

Board of Directors' Meeting  
March 26, 2012

Presiding: Anne Struthers

Board Members

Present: Rose Coleman Kathy Hebert  
Mike Kuller Chi Lee  
Donald Morris Gwen Nash-Butler  
Sister Marygrace Steve Whitgob

Board Members

Excused: Ronald Clay Hilda Mariscal  
Mike Treppa

Staff Present:

Jim Burton Francine Davis  
Susan Driggs Terri Jones  
Rhonda Kimble-Kelly Lisa Kleinbub  
Nancy Kubota Pam Thomas

Guests Present:

Gina Jennings Cleo Manspeaker  
Rocio Smith Sandi Soliday

CALL TO ORDER

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

CONSENT AGENDA

M/S/C "The Board moves to approve the agenda for March 26, 2012 as presented and the minutes of February 27, 2012 as presented."  
(Morris/Kuller) Unanimous.

## PUBLIC COMMENT

Cleo Manspeaker shared that she is getting very excited as the month of May approaches because May 18<sup>th</sup> will be the thirtieth anniversary of her eligibility for regional center services. Ms. Manspeaker asked when the Board would meet in May since their regular meeting date will conflict with the Memorial Day holiday. Ms. Struthers reported the May meeting of the Board will be held on Monday, May 21<sup>st</sup>.

## COMMITTEE REPORTS

### EXECUTIVE COMMITTEE: Anne Struthers

Ms. Struthers shared a wonderful commendation that board member, Donald Morris, received for his presentation at the 2012 Alameda County Transition Fair.

Ms. Struthers reported that Executive Committee members reviewed the B-5 Amendment to our contract with the Department of Developmental Services (DDS). Mr. Burton reviewed the additional funding for RCEB included in the contract amendment. Due to time constraints for the return of the contract to DDS, the contract was approved by the Executive Committee at their meeting on March 14, 2012.

M/S/C            “The Board moves to ratify the Board President’s signature on the B-5 amendment to the RCEB contract with DDS.” (Kuller/Lee)  
Unanimous.

Ms. Struthers asked Pam Thomas, Consumer Services Director, to review RCEB’s Annual Performance Report with the group. Ms. Thomas distributed and reviewed the report highlighting RCEB’s performance compared to state averages. Members were reminded the full report is available on RCEB’s website.

Ms. Struthers reminded the Board that the by-laws of the organization are reviewed annually. The Executive Committee has reviewed the by-laws and found they meet the current needs of the board and the law. Members were asked if there were any questions or recommendations for changes to the current bylaws. No changes were suggested and it was agreed to leave the bylaws as currently written.

### BUDGET AND FINANCE COMMITTEE: Mike Kuller

Mr. Kuller distributed and reviewed the Financial Status Report for February 2012. Mr. Kuller reported we have received the long anticipated C-3 allocation and with these additional funds our current mid-range POS insufficiency has been reduced to \$18.5 million. Members were reminded that we reported at the beginning of the fiscal year that the C-1 allocation was approximately \$18 million less than the allocation received in the previous year. Mr. Kuller noted we understand DDS continues to monitor POS expenditures and it is our belief that not all POS funds which will be available to DDS have been allocated. Although twenty regional

centers continue to report insufficiencies in POS expenditures for the year, it is believed there are sufficient funds system wide to balance the budget for POS. Mr. Kuller cautioned that DDS Director Delgadillo believes the margin of funds to balance the POS budgets to be razor thin. Mr. Kuller reported we continue to see our POS expenditures declining, especially in the respite service category. Mr. Kuller also noted RCEB lost approximately \$27,000 in Operations funds in the C-3 allocation due to case transfers of consumers. RCEB continues to struggle with balancing our Operations budget although we are hopeful some additional funding will be received for the caseload growth we are experiencing. Staff is assessing what steps will be required if no additional Operations funds are received. The Board and this community will continue to be advised of the status of the RCEB budgets.

Mr. Kuller also reported DDS has indicated they are experiencing some cash flow problems at the state level and this has resulted in delayed warrants to the regional centers. Mr. Kuller stated our agency is currently maintaining a stable cash flow but we may face cash flow issues toward the end of the fiscal year. Members were cautioned that we have a line of credit in place but cannot borrow beyond the limits of our state contract.

Members were reminded that regional centers are required to change independent audit firms every five years due to new requirements put into place last year. RCEB will be changing audit firms to comply with the new regulations. Mr. Kuller and RCEB staff will be interviewing a new firm next month and will report to the Board on the status of our search for a new audit firm at the April meeting of the Board.

MEMBERSHIP DEVELOPMENT COMMITTEE: Anne Struthers

There was no report this evening.

PROVIDER/VENDOR ADVISORY COMMITTEE: Sister Marygrace

Sister Marygrace reported her meeting was very well attended. This meeting including a DVD on the power of vision that was shown to remind people to continue to move forward in these challenging times. We need to continue to look creatively at the needs of the people we serve today and determine how to meet those needs in a fresh new way. Sister Marygrace noted it was an inspiring presentation on how to take dreams into actions.

CONSUMER ADVISORY COMMITTEE: Gwen Nash-Butler

Ms. Nash-Butler reported that Senator Fran Pavley has introduced legislation to remove the "R" word from all California law documents, including the Lanterman Act and to replace the term with "developmental disability" or "intellectual disability". Members prepared and signed a letter of support for this legislation. Nyron Battles and Ronke Sodipo met with representatives from GGRC to begin coordinating a joint self-advocacy conference to be held in San Francisco in the fall. CAC members hosted a farewell celebration to honor Sam Sheats for his work with the CAC.

