



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

Board of Directors Meeting

Monday, September 24, 2018

500 Davis Street, San Leandro

Approved 10/22/18

RCEB BOARD MEMBERS PRESENT:

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

ABSENT [excused]:

-no absences-

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
Ronke Sodipo, Director of Consumer Services
Evelyn Hoskins, Associate Director of Federal Programs
Elvia Osorio-Rodriguez, Associate Director of Children's Services
Priscilla Gomez, Transportation Manager
Edda Banuelos, La Familia Case Manager Supervisor
Melanie Gonzales, Associate Director of Client Services
Meredith Rosenberg, Case Manager
Julie Whiskeyman, Case Manager
Jairo Guiza, Diversity & Equity Specialist
Herb Hastings, Consumer Advocate
Gwendolyn Manalad, Secretary
Michi Toy, Executive Assistant

GUESTS:

Patricia Albeno
Wandra Boyd
Sandra Coss
Shawn Costello

Vi Ibarra, CCCDDC
Sheraden Nicholau, SCDD
Jeri Pietrelli
Sandi Soliday, ACDDC

CALL TO ORDER

Board President, Kathy Hebert called the regularly scheduled meeting of the Regional Center of the East Bay to order at 7:02 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 September 24, 2018 agenda as presented.”
 [Battles/Shapiro] Unanimous

M/S/C “The Board moves to approve the June 25, 2018 minutes as presented.”
 [Puchac/Shapiro] Unanimous

PUBLIC COMMENT

Jeri Pietrelli inquired on a statement of services from a provider that she received and requested clarity on the reason why the format could not be itemized vs. a monthly summary. Ms. Kleinbub explained that it all depends on that vendor’s program design, but that Ms. Sodipo will be following up with her inquiry.

Shawn Costello shared a booklet indicating transportations services available for nine cities in Alameda County as a result of the passage of Measure B.

Patricia Albeno, Sandra Coss, and Edda Banuelos presented a summary of the August 4th Congreso Familiar Conference at Chabot College for Spanish speaking families with children with disabilities. In total, there were 865 attendees including 239 volunteers, 388 adults and 238 children who attended 38 workshops and children’s activities. They presented RCEB with a picture poster capturing the successful activities at this year’s Congreso Familiar Conference.

COMMITTEE REPORTS

EXECUTIVE COMMITTEE: Kathy Hebert

CONTRACT APPROVALS

Department of Developmental Services E-1 Contract Amendment

Ms. Hebert distributed DDS’s E-1 contract amendment document for \$423,175,937 consisting of OPS and POS Allocations. We did not receive the contract before the Executive Committee met, so we are bringing it forth for the board approval.

M/S/C “The board moves to approve the Department of Developmental Services E-1 Contract Amendment as presented.” [Battles/Puchac] Unanimous
The motion was adopted.

VENDOR CONTRACTS

Community Placement Plan [CPP]

These are contracts for ongoing services at homes developed as part of the community placement plan. Mr. Robinson added information on the homes, and both Ms. Kleinbub and Mr. Robinson addressed specific board member questions about the contracts.

Elwyn California

This contract is for services at one Enhanced Behavioral Support Home [EBSH] with four beds for consumers who are moving from Sonoma Developmental Center [SDC].

Term: September 2018 – November 2028
Total Capacity: 4 individuals
Maximum facility rate/month is \$56,938.00
Maximum annual disbursement \$683,256
[Each client will have an individualized services and supports rate]

M/S/C “The board moves to approve the funding for Elwyn California to develop one EBSH home as stated.” [Shapiro/Battles] Unanimous The motion was adopted.

Anka Behavioral Health, Inc.

This represents the ongoing services rate for one Specialized Residential Facility [SRF] with four beds for clients who are at risk of entering a crisis facility or Mental Health Rehabilitation Center [MHRC] or for those residing at such facilities that are ready for step-down support.

