



REGIONAL CENTER OF THE EAST BAY

Board of Directors' Meeting

Monday November 26, 2012, 7:00 p.m.
500 Davis Street, San Leandro, CA

MINUTES

Final
Approved January 28, 2013

RCEB BOARD MEMBERS PRESENT:

Anne Struthers, President	Chi Lee
Kathy Hebert, Vice President	Sister Marygrace
Mike Kuller, Treasurer	Donald Morris
Rose Coleman, Secretary	Gwen Nash-Butler
Ronald Clay	Steve Whitgob

MEMBERS ABSENT:

Hilda Mariscal (Excused)	Mike Treppa (Excused)
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STAFF PRESENT:

DIRECTORS:

Francine Davis, Director of Community Services
Terri Jones, Director of Human Resources
Lisa Kleinbub, Director of Health & Behavioral Services
Nancy Kubota, Director of Finance & Administration
Pam Thomas, Director of Consumer Services
Michi Toy, Executive Assistant

CASE MANAGERS:

Bill Barbaria	Marco Molina
Sylvia Cabrera	Carol Nyhoff
Rhonda Kimble-Kelly	Carol Selak
Henry Long	Eric Stern
Christina Miller	Guillermo Torano

ACCOUNTING:

Lop Hou, Controller
Cathy Crum
Nam Hamada

GUESTS PRESENT:

Nyron Battles	John Rodriguez
Cecelia Corral	Rocio Smith
Gregory Cross	Sandi Soliday
Cleo Manspeaker	Todd Struthers
Sandra Martinez	Charlotte Tay

CALL TO ORDER

President, Anne Struthers, called to order the regularly scheduled business meeting of the Regional Center of the East Bay at 7:00 PM. Self introductions were made.

CONSENT AGENDA

M/S/C “The Board moves to approve the agenda for November 26, 2012 and the minutes of October 22, 2012 as presented.” (Whitgob/Kuller) Unanimous.

PUBLIC COMMENT

Eric Stern, Transition Case Manager, acknowledged the dedication of the RCEB managers in avoiding any layoffs/furloughs amidst the budget cuts and hiring freeze. Eric stated that due to the vacant case manager positions, the case managers have had a 30% increase to their work-load, without any pay increases since 2007. With the cost of living increase of 13% and the additional medical costs, it has been increasingly difficult to provide the quality service needed. With the 3% restoration to operations, management advised that they need to use these funds to hire additional staff. Although that will benefit the case managers, they feel that due to the passage of Proposition 30 preventing further cuts to the system, the 3% restoration would be better used for a cost-of-living-adjustment to all RCEB employees.

Carol Nyhoff, Children’s Team Case Manager, summarized the multi-ethnic demographics of their English-as-a-second-language consumers, who constitute roughly 20% of their cases. Working with these families takes additional time and patience, due to the need for translators, complicated Individual Education Programs (IEP’s), and multiple meetings. As a result of the dire situations that these families face back in their home country as well as in the States, the case manager’s role is multi-faceted as social workers, parenting coaches, school advocates, legal interpreters, etc. This entails many hours on the phone during non-work hours, helping the families. Carol stressed that the case managers are feeling over-worked, over-stressed, and can not provide the quality of service that RCEB is known for delivering.

Cleo Manspeaker, consumer for over 35 years, expressed thanks to RCEB for approving the contract with Bethesda Lutheran Community, of whom she is a client.

COMMITTEE REPORTS

EXECUTIVE COMMITTEE: Anne Struthers

Contract Review

- Ms. Struthers reviewed the renewal of the Health Care Employees Dental and Medical Trust (Delta Dental) contract, with a 2.5% increase in RCEB’s share of employee cost.

M/S/C “The Board moves to approve the 2013 contract with Health Care Employees Dental and Medical Trust, as presented.” (Lee/Morris) Unanimous.

Retirement

- Ms. Struthers acknowledged that this was Rocio Smith’s last board meeting before she retires, and recognized her many years of service helping many families.

BUDGET AND FINANCE COMMITTEE: Mike Kuller

Audit

- Mr. Kuller presented the board with a draft of the Independent Audit Report for Fiscal Year 2011-2012, completed by our new independent auditors Lindquist, von Husen and Joyce. The review and approval of this report will be an action item at the January Board Meeting.
- Mr. Kuller welcomed and introduced auditors Charlotte Tay and Sandra Martinez from Lindquist, von Husen and Joyce. Ms. Tay presented a summary of the draft audit report and congratulated

RCEB on the clean financial statements and compliance results. Ms. Tay also explained that the previous auditor recommended that RCEB enter into promissory notes with the Bay Area Housing Plan (BAHP) vendors; therefore, that action plan has been implemented.

