounts. Currently, the check signers for the agency are James Burton, Nancy Kubota, Pamela Thomas and Elisabeth Kleinbub. The updated cards will add Ronke Sodipo as a check signer. Please note the vast majority of our checks are released with the facsimile (automated) signatures of Jim and Nancy.

Changes in bank signature cards require Board resolution. Therefore a motion will be needed to approve and authorized new bank signature cards for the agency.

M/S/C "I would like to make a motion that the Board duly adopt and approve the authorized RCEB staff persons as the agency's check signers for the agency's bank accounts in accordance with the Bank and DDS agreements. The authorized RCEB signers will be James Burton, Nancy Kubota, Pamela Thomas, Elisabeth Kleinbub and Ronke Sodipo."
[Whitgob/Treppa] Unanimous

Mr. Burton also added that the State of California is also able to sign in the event that RCEB is not able to.

Several questions were asked and addressed accordingly.

MEMBERSHIP DEVELOPMENT COMMITTEE: Anne Struthers

We currently have 14 board members and are seeking an additional Alameda County Latino member in order to maintain ethnic representatation consistent with our community.

PROVIDER/VENDOR ADVISORY COMMITTEE [PVAC]: Daniel Hogue

Mr. Hogue summarized the PVAC meeting from July 10th where there was a presentation by Jennifer Blanza, LCSW the Assistant Director of Training and Education of the Seneca Training Institute. The organization offers training and support for children up to 25 years-old. The next PVAC meeting will be on September 11th.

CONSUMER ADVISORY COMMITTEE: Nyron Battles

Mr. Battles informed the board that Gabriel Rogin did a presentation on Self-Determination which was very informative and helpful. Mr. Battles also stated that the planning of a social event at an A's game is now complete, and that the CAC members will be attending the August 31st game. The next Consumer Advisory Committee meeting will be on September 14th.

DIVERSITY and EQUITY COMMITTEE: Anne Struthers

Ms. Struthers informed the board that the Diversity and Equity Committee met prior to the board meeting, where Lisa Kleinbub presented the new 2015 Trailer Bill changes to the law, specifically, SB82 4519.5 as it pertains to "Threshold Languages". Pam Thomas gave an update on the Congreso Familiar Conference on Saturday, August 8th as well as updates on the support groups. The next Diversity and Equity Committee meeting will be on September 28th.

EXECUTIVE DIRECTOR'S REPORT: Jim Burton

Mr. Burton started off by introducing Mei Yuk Kung, the new Director of the Sonoma Regional Project, who spoke about her background and her prior experience in the area of developmental disabilities. Ms. Kung then proceeded to update the board on the status of the closure of Sonoma Developmental Center and the multiple meetings that are taking place with the parents, community, regional centers, and resource development.

State Budget – Special Session Update

Mr. Burton briefly updated the board on the status of the budget being signed. In addition, the Governor and legislative leaders agreed to hold two special sessions; one on transportation and the other on health and developmental disability sustainability. Although the hearings have begun, there's not too much to report on at this point, as legislators are on vacation. There is a lot of legislation that have been introduced, many of the bills are just placeholders. SBx2-1 introduced by Senator Jim Beall includes the 10% funding increase for service providers and regional centers. The legislators will be reconvening in mid August, and there is a hearing scheduled on August 19th. Although we have seen many bills that relate to spending, we still have not seen an answer to what the Governor put forward with these special sessions, which is where are the revenues going to come from. The Governor specifically asked the legislature to approve an updated managed care tax incorporating the Federal government's requested changes, since the current one is due to expire in 2016. The Governor stated that if as a result of this special session, we do not have that managed care tax, particularly the \$1.1B that the tax would bring in, then his administration would propose a \$1.1B in cuts to both our system and the healthcare system. Since this is a tax increase, it will take a 2/3 majority vote.

We are hopeful that something will end up in this budget for increased rates for service providers and for regional centers, since the legislature accepted the Governor's proposal. Mr. Burton stated that we still need to be advocating and continuing with the grassroots efforts to keep the pressure on the legislators via phone calls, letters and media.

California State Developmental Centers

The closure of three developmental centers did make it into the budget including; Sonoma, Fairview, as well as the non-secured treatment portion of Porterville Developmental Center. The closure of Sonoma Developmental Center [SDC] is to be completed by the end of 2018, and for Fairview and a portion of Porterville Developmental Center, closure by 2021.

The SDC closure is very much front and center for RCEB as we have the largest number of consumers [127] who reside there. We have started holding family meetings, some of the families continue to express their opposition to the closure, while others have come to terms with that fact and want to know what the community options are for their loved ones. Mr. Burton stated that a close review of the agreement with the Federal government's Center for Medicaid/Medicare Services [CMS], it is clear that there is just one year of federal funding for the 161 residents at SDC in the ICF/DD programs. The Federal government will then consider a second year of funding. Mr. Burton added that this is the stiffest of requirements that he has

ever seen in any agreement. The pressure by the Federal government is significant as it relates to SDC, and we do not know yet what kind of pressure will be placed on the closure of the other developmental centers.

