



REGIONAL CENTER OF THE EAST BAY
Board of Directors Meeting

Monday, October 23, 2017
1320 Willow Pass Road, Concord
Approved 11/27/17

RCEB BOARD MEMBERS PRESENT:

Kathy Hebert, President
Evangeline Iyemura, Vice President
Nyron Battles, Secretary
Chi Lee, Treasurer
Mike Treppa, Budget & Finance Committee Chair
Morena Grimaldi, Diversity & Equity Chair
Lilian Ansari
Gwen Nash-Butler
Sister Marygrace Puchac, PVAC Representative
Dinah Shapiro
Gerald Tamayo

ABSENT [excused]:

STAFF PRESENT:

Lisa Kleinbub, Executive Director
Beth DeWitt, Director of Community Services
Terri Jones, Director of Human Resources
Lynn Nguyen, Director of Finance & Administration
Steve Robinson, Director of Community Placement & SDC Closure Plans
Lucy Rivello, Interim Director, Health & Behavioral Services
Ronke Sodipo, Director of Consumer Services
Evelyn Hoskins, Associate Director of Federal Programs
Elvia Osorio-Rodriguez, Associate Director of Children's Services
Silvia Siu, Controller
Christine Hansen, Case Management Supervisor
Antonia Heinrich, Client Trust Manager
Meredith Rosenberg, Case Manager
Michi Toy, Executive Assistant

GUESTS:

Angela Gattis	Sandi Soliday, ACDDC
Vi Ibarra	Geneva Ziaouré
Jeri Pietrelli	<i>Marcum LLP representatives:</i>
Mirella Quaranta, DDS	- Roger Bulosan
Will Sanford	- Amy Kwong

**Public Meeting – RCEB 2018 Performance Contract
Review of Annual Objectives for 2018**

Ronke Sodipo, Director of Consumer Services, presented the draft plan for the Performance Contract for 2018 and stated that all regional centers must submit this yearly performance contract plan for the upcoming year. This is a requirement in the Lanterman Act, Section 4629. Ms. Sodipo explained that DDS provides the regional centers with required measurable goals listed in the Public Policy Performance, Outcome, and Compliance Measures hand-out. The regional center plan adds activities to achieve these goals in 2018. A couple of the required Measures include the Disparity Measures, to show RCEB’s progress in reducing disparity and increasing equity in purchase of service expenditures. As we do every year, we look into the factors to reduce these disparities and to improve equity in purchase of services. We are continually addressing these needs and implementing the ideas that we develop during our Board’s Diversity & Equity Committee meetings. Another important category that we will focus on is the Employment Measures which outline our employment objectives. These are now required measures.

Compliance Measures cover our Operations & Purchase of Service budgets, as well as our vendor audits and how we complete our vendorization. All of the information in our report is provided by the State from a variety of data runs.

Ms. Sodipo encouraged participation from our local community to provide input on the Performance Plan, particularly to our Councils in Alameda and Contra Costa Counties. Please bring your ideas and suggestions on activities to help meet the measures we can select [Disparity/Equity, and Employment Measures] to our next Board meeting on November 27th. Questions were asked by the public and answered accordingly.

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 October 23, 2017 agenda as presented.”
 [Battles/Shapiro] Unanimous

M/S/C “The Board moves to approve the September 25, 2017 minutes as presented.”
 [Nash-Butler/Battles] Unanimous

PUBLIC COMMENT

Jeri Pietrelli spoke on her son's behalf regarding a complaint issue that she feels has not been addressed by RCEB. Ms. Hebert stated that the staff will be contacting her to solve that issue.