Term: October 2018 – September 2023
Total Capacity: 4 individuals
Maximum rate/month is \$75,646.80
Maximum annual disbursement \$907,761.60

M/S/C “The board moves to approve the funding for Anka Behavioral Health, Inc. to develop one SRF home as stated.” [Shapiro/Battles] Unanimous The motion was adopted.

Omelagah, Inc.

This represents the ongoing service rate for one Specialized Residential Facility [SRF] with four beds for clients currently residing at Porterville Developmental Center or in the community who require forensic/mental health support.

Term: October 2018 – September 2023

Total Capacity: 4 individuals

Maximum rate/month is \$75,646.80

Maximum annual disbursement \$907,761.60

M/S/C “The board moves to approve the start-up funding for Omelagah, Inc. to develop one SRF home as stated.” [Battles/Nash Butler] Unanimous The motion was adopted.

BUDGET AND FINANCE COMMITTEE

Budget and Finance Report for September 24, 2018 – Mike Treppa

Regional Centers received the E-1 contract amendment at the end of August. This allowed the staff to begin working on our Operations and Purchase of Services budgets for the fiscal year. The E-1 amendment provides the Agency with funding of \$423.2MM, a net increase of \$13.6MM over prior year’s allocation at this time. The release of the amendment also helped with our cash flow as RCEB was able to claim a cash advance in the amount of \$21.6MM.

Operations

The E-1 contract amendment provided nearly all of our Operations allocation for the year. At this time, the Department has not finalized the allocations for our Community Placement Plan (or CPP), continuation funding for workload related to the Agnews closure, or funding for the Sonoma Closure Plan. The Department allocated only approximately 50% of the previous year’s funding. The allocation for CPP, ongoing Agnews workload, and the Sonoma Closure are considered to be restricted funding.

The current year Operations allocation provides funding for the continuation of ABX2-1 increases in Regional Center staff salaries and benefits, and Senate Bill 826 funding which allowed for hiring additional Case Managers to improve caseload ratios for Medicaid Waiver clients, and to bring us closer to meeting Federal funding requirements.

By having all of our Operations funding allows us to finalize our operations budget, and we are currently in the process of completing our preliminary operations budget projections for the new fiscal year 2018-19. The staff will provide the Board with a detailed Operations report at the next board meeting.

This month's financial statement shows our allocation to date and actual expenditures through August 31, 2018 and compares the E-1 allocation to last year's D-1 allocation. The statement also compares actual expenditures for the same time period. We expect to have our standard financial statements available at the board meeting in November once the detailed Purchase of Services Expenditure Projection (PEP) is completed.

RCEB grew by 928 net new consumers during the past 12 months and the E-1 allocation for Operations includes funding to account for this caseload growth.

Purchase of Service

For Purchase of Services (POS), Regional Centers received the POS allocation based on an equitable proration of prior year expenditures that each Regional Center actually spent.

In the E-1 amendment, RCEB received \$30.0MM more in Regular POS funding than in last year's D-1 allocation. In addition, we received ongoing funding for the annualized impact of the increase in SB3 Minimum Wage increases. We also received \$1.8MM for home health rate increase.

For the CPP POS, RCEB received a reduction of \$3.4MM for our Regular and Sonoma Community Placement Plan as most of the one-time start up, resource development, and Safety Net Plan funding were provided in last year's budget.

Altogether, we received a total of \$378.3MM in POS funding which is a net increase of \$12.4MM over last year's allocation.

Staff will report back to the Budget and Finance committee at the November Board meeting when the PEP report has been completed. A detailed Purchase of Services summary will be provided to the Board at that time.

With regards to Fiscal Year 2017-18, RCEB ended the fiscal year with a sufficiency of \$11.5MM. All 21 Regional Centers ended the fiscal year with a sufficiency of nearly \$48MM. Most Regional Centers ended Fiscal Year 2017-18 with sufficiencies in their POS budgets. This Statewide sufficiency is related to the continuing rate freezes which are impacting the development and expansion of services to meet identified needs in individual program plans (IPPs).