EXECUTIVE DIRECTOR'S REPORT: Jim Burton

Mr. Burton shared that Nyron Battles is still recovering from his accident and sends his regards to the group.

Mr. Burton reported that Senate Subcommittee 3 held their hearing today with Senator DeSaulnier chairing the group. This community was well represented at the hearing. Mr. Burton reminded the members that the Senate usually takes the lead on issues but it was clear at today's hearing they would not be taking action on major issues until the May Revision to the Budget has been released. Mr. Burton noted that the hearing began with some vote only items and one very good piece of news is that DDS has received approval for increased loan authority. The hearing included a long discussion about the closure of Lanterman Developmental Center with many family members demanding the same strong service system that made the Agnews closure a success. Mr. Burton reminded the group that the 4.25% payment reduction is scheduled to end on June 30, 2012, and the Committee voted to hold that item open.

Mr. Burton reported that DDS has reported where they plan to secure the funds for the \$100 million trigger reduction that was removed from our budget in December.

- \$20 million from unexpended regional centers contract funds
- \$42 million new and updated 1915(i) State Plan Amendment funding in prior years
- \$27 million additional HCBS Waiver funding
- \$5.1 million delays in "start up" of Community Placement Plan Resources
- \$4.3 million delayed implementation of program to access Denti-Cal system
- \$1 million downsizing funding reduction
- \$ .3 million Gap Funding reduction

Mr. Burton explained that the proposed \$200 million reduction for the coming fiscal year is not a trigger reduction. The Committee also voted to hold this item open.

Members were reminded there will be a hearing Wednesday in the Assembly to look at the same issues reviewed today and we can expect to see pretty similar actions coming from Wednesday's hearing. Mr. Burton cautioned everyone that this community will need to be prepared in May for a strong advocacy push in Sacramento.

Mr. Burton reported that we have received a letter of resignation from Board member, Patricia Albeño. Ms. Albeño is now employed by one of our service providers and it would be a conflict of interest for her to remain on our Board.

Mr. Burton informed the Board that our regular biennial DDS fiscal audit will begin on April 16, 2012. The focus of the fiscal audit will be on the operational and purchase of services expenditures of RCEB and we expect the audit to take 4-5 weeks.

Mr. Burton reported that much of the recent ARCA meeting was devoted to discussions about Trailer Bill implementation. Regional centers shared the difficulties they are encountering trying to implement the changes required by the

Trailer Bill language with the staffing limitations caused by the budget reductions. Mr. Burton stated he was very proud of the work done at RCEB to implement the Trailer Bill language. RCEB is well on the way in implementing the required changes but we are not seeing savings as a result of the implementation. What we have seen has been a tremendous cost in time and energy to our staff. There continues to be controversy over the implementation of the Supported Living Services independent assessment. This requirement is being implemented over a long period of time so it will be some time before actual savings can be determined. Mr. Burton again stressed that DDS reports the POS budget to razor thin and it is critical that we do whatever we can to bring in federal funds.

Mr. Burton asked Nancy Kubota to present replacement language to motions approved by the Board at their meeting of February 28, 2011. The motion made on that date established a loan between RCEB and Inclusive Community East, LLC, the non-profit organization (NPO) for RCEB's BAHP homes. The Board was asked to correct the motion to accurately reflect the loan is between RCEB and the service providers. The approved amount at the 2/28/11 Board meeting does not change but will be reflective of the amount RCEB provided as a base rent cash advance to our four Bay Area Housing Plan Service Providers.

M/SC "The Board moves to amend the motion of 2/28/2011 to show the cash advance was made to the service providers, California Mentor (\$40,981.21), Maria Ingco (\$9,556.23), Alegria (\$69,686.23) and Elwyn (\$52,487.90)." (Whitgob/Kuller) Unanimous.

Ms. Kubota explained that a second motion was approved on 2/28/2011 that provided for a supplemental interest advance. This motion also indicated the advance of funds was to the NPO for the last month of debt service. The Board was asked to correct the motion to indicate the cash advance was for the BAHP service providers.

M/S/C "The Board moves to amend the motion of 2/28/2011 to show the cash advance to permit all of the debt service payment to be equal was made to the service providers, California Mentor (\$18,533.53), Maria Ingco (\$4,321.76), Alegria (\$31,736.98) and Elwyn (\$23,904.38). (Whitgob/Kuller) Unanimous.

### PUBLIC COMMENT

Mr. Burton thanked Sandi Soliday for her efforts and leadership in making this year's Alameda County Transition Fair another great success.

Gina Jennings announced she is taking a one year sabbatical. She reported the County is very committed to keeping the Council alive and vital in Contra Costa County and they are working on a plan to cover her position during her absence.

Dr. Whitgob shared that former Board member, Emily Whitgob, has completed medical school and will begin her pediatric residency.

Gina Jennings reminded everyone the annual DD Councils' Dinner will be held on June 7<sup>th</sup>.

ARCA REPORT: Anne Struthers

Ms. Struthers indicated the ARCA meeting information was covered in Mr. Burton's report.

ADJOURNMENT

The meeting was adjourned at 8:15 pm.

Respectfully submitted,

Rose Coleman  
Secretary  
RCEB Board of Directors