COMMITTEE REPORTS

EXECUTIVE COMMITTEE: Kathy Hebert

BUDGET AND FINANCE COMMITTEE

Independent Audit Report for Fiscal Year 2016-17

Mr. Treppa distributed the report to the Board and stated that the audit draft report is unmodified and clean, with no management comments. The review and approval of this report will be an action item at our November Board meeting. Mr. Treppa introduced and welcomed the independent auditors from our accounting firm, Roger Bulosan and Amy Kwong from Marcum LLP. Mr. Bulosan stated that they met with RCEB's Audit Committee today before the Board meeting to present to them the same document that the board members received. Mr. Bulosan presented the history of the audit procedure and the details, as well as a summary of the completed RCEB draft report for Fiscal Year 2016-17. In terms of the financial statements and the Federal program, they issued an unmodified/clean opinion. Mr. Bulosan stated that the report they have is the cleanest report that they can issue to a not-for-profit organization that has Federal awards. There was an additional document presented to the audit committee which indicated that the auditors received the full and timely cooperation from our management and had encountered no disagreements or difficulties while they performed the audit. The independent auditors will complete the pending items and will have the full report available by the next board meeting. Mr. Treppa, Ms. Hebert and Ms. Kleinbub thanked the Marcum team as well as expressing their appreciation to Lynn Nguyen, Silvia Siu and their Accounting team for their hard work and dedication in this endeavor.

If you have any questions prior to the next meeting, please do not hesitate to contact Lynn Nguyen, our Director of Finance and Administration.

Budget and Finance Committee Report from 10/23/17 – Mike Treppa

OPERATIONS:

As reported last month, the D-1 contract amendment provided nearly all of our Operations allocation for the year, including our allocations for our Community Placement Plan (CPP), continuation funding for the workload related to the Agnews closure, and funding for the Sonoma Closure Plan. The allocation for CPP, ongoing Agnews workload, and the Sonoma Closure are considered to be restricted funding.

Having all of our Operations funding, the Staff has completed a preliminary operations budget for the new fiscal year 2017-18. RCEB grew by 540 net new consumers during the past 12 months and the D-1 allocation for Operations includes funding to account for this caseload

growth. The current year Operations allocation provides continuation funding for FY2016-17 ABX2 1 increases in Regional Center staff salaries and benefits, and Senate Bill 826 funding which allowed for hiring additional Case Managers in FY2016-17 to improve caseload ratios for Medicaid Waiver clients and to bring us closer to meeting Federal funding requirements. Please be advised that the operations allocation methodology for Regional Centers' growth is still based on the old Core Staffing Formula. There were no changes or increases made to this dated formula despite the additional increase received through special legislation.

Through September 2017, we have expended 21% of the operations budget. At this time, we are projecting a balanced budget in operations. Staff will be keeping the board apprised of our operations budget for the year.

PURCHASE OF SERVICE:

For Purchase of Services (POS's), Regional Centers received the POS allocation based on an equitable proration of the prior year expenditures that each Regional Center actually spent. In the D-1 amendment, RCEB received \$9.0MM more in Regular POS funding than in last year's C-1 allocation. In addition, we received ongoing funding for the annualized impact of the increase in State minimum wage effective 1/1/16 and 1/1/17. We also received a reduction of \$4.8MM for our Regular and Sonoma Community Placement Plan as most of the one-time start up and resource development funding were provided in last year's budget. Also included in the D-1 allocation is \$2.6MM Safety Net Plan funding which is restricted for developing state-operated facilities. Altogether we received a total of \$366MM in POS funding which is a net increase of \$8.4MM over last year's allocation.

The Agency's preliminary Purchase of Services Expenditures Projection (PEP), previously known as the Sufficiency of Allocation Report (SOAR), is expected to be completed in November. In the meantime, the financial report shows actual POS expenditures to date through September, which is 23% of the fiscal year. However, the expenditures to date do not include any late bills that are not yet paid. The staff will be able to provide the Board with more details regarding our POS projections when the PEP report has been completed.

CONTRACT APPROVALS

HOUSING/COMMUNITY PLACEMENT PLAN [CPP]

Ms. Hebert distributed two housing contracts for the Community Placement Plan [CPP], to provide homes for those residents currently residing in the development centers who will be moving into the community. Mr. Robinson went over the contracts and answered the questions accordingly.