Cash Flow and Line of Credit

At this time, we are pleased to report the Agency's cash flow is stable, however, our current Line of Credit will expire at the end of this month. The Staff has started to work with Union Bank to renew our Line of Credit which we expect to re-establish for April of 2019. The staff will provide an update to the Board at a future board meeting.

Bank Signature Cards

RCEB's bank signature cards need to be update to remove Beth Dewitt and add Lucy Rivello as authorized signer.

The check signers on RCEB's Operating bank accounts will include the following individuals:

Elisabeth Kleinbub – Executive Director
Lynn Nguyen – Director of Finance and Administration
Ronke Sodipo – Director of Consumer Services
Lucy Rivello – Director of Health and Behavioral Services
Steve Robinson – Director of Community Services
Terri Jones – Director of Human Resources

Approval for bank signature cards require Board resolution. Therefore, Mr. Treppa made a motion for the board to approve and authorize the bank signature cards.

M/S/C “I would like to make a motion that the Board duly authorize the RCEB staff persons mentioned above as check signers for RCEB's Operating bank accounts.” [Shapiro/Lee] Unanimous The motion was adopted

Independent Audit for Fiscal Year 2017-18

Our independent Auditors are currently on site for three weeks to perform the annual financial audit for Fiscal Year 2017-18. They are scheduled to present the draft report to the Board at the November board meeting.

MEMBERSHIP DEVELOPMENT COMMITTEE: Kathy Hebert

Ms. Herbert stated that RCEB Board of Director's applications have been sent out to several Interested individuals and that the interview process has begun. We will be discussing our candidate options in January 2019. The applications and other forms are on our website for interest and referrals: <https://rceb.org/pod/are-you-interested-serving-board-directors>

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

The PVAC meeting was on September 14th, and was very well attended. There was a presentation titled *Community Organizing in the I/DD Community* given by Mary Lim-Lampe who is the Executive Director of Genesis. Genesis is a faith and community based group that unites and activates multi-diverse communities that organize for solutions collectively. They invest toward building a beloved community of all ages and backgrounds. Genesis has coordinated a Chabot College Town Hall Meeting on Oct 13th with Assemblyman Frazier from 10:00 – 11:30 am.

CONSUMER ADVISORY COMMITTEE [CAC]: Mr. Battles summarized the September 10th meeting. Recruitment for new members was an important issue for the current CAC members. Case manager Julie Whiskeyman created a recruitment flyer and disseminated it to our case managers as well as had it posted on our website. <https://rceb.org/pod/join-committee>

Ms. Nash-Butler stated that they need more members and that it has been difficult to nominate & vote on new Chair/Co-Chairpersons when they are not able to have a quorum. Ms. Kleinbub also updated the committee on the upcoming assembly member forums being held in our counties, as well as on issues important to this community.

DIVERSITY and EQUITY COMMITTEE: Morena Grimaldi

Ms. Grimaldi stated that the Diversity & Equity meeting was held prior to this board meeting. The updates from the different support groups were presented, including Patricia Albeno's report on Congreso Familiar's Conference in August.

Regarding DDS's Disparity ABX2 1 fund allocation to regional centers and community based organizations for fiscal year 2018/19, the deadline for the Request for Proposals is October 16th. These projects are designed to promote equity and to reduce disparities in services in our communities. <https://www.dds.ca.gov/RC/disparities.cfm>

Detailed minutes are available on the Diversity & Equity page of our website <https://www.rceb.org/pod/agenda-minutes>. The next Diversity & Equity meeting will be on October 22nd in Concord at 6pm.

EXECUTIVE DIRECTOR'S REPORT: Lisa Kleinbub, Executive Director
Sonoma Developmental Center [SDC] Status – Steve Robinson

Mr. Robinson stated that we have 20 SDC individuals left to be moved to homes in the community. We have three more homes that are almost complete with construction, but two of Scioto's Enhanced Behavioral Support Homes [EBSH] have encountered setbacks having to do with delayed egress systems. These two EBSH homes are for 8 individuals at SDC. We also have a couple of homes that are complete and ready for individuals to move into pending staff hiring.

