



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

Board of Directors Meeting

Monday, November 26, 2018

500 Davis Street, San Leandro

Approved 1/28/19

RCEB BOARD MEMBERS PRESENT:

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

ABSENT [excused]:

Evangeline Iyemura, Vice-President
Gwen Nash-Butler, CAC Chair

STAFF PRESENT:

Lisa Kleinbub, Executive Director
Terri Jones, Director of Human Resources
Lynn Nguyen, Director of Finance & Administration
Steve Robinson, Director of Community Services
Ronke Sodipo, Director of Client Services
Melanie Gonzales, Associate Director of Client Services
Christine Hanson, Associate Director of Adult Services
Evelyn Hoskins, Associate Director of Federal Programs
Elvia Osorio-Rodriguez, Associate Director of Children's Services
Silvia Siu, Controller
Theresa Isidro, Case Manager
Julie Whiskeyman, Case Manager
Michi Toy, Executive Assistant

GUESTS:

Markum, LLP
-Roger Bulosan
-Bryan Kwon

Sheraden Nicholau, SCDD Bay Area
Chloe Page
Frank Paré

Hope Beale, DDS
Brian Blaisch
Shawn Costello
Nancy Eddy
Vi Ibarra, CCCDDC

Reneé Perls
Jeri Pietrelli
Lisa Soloway
Geneva Ziaouré

CALL TO ORDER

Board President, Kathy Hebert called the regularly scheduled meeting of the Regional Center of the East Bay to order 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 November 26, 2018 agenda as presented.”
[Battles/Shapiro] Unanimous

M/S/C “The Board moves to approve the October 22, 2018 minutes as presented.”
[Battles/Lee] Unanimous

PUBLIC COMMENT

Jeri Pietrelli clarified that she had mis-typed Ronke Sodipo’s e-mail address, thus Ms. Sodipo did not receive her e-mail as originally assumed at the last board meeting.

COMMITTEE REPORTS

EXECUTIVE COMMITTEE: Kathy Hebert

CONTRACT APPROVALS

Health Care Employees/Employer Dental & Medical Trust

The Executive Committee met on November 14th and approved this contract and is bringing it forth to the board for ratification this evening. This is a renewal of the current Delta Dental contract for RCEB staff. The rates remain the same for the year.

Term: 1/01/19 – 12/31/19

Contract Amount: Fiscal year \$250K; average monthly payment is currently \$37K which will increase as we add additional staff. The estimated annual cost is \$444K (\$37K x 12).

M/S/C “The Board moves to approve the Health Care Employees/Employer Dental Trust contract for the January 1, 2019 to December 31, 2019 year.”
[Battles/Shapiro] The motion was adopted.

BOARD OF DIRECTOR'S PLANS

Work Plan for 2019

The board strives to achieve 4 major goals with multiple objectives every year. These are basically the same goals/objectives every year but with adjustments which do not change the overall plan. The Executive Committee reviewed the plans on November 14th and made no changes to it. The Board was able to review these plans as they were sent out in the board packet a week ago.

M/S/C “The Board moves to approve the 2019 Work Plan as presented with no changes other than updating the calendar year.” [Battles/Shapiro] Unanimous. The motion was adopted.

Master Calendar for 2019

The Board of Director's Master Calendar is a schedule of target months for the completion of reports and activities. As with the Work Plan, it is basically the same calendar that we have been using annually. Changes were made by the Executive Committee as follows:

Suggested changes to the Master Calendar

- Move the By-law review to January from March
- Move the By-law action to February from April
- Add Board Member training to February
- Move the ARCA Grassroots Day to April from March

M/S/C “The Board moves to approve the 2019 Master Calendar with the suggested changes as presented.” [Puchac/Battles] Unanimous. The motion was adopted.

BUDGET AND FINANCE COMMITTEE

Budget and Finance Report for November 26, 2018 – Mike Treppa

Mr. Treppa distributed the Independent Audit Report to the board members. During the Budget and Finance Committee meeting this evening, the members were given a presentation from Marcum LLP, the Agency's independent auditors, who completed a draft audit report for Fiscal Year 2017-18. The report is unmodified, meaning the report is a clean report and there are no management comments. This draft report does not have the CALPERS unfunded liability amount or the related footnote disclosure due to Marcum requiring a separate FASB valuation of the CALPERS unfunded liability which cannot be completed until the CALPERS information is available in early January. Therefore, the final audit report will not be issued or presented for the Board's approval until the January board meeting.