Alegria Community Living

The Alegria contracts are Specialized Residential Facilities [SRF's] for the Elderly with medical/behavioral needs for those currently residing in Sonoma Developmental Center

Woodland Drive – 4 bed

Term: October 2017 – September 2022

\$18,910.20/client/month

Max monthly rate \$75,646.80

Annual Disbursement **\$907,689.60**

Las Juntas – 4 bed

Term: January 2018 – December 2023

\$18,910.23/client/month

Max monthly rate \$75,640.92

Annual Disbursement **\$907,691.04**

M/S/C “The board moves to approve of RCEB entering in the two housing contracts with Alegria Community Living as specified above.”
[Nash-Butler/Shapiro] The motion was adopted.

RESPITE POLICY REVISION

Ms. Kleinbub distributed the updated Respite Policy that reflects the changes due to the Legislature’s lifting of the cap for respite that was originally imposed during the recession. Previously, the regional centers were only able to purchase 90 hours/quarter of in-home respite, and 21 hours of out-of-home respite for the family. Beginning on January 1, 2018, there will no longer be a cap on respite hours purchased. The revised policy is based off of the policy we had in 2008, which was 40 hours/month, or 120 hours per calendar quarter of in-home respite. We have maintained the 21 days of out-of-home respite in a 12 month period. Our final draft through the IPP removed the 480 hours/year language and changed it to 120 hours/quarter, which would still end up being 480 hours/year, but is more quantifiable for accounting purposes. We will be submitting our updated policy to DDS by November 1st, and will be informing our families of the update and will be performing new assessments and updates as we proceed. In 2008, the legislation also set stringent exceptions criteria requiring a drastic, catastrophic event that would allow us to make exceptions. This has now been removed from this policy. Questions were asked and addressed.

M/S/C “The Board moves to approve the updated Respite Policy, effective on 1/1/18 as outlined in the document and explained at this Board meeting.”
[Nash-Butler/Shapiro] The motion was adopted.

MEMBERSHIP DEVELOPMENT COMMITTEE: Kathy Hebert

Slate of Board Officers

In RCEB’s Bylaws Section 5.10(b), officers of the Corporation shall be elected by the Board at its annual meeting, which is in November. In Section 6.2(b), opportunity should be given for those

interested in holding an office, to be nominated at the board meeting prior to the annual meeting.

Ms. Hebert read the proposed Slate of Officers for 2018, and welcomed any nominations from the floor. There will be a ballot vote at the November meeting.

PROPOSED 2018 SLATE OF OFFICERS

Kathy Hebert	President
Evangeline Iyemura.....	Vice-President
Mike Treppa.....	Budget & Finance Chair
Chi Lee	Treasurer
Nyron Battles	Secretary

Ms. Hebert stated that the committee has been busy looking at a few candidates for board membership. Ms. Hebert nominated a particular candidate this evening, and a vote will be taken at the next board meeting in November.

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

The PVAC meeting was on October 13th in RCEB’s San Leandro office where Geneva Ziaouré, the PVAC co-chair, gave a PowerPoint presentation on the results from the Service Provider Survey. Ms. Ziaouré presented that same PowerPoint presentation this evening, which is available on our website: <https://www.rceb.org/pod/providervendor-feedback-survey-results>.

The intent of the survey was to get a reading of the quality of communication, relationship, transparency and openness between the providers and RCEB. With the results, we can see which areas need to be improved. The focus was to collectively provide and ensure the most effective and best services to those who we are privileged to serve. Ms. Hebert thanked Ms. Ziaouré for her work on this survey, and also the Bridging Connections survey team consisting of herself, Lisa Kleinbub, Geneva Ziaouré, Sheradon Nicholau, and Sandi Soliday. Questions were asked and addressed accordingly.

CONSUMER ADVISORY COMMITTEE [CAC]: Nyron Battles stated that the CAC met on Monday, October 9th. Mr. Battles updated the Board on the Wendy’s restaurant accessibility issue, and spoke about a new individual who has been attending the CAC meetings and who is interested in joining.

DIVERSITY and EQUITY COMMITTEE: Morena Grimaldi

We have started taking formal minutes of our meetings and posting them with the agenda’s on our website at <https://www.rceb.org/diversity-equity-committee>. At the bottom of the minutes will indicate the date/location for the next Diversity & Equity Committee meeting.