Some of the remaining staff at Sonoma Developmental Center have received pink slips and are currently leaving or have already left the center, so there are new temporary staff for the remainder of the year. We are collaborating closely with DDS as they have had challenges in delivering good quality care during this time. The priority is the health and safety of the individuals remaining in SDC, so our goal is to move them out into the homes that we have reserved for them as soon as safely possible. Ms. Kleinbub thanked Mr. Robinson and his team who have been working tremendously hard addressing all the issues involving construction, staffing availability, and client care.

Ms. Kleinbub took this opportunity to announce Steve Robinson's new position as the Director of Community Services (replacing Beth DeWitt). Mr. Robinson will continue with his current responsibilities as well, until the SDC moves have been completely finalized.

Self-Determination [SD]

As you know, the deadline for name submittal to the program in order to be considered for the first phase of Self-Determination, was at 5:00 pm on September 17th. We continued to receive submittals right up to the deadline ending at a total of 484 interested individuals. RCEB met the criteria for having an adequate number of people in all the demographic groups that were being looked at, so we did have a sufficient number of prospects for DDS to choose from. The Department will randomly select the participants based on a variety of demographic factors such as ethnicity and age. After October 1st, Notifications will be made by DDS to those 154 individuals selected.

There are many things still unknown about the execution of the Self-Determination program. The most important thing that our local advisory committee focused on at the last meeting was the in-depth orientation meeting. This meeting will assist the selected individuals in deciding whether or not they want to proceed with the Self-Determination program, or remain in their current program. We will be trained to conduct those orientation meetings with families around the end of October, at the earliest. Therefore, the participants will most likely attend the meetings in November/December/January. We still have not received all the guidance from DDS on certain details of the program, such as how the budget for SD will be implemented. There has been no additional funding for regional center operations, so we are not clear on how we will staff this new responsibility. If we have many monolingual Spanish speaking clients chosen, then we will probably have more bi-lingual case managers to accommodate them. DDS acknowledges that there is a greater workload with these cases so we are optimistic that we will receive some funding to implement this program.

Performance Contract – Ronke Sodipo

Ms. Kleinbub stated that in compliance with current law, regional centers need to submit a yearly performance contract of goals and objectives to the Department. We are mostly measured by data which comes from our client face sheets, CDER data, and some objectives that can be related to our national core indicators data. Aside from compliance/public policy measures, we also have measures in employment and diversity. Staff identifies activities to assure ongoing progress.

Ms. Sodipo distributed last year's report submitted to DDS in 2017 for our 2018 goals as an example and explained that the report is based on a calendar vs. a fiscal year. We will be posting our draft report on our website and will solicit input from our partner agencies as well as from the community on what they would like RCEB to work on as goals. We will be holding a public meeting at the start of our October Concord board meeting in order to present our 2019 goals, which may incorporate ideas that we receive from the community. Ms. Sodipo then explained each section of the Performance Contract report, including the newer measures on disparity as well as employment. This year our regional center will be adding a diversity measure using National Core Indicators data [NCI] as we feel it is important to see what satisfaction people report with their services.

Statewide Information

Provider Rate Study

Our staff worked diligently with our providers to encourage them to provide the information for the rate study; there was a lot of outreach and training meetings to assist providers in inputting their information in the Excel spreadsheet. At our regional center, 53.1% of all claims were represented in that data compared to statewide, which was 50%, with the percentages varying from regional center to regional center. Burns and Associates felt like this was enough information to make some informed decisions and recommendations around most service categories. They are now working on some specialized therapeutic services, including infant services that were not in the original survey.

After DDS receives everyone's rate study, they will present their recommendations surrounding rate increases. The legislature and the Governor has the authority to make changes in the rates. It will be very important to increase our advocacy at this time, to make sure that rates are funded in a way that can allow service providers to continue to provide the important services. The current rates are very low for many service providers in terms of what they can do and how they can pay adequate wages. They say there has not been any expansion of services because they can't afford to expand at this time.