Independent Audit for Fiscal Year 2017-18

The independent Auditors have completed most of the field work for the annual financial audit for Fiscal year 2017-18. Mr. Treppa welcomed and introduced Roger Bulosan and Bryan Kwong, RCEB's auditors from Marcum LLP to present a summary of the draft audit report. Although they were scheduled to present the draft report to the Board at this November board meeting, it is not ready at this time.

Mr. Bulosan explained the process as he presented a general summary on the procedures of auditing the category of business that RCEB falls into. There are three areas that they report on; financial, internal control, and compliance with the Federal programs. Mr. Bulosan explained that the report that they expect to issue in January, stated that it is the cleanest report that they can give, an unmodified report and the financial statements are unmodified in relationship to the Federal awards as it is a standard report.

Mr. Treppa stated that the review and approval of this report will be an action item at the January Board Meeting. If you have any questions prior to the January meeting, please do not hesitate to contact Lynn Nguyen, our Director of Finance and Administration.

OPERATIONS

As reported last month, the DDS E-1 contract amendment provided a total of \$44.9MM which is nearly all of our Operations allocation for the year. Since then, DDS has sent the approved Operations Community Placement Plan (CPP) plan for Sonoma, but not for the continuation funding for the Agnews plan. The Operations budget includes the expected allocation in E-2 which could be slightly different than the approved CPP plan.

Through October 2018, we have expended 29% of the operations budget of \$45.9M. 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

Regional Centers typically submit a preliminary Purchase of Services Expenditure Projection (PEP) to the Department of Developmental Services (DDS). This is the basis of Regional Centers' Purchase of Services projections each fiscal year. The PEP report advises DDS of Regional Centers' projected expenditures for the current fiscal year and reports any funding insufficiencies in Purchase of Services (POS's). The format for submitting the PEP is the same as last year and the report is due to DDS on December 10th, 2018.

Staff completed our preliminary PEP report for the current fiscal year. Based on expenditures through October 2018, we are projecting at this time for non-CPP POS Expenditures a deficit ranging from approximately \$(7.1)M (worst case) and \$(4.9)M (best case). For CPP POS Expenditures, we are projecting a deficit of \$(5.7)M.

There are several new program expenditures that have impacted our POS expenditures for Fiscal Year 2018-19 and which are reflected in our PEP report:

- Growth in caseload: RCEB grew by 928 net new consumers for the past 12 months.
- State Minimum wage increases effective 1/1/17 and 1/1/18 continue to impact our Residential, Supported Living Services, Respite, Day Care and some Day programs in Fiscal Year 2018-19. Included in this PEP is a \$1.3M projection for the minimum wage increase effective 1/1/19 from \$11 to \$12.

- POS expenditure for new program development in FY 2018-19 is projected at a mid-range of \$7.2M. We believe that the continuing lack of adequate program development to reflect consumer growth and support needs is the basis of this number.
- Also included in this PEP is \$2.1M projection for the home health rate increase.

Again, the board is reminded that this is the agency’s preliminary PEP. We are further analyzing trends prior to submitting our PEP to DDS.

DDS AUDIT

The Department of Development Services’ (DDS’s) Audit Section has completed the audit for fiscal years 2015-16 and 2016-17 in April 2018. We met with the Department in November to discuss the draft version of the report.

The Staff is reporting to our Board that we only had one finding, which was a repeat from the previous audit regarding RCEB not assessing the Annual Family Program Fee (AFPF). RCEB has implemented procedures to correct this finding in fiscal year 2017-2018 and will submit our response to DDS.

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.

At last month’s board meeting, Ms. Hebert announced the proposed slate of officers for the upcoming 2019 year. A ballot vote was conducted at this board meeting, and tallied by Chi Lee and the results were unanimous:

2019 SLATE OF OFFICERS

Kathy Hebert	President
Lilian Ansari	Vice-President
Evangeline Iyemura	Treasurer
Nyron Battles	Secretary

Ms. Hebert also stated that the Membership Development Committee interviewed a couple of candidates for Board of Director’s this evening and we are still in the process to interview additional applicants. Ms. Hebert also stated that our former board member, Steven Whitgob expressed his interest in rejoining the board after his long break. Mr. Whitgob was nominated at this meeting which will be followed by a ballot vote at our next meeting in January 2019. You can check the Details page on our website to see what category of applicants we specifically are looking for to reflect the community that we serve:

https://www.rceb.org/sites/main/files/file-attachments/recruitment_flyelisa.final_2.pdf

Our Board of Director's applications and other forms are on our website for interest and referrals:
<https://rceb.org/pod/are-you-interested-serving-board-directors>

Board Members Terming-Out

Ms. Hebert announced that we have three board members who are terming-out and that this meeting is their last meeting. On behalf of the board members, Ms. Hebert thanked the Directors and their commitment to the Board as well as the DD community, as she acknowledged their years of service:

- Gwen Nash-Butler started her service on the board in 2012.
- Chi Lee is finishing his second term on the board as he started in 2004.
- Mike Treppa has been serving on the board on and off since 1999.