Ms. Grimaldi informed the Board of the numerous support group activities that have been meeting and the outreach efforts to establish meetings with those in the unincorporated areas of Contra Costa County. We are continuing our communications with those in the Lu Mien community and attended the LIMCA Center's Annual King Pang Festival in Oakland.

EXECUTIVE DIRECTOR'S REPORT: Lisa Kleinbub, Executive Director

Ms. Kleinbub updated the Board on the evacuations that transpired as a result of the destructive Napa fires. The residents from Sonoma Developmental Center [SDC] were first evacuated to school sites and a veteran's hall, from which they had to evacuate again to the Dixon Fairgrounds, due to the poor air quality and the spreading of the fire. As of now, all our residents have either moved back to SDC, or directly to the homes that were completed for them to move into as a result of the planned SDC closure. We were able to move 9 residents into these new homes in the community. The total number of residents who were able to move into new homes statewide was 40, as a result of this fire situation. We will be looking to move more individuals into their community homes within the next two weeks. We are being very mindful of making sure that we allow for them to be comfortable with being uprooted again. We have received a lot of support at the State level from the National Guard, other State hospitals. North Bay Regional Center [NBRC] was impacted by this fire as well; as some of their staff and board members lost their homes.

ABX2 1

Our providers scrambled to complete the survey outlining how their funds were spent, since it was due by the end of October 1st. It was critical to turn in the survey in order to continue the rate increase that they had started receiving in July, 2016 as a result of ABX2 1. Statewide, 99% of the providers were able to complete the survey; 97.5% in our catchment area. Our Community Services staff spent a great deal of time contacting the providers for this purpose. Those who chose not complete the survey, generally served only 1-2 of our clients.

Early Start Program

Last week, we had an Early Start [ES] audit by DDS. These auditors looked at our compliance in every category of service. We should have the actual report of the audits in the next few weeks and will share them with the Board. In summary, there are some areas that we will need to work on and improve in ES, but overall we did well in these audits. Ms. Kleinbub thanked Evelyn Hoskins and her team for working on getting the information and documents in a timely manner.

Legislature

The Lanterman Coalition is looking into legislation where it may be possible to keep the funds from the sale of Sonoma Developmental Center [SDC] in the service system vs. the General Fund. This issue was first brought up when the Agnews Developmental Center was closed in 2009. Since then, more research has been conducted and we have identified that there are other systems that have managed to sell property and use those funds in their service system. The Association of Regional Center Agencies [ARCA] and the Lanterman Coalition are

researching on whether there may be some legislative solutions to keep the funding from the SDC sale, or at least part of it, in our service system.

An ideal use for the funds would be in housing. With the closure of SDC imminent and the lack of affordable housing in our area, being able to have these funds set aside for individuals for affordable housing development and other housing supports would be very beneficial. We anticipate a long struggle before we see anything; however, there is legislation that was passed and signed by the Governor relating to affordable housing efforts for all those in the State. We are hoping that we can partner on those efforts and get some resources for our service system.

We are continuing to live with uncertainty as we hear different things daily at the Federal level. As an example, the Affordable Care Act was not gutted as originally proposed where MediCal would move to block grants. We are still under constant threat from Executive Orders to stop funding for Affordable Care Act subsidies as well as threats from the tax proposals which may impact California, a state with high State income taxes, so we will be monitoring the situation closely.

Ms. Kleinbub stated that the impact of self-advocates at the Federal and State level were effective in keeping the Affordable Care Act alive and in not having Medicaid cut in the ways that was planned. It was the individuals with disabilities who were in the halls of Congress fighting to not have Medicaid moved to block grants. These self-advocates were the ones who were lobbying legislators about how those cuts would affect their lives, and their stories impacted quite a few in Congress.