Bridge Funding

In the Governor's budget there was \$25M bridge funding from state funds for providers, but it still has not been determined how that money will be distributed. That amount along with federal funding add up to around \$44M for all services. This would equate to .5% for every provider if given to every service provider. DDS may do something different such as focusing on a couple of critical provider groups to receive this bridge funding. They have to submit a proposal to the federal government so it will be a while before we actually hear about how that funding will be distributed.

There was a 50% increase in rates for licensed nurses that was passed in last year's budget which was effective July 1st. However, California only received approval for that on September 17th by the federal government. There are a number of things going on with rates that are still in a state of flux. At the state level, we also received information about health and safety requests, which are submitted when a rate is not adequate to serve a consumer. When local minimum wages are too low, we have to submit a health and safety request so that we can actually pay the provider a rate that will cover what that local minimum wage is. Many complaints have been made over the length of time that this process takes. For an example, we have not received responses from claims that were made two years ago. This is not fair to the providers as they have been paying their staff the wages that they must pay legally, but have not been able to get reimbursed. DDS has new guidelines where they have to respond within 30 days, so we will be making our submittals again and will see what the results will be.

Assemblymember Jim Frazier is Chairman of a newly created Assembly Select Committee on Intellectual and Developmental Disabilities, and will be holding local town hall meetings in the area soon to talk about housing, services and hopefully rates as they pertain to our community.

We have not received confirmed dates at this point, but we have heard that he will be making a two week bus tour to hold these meetings in several cities.

Senate Bill 134 [SB134] Hernandez Bill – Regional Center Contracts

This bill originally was on a different topic, but it was gutted and titled with Regional Center Contracts. This bill relates to what will happen if a regional center loses its contract with the state. Currently, the bill passed the senate and the assembly and we are waiting to see if the Governor will sign it by the September 30th deadline. This bill requires that if there would be a new contractor, that contractor would carryover the employees who were in direct service positions at the regional center. Historically, the pulling of a contract has not happened in around 20 years.

Community Resource Development Plan

We submitted a request for funds for the Community Resource Development Plan. In previous years, we were only able to request start-up funding for projects tied to people moving from developmental centers. This year we were able to request money for our larger community. DDS will have priorities for these funds. RCEB conducted a SurveyMonkey and asked what services people felt like we need to offer in our community. We received considerable input on service needs in the community. On our website, we have listed all the services that we requested, with our first priority being affordable housing; especially units in multi-family housing developments and those that can meet emergency housing needs. We are also looking for Enhanced Behavioral Support Homes [EBSH] for adolescents, Enhanced Behavioral Supported Living with a link to housing when people have emergencies, in-home respite for individuals with challenging behaviors, new day-services to meet the needs of the elderly and individuals with challenging behaviors. We also requested funding for mental health services to replicate the Schreiber Center in Contra Costa County. We are excited about these proposals and hope we will be funded for some of them.

RCEB Staff Training

We are working on having all our staff trained in Person Centered Thinking. This is an individual planning process and a way for us to start thinking about it and renewing what we already know and learning some new approaches to how we look at situations. It's a way of asking people what is important to them as individuals while also asking what is important for them. This ties in with our self-determination program and the new settings rules. We are working collaboratively with our service providers. We received funding from DDS 1.5 years ago to conduct this Person Centered Thinking for our staff. We contracted with Mains'L, who is conducting a train-the-trainer with our staff as well as engaging in core-group thinking about how we deliver services. Many of our service providers in the Home and Community Based Services group also received funding for Person Centered Thinking training, so we are linking together to increase our ability to do those trainings in the entire community. These trainings will involve families as well.

RCEB Picnic

Ms. Kleinbub spoke about our yearly picnic in El Sobrante which took place this month and how our staff participated in many activities such as kickball, volleyball, water balloon toss and dined

on a wide array of delicious food, despite the temporary EBRPD fire danger ban on charcoal barbequing.