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

The PVAC meeting was on November 9th and featured a TED Talk on *Love No Matter What* by Andrew Soloman, Professor of Psychology at Columbia University. Ms. Puchac stated that the video was very well received since it transcends misconceptions and the acceptance of self and society as it deals with different cultures that sidestep the traditions in our society. Ms. Puchac also added that the new Day Program Provider Group, which meets after the PVAC meetings, gave an update on their status, focusing on challenges and advocacy. The next PVAC meeting will be on December 14th and it will be the annual potluck lunch.

CONSUMER ADVISORY COMMITTEE [CAC]: Nyron Battles

There was no CAC meeting in November.

DIVERSITY and EQUITY COMMITTEE: Morena Grimaldi

Ms. Grimaldi stated that the Diversity & Equity meeting was held prior to this board meeting. The different support groups gave updates on new and existing services. One of the new services is a Camino Nuevo day program that began in August which currently has nine individuals in the age range of 22+ years-old. There is also a new Healthy Relationship for Adults group specifically for the deaf and hard of hearing population; which has grown to 15 participants so far. Also discussed were the several holiday events put on by the various groups

Detailed minutes of our monthly meetings 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 January 28, 2019 in San Leandro at 6pm.

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

We currently have just 8 individuals remaining at Sonoma Developmental Center. All homes except our Community Crisis house that we developed as part of this plan, are licensed. We have 7 individuals that will be moving into our Enhanced Behavioral Support Homes in Contra Costa County, and 1 individual to move into a Specialized Residential Facility also in the same county. Ms. Kleinbub thanked Steve Robinson and his team for everything that they have done in the last three years to meet the closure deadline. It has been a learning experience for all of us regarding approvals for housing development, fire sprinklers, fires, clearances, delayed egress, and many more categories.

Bridge Funding

Regarding the \$25M in State General Fund that was put in the budget, DDS has made a decision after consulting with the legislature about how to allocate that funding. It will be allocated at 2.07% to community based programs in high cost areas. This means primarily programs in Los Angeles County, Regional Center of the East Bay, Golden Gate Regional Center, and Alta California Regional Center will receive that allocation for activity centers, adult developmental centers, community care facilities, in-home respite services, some social recreational programs as well as infant development programs. In order to pass this limited pool of money to those providers, the State will need to submit the rate changes to the Federal government for approval. We anticipate that this will be approved in May and the funds will then be provided to those groups until the funds run out. Although it is a limited amount, it would have been less had it been provided to the entire state.

The information on Bridge Funding was at the end of the report to DDS and the DS Task Force on the Burns and Associates Rate Study. The data was compiled on what provider's actual costs are, by service code, but they have not made recommendations for any rate increases to be presented to the legislature. There should be meetings around February/March on what their recommendations are going to be and they are planning to hold those in both Northern and Southern California. DDS will then develop recommendations to the legislature on rates by March 31, 2019.

When we look at our Purchase of Services expenditures, it is surprising that we may be in a deficit next year because we have a hard time developing new resources due to the current rates and we are seeing a lot of people who are not able to get all the services that are in their IPP's. It is a real emergency in our area to have a recommendation for new rates. We are projecting a deficit on the best assumptions that we can make about our budget based on expenditures. DDS wants to know about those deficits because it may be that some regional centers are projecting surpluses. We did have a surplus last year, and the idea is that we will be funded according to the preliminary allocation of what we spent last year vs. what we are projecting. If the Department does not have enough money for the State as a whole in the Purchase of Services budget, they would go back to the legislature to request more money.

Assemblymember Jim Frazier

Assemblymember Frazier and his Select Committee on Intellectual and Developmental Disability held a hearing in Concord. Several local legislators including Assemblymembers Kansen Chu and

Tim Grayson participated as well as legislators outside our county including Assemblymembers Evan Low from San Jose and Heath Flora from the Valley who attended and heard testimony from the community on their concerns and what is important to them and what services are needed. Ms. Kleinbub presented an overview of the developmental disability system and the important concerns in our area and focused on rates for service providers as well as on funding for regional center operations. Also discussed were transportation and other issues that impact people who are served in our area. Most of those who spoke, were concerned about rates for services and transportation issues. Nickole Bouslog and Audrua Sysum at Futures Explored, spoke of their challenges with housing and transportation. The City Council Chamber was full; mostly from individuals in our area, as well as from the Golden Gate and San Andreas Regional Centers' catchment area. This was Assembly Member Frazier's second hearing; the first was in the Central Valley. He anticipates holding 4-5 additional hearings in the State. However, he has to be reappointed to this committee with the new legislature in January. He has expressed that he wants to get a lot of legislation out there that is focused on our system, with the understanding of how complex our system is and the importance of increasing service system rates and streamlining processes. There also needs to be education on how different systems work together, such as IHSS, education and all the different complicated parts of the system.