Diversity & Equity

Ms. Kleinbub stated that some of the providers have applied for grants to reduce the disparities, and RCEB have applied in other areas as well. DDS is having a public forum, which is their presentation of the Purchase of Service data statewide, with the goal of reducing disparities. This forum will be from 9am – 12noon on November 6th in the Auditorium at the State building in Oakland. We will be working with Golden Gate and San Andreas regional centers to present projects that we have worked on in the last year.

Last week, RCEB management staff attended a cultural competency training focusing on unconscious bias and how we communicate with people and thoughts on how we can improve our communication.

Winterfest

Ms. Kleinbub informed the Board that this year our agency Winterfest celebration will be on January 24th in Pleasant Hill, and we will be sending the Board a Save-the-Date.

PUBLIC COMMENT

Sandi Soliday for Josh Sullivan, Contra Costa County Developmental Disabilities Council [CCCDDC]. The CCCDDC is currently working on interviews for candidates to replace Mr. Sullivan, who was promoted to Health Services Administrator.

Oct 25: This is the next CCCDDC meeting at the RCEB/Concord location where there will be a *FAST and Fires* safety presentation by the Office of Emergency Services [OES].

Sandi Soliday, Alameda County Developmental Disabilities Council [ACDDC]

Ms. Soliday announced that the January 26th legislative breakfast was cancelled, but will be rescheduled.

Oct 11: This is the next ACDDC meeting where there will be a presentation on Person Centered Planning as it relates to Self-Determination.

Nov 1: This is the next East Bay Legislative Coalition meeting [EBLC] from 10am to 1pm at the Public Health Department in Oakland.

Dec 2: Post-Secondary Educational Opportunities for Students with a Disability conference at Ed Roberts Campus in Berkeley.

March 24: Alameda County Transition Faire at the College of Alameda

Vi Ibarra, Self Determination Chair

Ms. Ibarra informed the Board that the committee has been meeting monthly since 2015, and there is finally slow movement forward. We have now begun the pre-enrollment outreach meetings, which is a prerequisite requirement for those families who want to be on the candidate list for the opportunity to be randomly picked by DDS to be on the test program. DDS held their first of five train-the-trainer training programs at RCEB/San Leandro on 9/7. Our Self-Determination committee decided to hold a train-the-trainer session at their December 4th meeting, so please contact us if you are interested in attending.

Nov 6: This is the next SD meeting at RCEB/San Leandro from 7pm to 8:30pm.

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

Ms. Nicholau started off thanking those who attended the Carlos Quintong Celebration of Self-Advocacy on October 20th at the Ed Roberts Campus in Berkeley. There was great representation from all agencies in the community. There were around 100 participants and 15 award winners.

Nov 6: Legislative and public policy meeting

Nov 29: Self Advocate Advisory Committee meeting

Nov 30: SCDD meeting

Dec 5: Bay Area Regional Advisory Committee meeting in Hayward
Dec 6/7: Statewide Self-Advocacy Network- two day meeting

Ms. Nicholau spoke of the two Statewide grants awarded to two projects; one of them going to a CIP program that is focused on the discovery model specifically validating and doing some testing. Another project awarded is in the category of housing.

ARCA REPORT: Lisa Kleinbub

Ms. Kleinbub stated that the ARCA meeting last week was in San Diego, where the members agreed to work in collaboration with other partners who are interested in restoring two 2008 suspended services [camping and recreational], which is one of ARCA's priorities in getting restored. They agreed to prioritize the restoration of camping and social recreations services. There was agreement on working in collaboration with other partners to achieve this goal.

There was also a presentation by Burns & Associates on the provider rate study. They are comparing rates that exist for service providers in the general community. The structure that they are looking to set up is flexible to changes in the economy where those changes would be input in the model and it would recalculate and reflect a suggested rate.

Ms. Kleinbub also gave a summary of the Statewide CAC priorities: Healthcare, affordable housing, advocacy and emergency preparation.

The next ARCA meeting will be in January.

CLOSED SESSION – Legal Issue

MEETING ADJOURNED

The board meeting adjourned at 8:40 p.m.

The next Board Meeting will be at 7:00 p.m. on November 27, 2017 in SAN LEANDRO