PUBLIC COMMENT

Jerry Grace had dropped off event flyers before the board meeting started. The yearly event is the Carlos Quintong Celebration of Self Advocacy on Friday, October 19th at the Ed Robert Campus in Berkeley. The band The Dream Achievers will be performing.

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

Ms. Nicholau thanked everyone who supported the last round of the National Core Indicators. It is very helpful to look at the performance measures that we can all collectively work together to serve both in the region as well as Statewide.

Assemblymember Jim Frazier, Chair of the Assembly Select Committee on Intellectual and Developmental Disabilities, spoke with the State Council and some of the new council members as he reasserted that his Ask is for all California assembly members to carry a bill that will support our I/DD community. Therefore, this would be a good opportunity for us as well as our community to ask their local representatives on what bill they are working on that supports our I/DD community. A press release from Asm. Frazier's office is forthcoming with the tour dates/locations for those to participate and to educate our assembly members in gaining understanding of the challenges that are faced by the I/DD families.

Senator Mike McGuire's SB1274 is a bill which our State Council sponsored and we are happy that it passed. This bill requires that the State Department of Social Services must disclose enrollment and eligibility data for CalWORKs and CalFresh information to DDS, which will enable us to look at specific data.

The State Council also approved the Lanterman Housing Alliances draft of their Statewide Strategic Framework for Expanding Housing Opportunities for People with Intellectual and Developmental Disabilities which is the statewide housing framework that the Council has been waiting for as it looks at the status of affordable/accessible housing for the I/DD population.

9/25: SCDD, Bay Area is joint hosting with IBM and the Job Accommodation Network in an academy event called Normalizing Workplace Accommodations at the Oakland office.

10/3: This is the next Regional Advisory Committee meeting in the Marin County Office of Education in San Rafael.

10/6: People First Chapter Meeting in Oakland

10/25: SCDD, Bay Area is hosting a National Disability Employment Awareness event

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

Ms. Ibarra stated that their council also takes a summer break, but did meet in August for a Board retreat and to partner with the State Council.

9/26: This is the next CCCDDC meeting at RCEB/Concord. The community survey results for priorities will be discussed.

10/4: At the Hillcrest Congressional Church in Pleasant Hill, there will be a Disability and Access and Functional Needs Forum with keynote speaker Vance Taylor from the State Office of Access and Functional Needs.

10/10: At the Lafayette Methodist Church from 10am-12pm there will be a Disability Educational Forum with Assemblymembers Catharine Baker and Rebecca Bauer-Kahan stating their platform and answering questions related to the I/DD community.

Sandi Soliday, Alameda County Developmental Disabilities Council [ACDDC]

On behalf of the Board, Ms. Hebert presented Ms. Soliday with a crystal award engraved with a well wish for her future as Ms. Soliday will be retiring and moving to another state. Ms. Hebert thanked Ms. Soliday for all the years of working together and for her tireless dedication, hard work and time that she has put in to keep RCEB abreast of all the community events and legislative endeavors. Ms. Kleinbub added that Ms. Soliday will be greatly missed in our community and thanked her for all her work and commitment.

9/27: Transitional Team meeting at RCEB/San Leandro to discuss the upcoming yearly Transition Faire.

9/28: The East Bay Employment Task Force where EBI will be presenting on Engaging Employers

10/3: This is the next EBLC meeting from 12:00-2pm at the Public Health Dept.

10/10: This is the next council meeting at RCEB/San Leandro, and will feature an employment panel of speakers from EBI, Ability Now Bay Area, and RCEB.

10/15-16: Functional Assessment Service Training [F.A.S.T.] in coordination with Contra Costa F.A.S.T. and we will be recruiting for new members.

ARCA REPORT: Lisa Kleinbub

Ms. Kleinbub informed everyone that the October ARCA meeting will be a strategic planning meeting focusing on what the goals of ARCA as an organization will be for the next three years.

MEETING ADJOURNED

The board meeting adjourned at 8:23 p.m.

The next Board Meeting will be at 7:00 PM on October 22, 2018 in **CONCORD**