Operations Budget

- Mr. Kuller informed us that the Department of Developmental Service has approved funding for our Community Placement Plan and ongoing Agnew closure workload operations funds, which is reflected on the financial report passed out.
- Mr. Kuller states that with the passage of Proposition 30, we do not expect further reductions to our operations budget. At this time, the agency is projecting a sufficiency in our operations budget of approximately \$113,000. RCEB has taken steps to hire staff to fill almost all vacancies created by the hiring freeze. This will not only allow the agency to meet compliance to the caseload ratio mandates, but will allow more manageable workloads to better serve our clients and their families. Mr. Kuller reminds us that staff is still actively involved in union negotiations with SEIU, the union representing our bargaining unit staff, as the contract expires on November 30, 2012.

Purchase of Service Budget (POS)

- Nancy Kubota, Director of Finance and Administration, stated that the Budget and Finance Committee reviewed the Preliminary Sufficiency of Allocation Report ("SOAR REPORT") for fiscal year 2012-13, which was submitted to the Department of Developmental Service (DDS) in mid-November. This distributed report details our Purchase of Service projected expenditures and growth projections, and will be the basis for the Department to determine if the current allocation is sufficient to cover expenditures.
- RCEB is projecting expenditures in our Non Community Placement Plan Purchase of Services ranging from approximately \$272.5M to \$275.8M. As a comparison, our 2011-2012 SOAR POS projections ranged from \$264.8M to \$268.3M. Therefore, the fiscal year 2012-2013 POS projection represents only an approximate 2.85% increase in projected expenditures which is less than the restoration of the 3% increase in provider rates included in this projection. Ms. Kubota clarified that despite a 3% increase in expenditures, our growth is 2.85%.
- Ms. Kubota added that overall growth in RCEB's POS expenditures remains flat despite an approximate 4% caseload increase (netting out Prevention consumers), as well as an increase in intake for the past 12 months. RCEB's projections also reflected impact from the implementation of the fiscal year 2010-2011 and 2011-2012 Trailer Bills
- Our Non Community Placement Plan D-1 allocation in POS is \$247.7 M. At this time, we are projecting a preliminary insufficiency ranging from \$22.7M to \$26M. As we reported previously, the preliminary allocation for POS is approximately \$25M less than what we spent last fiscal year, adjusting for the 3% restoration. No growth funds have been allocated at this time, and we are unclear as to how much additional funds we will receive to fund all or some portion of this insufficiency. The preliminary insufficiency is not a deficiency as the Department of Developmental Services has not released all Regional Center funds and reports that there is still approximately \$109M in POS funds left to allocate.
- Ms. Kubota stressed that the SOAR POS projections also include estimated savings from the implementation of Senate Bill 946, which is the bill requiring health insurance coverage and payment for certain services for persons with autism. If these estimated savings do not materialize, our POS projected expenditures may increase. The SOAR report will be reviewed jointly by DDS and ARCA (Association of Regional Center Agencies). Regional centers will be required to update our SOAR projections monthly and we will continue to report back to the Board on the status of our POS projections.

- Mr. Kuller noted that although we had a small deficiency in our POS allocation last year, we had been advised that DDS had sufficient funds to cover any deficiencies in Regional Center's POS funding. We have been advised that DDS will be releasing approximately \$25 to \$30M in POS funds for last fiscal year. DDS continues to believe there are sufficient funds remaining to balance last fiscal year.

Cash Flow

- Mr. Kuller confirmed that we are currently maintaining a stable cash flow, and have received additional advance funds, due to the D-1 amendment which will improve our cash flow status. However, we remain concerned about cash flow later in the fiscal year, particularly in the spring of this fiscal year because of the lag in receipt of federal funds. Mr. Kuller adds that we do have our credit line secured with Union Bank, in the event that we would need to access it.

M/S/C "The Board moves to accept the report of the Budget and Finance Committee." (Morris/Whitgob) Unanimous.

MEMBERSHIP DEVELOPMENT COMMITTEE: Anne Struthers

- Ms. Struthers reported that the Membership Development Committee would like to introduce Cecelia Corral, who is interested in becoming a board member.
- Ms. Struthers reviewed the proposed slate of officers for 2013. Following a ballot vote, Ms. Struthers announced that the following officers had been unanimously elected to serve for the calendar year 2013.

President – Anne Struthers
Vice President – Kathy Hebert
Treasurer – Mike Kuller
Secretary – Rose Coleman

PROVIDER/VENDOR ADVISORY COMMITTEE: Sister Marygrace Puchac

- Sister Marygrace reported on the November 9th PVAC meeting, where the introduction question was "What is November to you?" Insightful answers provided a gateway to forming bonds among the members.
- Sister Marygrace was happy to say that Jim shared all good news with them at the meeting. The focus on the meeting was in sharing resources and ideas for building a strong team that provides excellent services. Sister Marygrace brought up several examples that different agencies used to inspire, acknowledge and recognize the good work of their staff.