Self-Determination

DDS has selected the 154 participants in our regional center for this pilot program. Letters and information were sent to them. We are still awaiting for information from DDS on the vrending of Fiscal Management Services [FMS] as well as Train-the-Trainer opportunities so that people can learn how to conduct an orientation. We hope to have this information so that we can start in December or January. Our local Self-Determination Advisory Committee will be meeting next week to discuss these issues and will also be planning a meet-and-greet for those who were selected. Due to the numerous unknowns, we will not be able to start with Self-Determination until individuals have had their orientations. We would like to get those started in January, but we are waiting for further guidance from the Department on orientation sessions, as well as fiscal issues. Our e-billing system for providers will be down and non-operable on Wednesday as they install some billing for the Self-Determination program. We also have not received any funding for additional staffing for the SD program although there is increased workload.

Ms. Kleinbub stated that the Self-Determination program will be exciting, as people will be visioning what else can be developed as these services may become mainstream in our system.

Miscellaneous

Starting in July 2010, those individuals who receive SSI in California, will also be able to receive food stamps via CalFresh. Details will follow at a later date as we learn more.

DDS's Focus Group for those who are Deaf or Hard of Hearing is on November 29th from 3:30-6:30pm at the Ed Roberts Campus in Berkeley. The focused topics to be discussed are on disparity efforts and challenges for this community.

Camp Fire

The November Camp Fire was the deadliest and most destructive California wildfire and although we had to deal with the poor air quality for a few days here in the Bay Area, the center of the fire was the town of Paradise, which is in Far Northern Regional Center's [FNRC's] catchment area. Over seven hundred FNRC's clients were impacted by the fire as well as numerous programs in the area. Fifteen FNRC's staff people were also directly affected with lost/damaged homes. The service providers in that area have many employees whose homes were also affected. The staff at FNRC has been working hard with programs outside of the area to move individuals to, as well as to find them temporary housing. We have put additional information on our website: <https://rceb.org/post/camp-fire-impacts-far-northern-regional-center>

There is also a Go-Fund me page on Far Northern's website page which will direct funds to an account similar to our Helping Hands account that will be used to help people in their region who have been impacted. The August Carr fire in Redding was also very destructive and additional partner regional centers have been dealing with large fires, such as the Woolsey fire in Ventura County, L.A. which affected Westside Regional Center.

PUBLIC COMMENT

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

Nov 28: This is the next CCCDDC meeting where Sheraden Nicholau/SCDD Bay Area office will present on Person Centered Thinking and Planning.

Dec 8: The Going to College with a Disability Transition Faire, a *Let's Keep Learning* conference for students, parents and staff will be at Contra Costa College from 8:30 to 1:30 pm.

Feb 2: *Employment Is an Option* by the Employment Task Force will be hosting a half-day conference for middle school to high school ages on the skills and preparation that they need to do now.

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

In line with the National Core Indicator's project, SCDD, Bay Area is sending out 71,000 surveys to receive feedback on what is/is not working in those households with children who receive RC services. This survey is in various languages. Technical assistance at the office is being offered. This is one of three NCI cycles.

Nov 28: Local State Council meeting at the Alameda Co. Office of Education, Hayward

Nov 28: Self Advocates Advisory Committee meeting in Sacramento

Nov 29: State Council meeting in Sacramento. To be discussed will be the expansion of CalFresh.

Dec 5/6: Statewide Self Advocacy Network [SSAN] Meeting to discuss trends in self-advocacy leadership in California. One of the projects will involve tools to help those work on end-of-life planning.

CalABLE Launching Events:

12/18: Ed Roberts Campus at 10:30am

12/19: Los Angeles location

These event will enable you to get your questions answered and have your voices heard as it is a perfect opportunity to ask questions and make comments.

ARCA REPORT: Lisa Kleinbub

Ms. Kleinbub stated that the next ARCA meeting will be in January, so an update will be given at that time.

MEETING ADJOURNED

The board meeting adjourned at 8:09 p.m.

The Board does not meet in December
The next Board Meeting will be at 7:00 PM on January 28, 2019 in **San Leandro**