In the meantime, we have many more family and resident meetings and a plan that must be put together by the October 1st, 2015 deadline. RCEB staff is very involved in the closure process and will continue to work closely with the families as we are very committed to providing community placement that is as good as or better than what that they have received at Sonoma Developmental Center. There will be a hearing on the draft of the plan in mid September.

The State has been working with the regional centers in providing resources for the closure effort, and \$50M was included in the budget for this purpose. We are currently working on how we would use those funds to start up new programs to be able to serve people appropriately in the community. Mr. Burton shared how the Agnews Developmental Center closure ended up with some great community services that became available to everyone after the closure. Mr. Burton sees this happening with SDC as well.

Self-Determination Local Advisory Committee

Background: The RCEB and the SCDD Council Office each appointed 5 members to the committee along with the client rights advocate making it a total of 11 members on the committee. There will be a phase-in period with a maximum of 2,500 participants Statewide in the first three years of the Self-Determination Program. Each participating regional center will get a specific allocation of participants based on their percentage of the population of consumers statewide, and for RCEB, this would be around 155 consumers.

We had our first Self-Determination meeting on Monday, June 29th chaired by Anne Struthers with ten committee members, three RCEB staffs, and seven guests in attendance. This was a very good first meeting of this unique committee. It is made up of some very good and active members who have decided to hold a meeting monthly. The next meeting will be Monday, August 31st at RCEB/San Leandro at 7:00 p.m. and everyone is welcome to attend as it is open to the public.

Mr. Burton updated the board on last week's meeting of the Statewide Task Force on Self-Determination. The Federal approval date for Self-Determination continues to be delayed; moving from fall 2015 to January 2016. One of the complications surrounding the Self-Determination submission is that CMS issued new rules in regards to living settings and how services are to look in five years. Therefore, everything submitted needs to address these rules that do not actually take effect until 5 years from now. It's been very complicated and the Department of Developmental Services has been making sure to keep this moving forward.

There has been recent new information that the legislature might expand the number of initial participants. We will keep you updated as we are informed.

Minimum Wage

Mr. Burton stated that RCEB is working quickly and as hard as possible to address all the changes to minimum wage, sick leave, and the increase in IHSS hours, and the impact that it has on our service providers. This is highly unusual to have so many things that require a modification of rates individually for thousands of people. Mr. Burton requested patience from all, as we are working many long hours to get the adjustments made. There are more changes in the pipeline, such as from the Department of Labor overtime changes, State and local minimum wage that we will also be working on.

Congreso Familiar Conference

This year will be the 10th anniversary of this conference, which will take place on Saturday, August 8th at Chabot College in Hayward. This conference provides Spanish speaking families the opportunity to get information, network and learn about the services that are available to them. Mr. Burton encourages everyone to attend this wonderful family event which draws nearly 1,000 people yearly.

Special Olympics

The Special Olympics World Summer Games opened on July 25th in Los Angeles along with ESPN media coverage which showcased the talents and capabilities of people with intellectual disabilities. The event was well attended with over 62,000 fans along with Mrs. Obama and other V.I.P.'s.

PUBLIC COMMENT

Sandi Soliday, Alameda County Developmental Disabilities Council

Ms. Soliday stated that they are looking for consumers or family members residing or working in Alameda county to join their ACDDC board of directors.

- July 8: The 25th Anniversary of the ADA was celebrated in Oakland at the Frank Ogawa Plaza, with speeches from Mayor Libby Schaaf and Congresswoman Barbara Lee.
- July 30: The Alameda County Voluntary Organizations Active in Disaster [ALCoVOAD] will have their quarterly meeting at the Oakland American Red Cross, and they will have three speakers on disaster training and information.
- July 30: There is a 50th anniversary rally celebrating Medicare celebration at the Frank Ogawa Plaza at 11:00am.
- August 12: The next ACDDC meeting will be held at a different city due to continued construction in the Broadway location. This planning session part 2 meeting will be meeting at RCEB in San Leandro.

Josh Sullivan, Contra Costa County Developmental Disabilities Council

Mr. Sullivan also announced that the CCCDDC is looking for three additional board members in Contra Costa. He also added that the Legislators are in their home districts, so now is a good time to visit them and to keep the pressure on.

June 24: The CCCDDC meeting has been cancelled: however, it has been replaced with an advocacy meeting open to the public.

ARCA REPORT: Anne Struthers

Ms. Struthers stated that the next meeting will be on August 20/21st at Harbor Regional Center in Torrance.

Closed Session

There was a closed session regarding a real estate issue.

MEETING ADJOURNED

The board meeting adjourned at 8:20 p.m.

The Board does not meet in August

The next Board Meeting will be at 7:00 p.m. on September 28, 2015 in San Leandro
The next Diversity & Equity Meeting will be at 6:00 p.m. before the Board Meeting