CONSUMER ADVISORY COMMITTEE: Rose Coleman

- Ms. Coleman reported that Jim Burton shared with the group that there had been no major changes in the budget since the last meeting. The CAC committee voted for Nyron Battles as the Chairperson and Gwen Butler-Nash as the Co-Chairperson for the new 2013 year.
- Ms. Coleman also advised that there will be no December CAC meeting.

EXECUTIVE DIRECTOR'S REPORT: Pam Thomas for Jim Burton

- Ms. Thomas stated that as a result of the passing of Proposition 30, there will be no “trigger cuts” to schools, universities or to our service system; therefore, no \$50 million cut to our system this fiscal year and no \$100 million cut next fiscal year. For the first time in a very long time, it appears we will no longer be dealing with significant cuts or threats to the entitlement. With the threat of trigger reductions behind us, we can move forward with rebuilding our infrastructure. We have posted and are actively recruiting many new case managers as well as nurses, psychologists and support positions, so that we can improve our services to people. Service providers will also be in a position to improve services and not be faced with another round of cuts.
- As a community, we can begin to plan for the future as the economy improves. We can develop new services to meet new and changing needs, and re-visit the trailer bill changes and their continued impact, viability, and cost effectiveness.
- Ms. Thomas credited the Governor for successfully convincing Californians of the need for this measure. The Legislative Analyst Office (LAO) has confirmed that with passage of Proposition 30, California is on firm financial footing, projecting a very small deficit of 1.9 billion next fiscal year and surpluses in the following fiscal year.
- Another important result of the election earlier this month is that Democrats have achieved a “supermajority” in the Assembly and the Senate. A supermajority would allow passage of tax measures; tax reform, or putting items on the ballot without a Republican vote, if all Democrats support it. Ms. Thomas stressed that while a great deal of caution will need to be exercised by the majority party, this could eliminate some of the ‘legislative gridlock” that California has been experiencing for many years. The re-election of President Obama eases the threats that were being made to many health and social programs nationally. It is also helpful for California, that the Governor and President are both from the same party.
- This year’s budget relies heavily on an aggressive pursuit of federal funds. RCEB met its first quarterly Medicaid Waiver target and it appears that system-wide, we are doing well in meeting these challenging targets. Ms. Thomas says that we continue to transition behavioral services from regional center to health plan funding as required in the current years budget and SB 946. We continue to make significant progress but it will still take us a few more months to complete the transition. Helping families with co-pays is exceedingly complex and requiring considerable work with families.
- Ms. Thomas states that the geographic and ethnic representation the RCEB Board needs to be addressed due to term limits and the loss of board members. Staff is actively recruiting new board members to ensure that our board remains representative of the community we serve.
- Ms. Thomas congratulated RCEB on being the recipient of the coveted PG&E’s Sibley Award. The grant of \$5,000 to our Helping Hand Fund will be used to address the needs of our consumers and families that cannot be met with state/federal funds.
- On behalf of Jim Burton, Ms. Thomas thanks the board for all their hard work and volunteering of their time and efforts.

PUBLIC COMMENT

Rocio Smith/Area Board 5, thanked the board for the many experiences and years spent together.

Sandi Soliday listed the upcoming events supported by the Alameda County Developmental Disabilities Council:

- The Functional Assessment Service Team (F.A.S.T.) will be held on January 31st and February 1st, 2013. This emergency response training is for government and non-government personnel to work in emergency shelters. Interested people can go on the ACPHD.ORG website and apply.
- The Town Hall Meeting has been revised to February 8, 2013, which is the same day as the PVAC meeting.
- March 16, 2013 from 9:30–3:00 at the College of Alameda, there will be a 2013 Transition Information Faire for disabled students 14-22 yrs-old and their providers to learn about the transition process.

John Rodriguez/Contra Costa Developmental Disabilities Council, advised that the Padres Unidos of Contra Costa is having their annual Christmas event on Saturday, December 15th at 1:00 p.m. at Weekes Park Recreation Center in Hayward. Mr. Rodriguez also informed us that there are a number of positions open in the State Council in Sacramento, particularly a self-advocacy position that is posted on the website.

ARCA REPORT: Anne Struthers

We will be attending an ARCA January meeting in Sacramento, and possibly the February 27, 2013 Grass Roots Day, which draws regional center advocates from around the state to share their message with legislators in their Capitol office.

MEETING ADJOURNMENT

Following a brief closed session to discuss union negotiations, the meeting was adjourned at 8:10 pm. There will be no board meeting in December; the next meeting will be January 28, 2013 at 500 Davis Street in San Leandro.

Respectfully submitted,

Rose Coleman
Secretary
RCEB Board of Directors