



**REGIONAL CENTER OF THE EAST BAY**  
**Board of Directors Meeting**

Monday, September 25, 2017  
500 Davis Street, San Leandro  
Approved 10/23/17

**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  
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  
Elvia Osorio-Rodriguez, Associate Director of Children's Services  
Silvia Siu, Controller  
Priscilla Gomez, Transportation Manager  
Meredith Rosenberg, Case Manager  
Herb Hastings, Consumer Advocate  
Michi Toy, Executive Assistant

**GUESTS:**

Joel DeWitt	Linda Stevens
David Glasser	Geneva Ziaouré
Sandi Soliday, ACDDC	

**CALL TO ORDER**

Board President, Kathy Hebert called to order the regularly scheduled meeting of the Regional Center of the East Bay at 7:05 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 25, 2017 agenda as presented.”  
[Battles/Shapiro] Unanimous

M/S/C            “The Board moves to approve the July 24, 2017 minutes as presented.”  
[Nash-Butler/Battles] Unanimous

**PUBLIC COMMENT**

Several individuals representing *Congreso Familiar* [Edda Banuelos, Patricia Albeno, Cecilia Corral, Sandra Coss, and Sylvia Cabrera] presented RCEB with the picture poster capturing the successful activities at the Congreso Familiar Conference held on August 5th in Hayward. The representatives thanked RCEB for their sponsorship and for all who volunteered during the event. There were 673 individuals and family members who attended the conference that offered 38 workshops and 36 presenters. There will be another Congreso conference in April in Oakley. Ms. Kleinbub thanked the Congreso group for all their hard work every year, and she spoke of the importance of this type of event for those Spanish speaking families to come together and learn about the services that are available.

*Joel DeWitt* spoke about wanting more programs that are tailored to the individuals and with the client’s well-being as a priority.

*David Glasser* spoke about a vendor-client contract, specifically as it relates to transportation.

**COMMITTEE REPORTS**

**EXECUTIVE COMMITTEE:** Kathy Hebert

**CONTRACT APPROVALS**

**Department of Developmental Services**

**D-1 Contract Amendment**

Ms. Hebert distributed the Department of Developmental Service's D-1 contract amendment documents with a total increase of \$101,811,982 to the "D" Series contract. This contract amendment was approved by the Executive Committee on 9/13/17.

Term: 7/1/17 – 6/30/21

OPS Allocation \$10,829,596

POS Allocation \$90,991,386

TTL D-1 Amendmt **\$101,811,982**

M/S/C "The board moves to approve the Department of Developmental Services D-1 Contract Amendment as presented."  
[Battles/Shapiro] The motion was adopted.

### **TRANSPORTATION CONTRACTS**

#### FOR DAY PROGRAMS

Ms. Hebert distributed the contract forms to the Board. There are two transportation contracts with the same vendor for the transportation of clients primarily to their day programs.

#### WT All Access Transportation, Inc.

1. Total consumers served – 40

Term: 7/1/17 – 6/30/18

\$24.62/consumer/day

\$12.31 one way/consumer/day

TTL Year **\$271,804**

2. Total consumers served – 70

Term: 10/1/17 – 6/30/18

\$24.62/consumer/day

\$12.31 one way/consumer/day

TTL Year **\$475,658**

For the two Transportation contracts:

M/S/C "The board moves to approve the two separate contracts with WT All Access Transportation Contract Amendment as presented."  
[Battles/Shapiro] The motion was adopted.

### **HOUSING/Family Home Agency [FHA]**

This type of housing is based on the 4 Tier Level for a total capacity of 30 individuals.

#### Golden State Residential

Term: 7/1/17 – 6/30/18

Tier 1 is \$3,125/month and TTL/Year is **\$1,125,000**

M/S/C            “The board moves to approve of RCEB entering in the housing contract with Golden State Residential as presented.”  
[Battles/Shapiro] The motion was adopted.

**HOUSING/COMMUNITY PLACEMENT PLAN [CPP]**

Ms. Hebert distributed eight housing contracts created 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 introduced the contracts and answered the questions accordingly.

**PFI Residential Services, Inc**

This contractor will provide a Specialized Residential Facility for children needing significant behavioral support.

Term: 9/1/17 – 8/31/22

\$18,551.16/client/month

Max monthly rate \$74,204.64/month

Annual disbursement **\$890,455.68**

**People’s Care Northern California, LLC**

This contractor will provide two Specialized Residential Facilities for children needing significant behavioral support.

Marjoram

Term: 10/1/17 – 9/30/22

\$18,820.33/client/month

Max monthly rate \$75,281.32/month

Annual Disbursement **\$903,375.84**

Fremont Peak

Term: 10/1/17 – 9/30/22

\$1,8907.82/client/month

Max monthly rate \$75,631.28

Annual Disbursement **\$907,575.36**

**Elwyn, California**

The Elwyn contracts are for Adult Residential Facilities for Persons with Special Healthcare Needs [ARFPSHN]. These homes require specialized construction to accommodate the medically fragile client’s needs along with specially licensed nurses. Many of the staff hired are from SDC, so there is a familiarity and comfort level of services and support to the clients.

Via Del Verde in Concord – 5 bed

Term: 10/1/17 – 9/30/22

\$22,635.55/client/month

Max monthly rate \$113,177.75  
Annual Disbursement **\$1,358,133**

Traviso in Livermore – 4 bed  
Term: 10/1/17 – 9/30/22  
\$22,635.55/client/month  
Max monthly rate \$90,542.20  
Annual Disbursement **\$1,086,506.40**

Keith Drive in Concord – 4 bed  
Term: Term: 10/1/17 – 9/30/22  
\$22,635.55/client/month  
Max monthly rate \$90,542.20  
Annual Disbursement **\$1,086,506.40**

Smoke Bellew in Livermore – 5 bed  
Term: Term: 10/1/17 – 9/30/22  
\$22,635.55/client/month  
Max monthly rate \$113,177.75  
Annual Disbursement **\$1,358,133**

Camino Solano in Concord – 4 bed  
Term: Term: 10/1/17 – 9/30/22  
\$22,635.55/client/month  
Max monthly rate \$90,542.20  
Annual Disbursement **\$1,086,506.40**

M/S/C            “The board moves to approve of RCEB entering in the housing contracts with PFI Residential, Peoples Care, and Elwynn, California as specified above.”  
[Nash-Butler/Battles] The motion was adopted.

**BUDGET AND FINANCE COMMITTEE** - Report from 9/25/17 – Mike Treppa

Regional Centers received the D-1 contract amendment at the end of August which was good news as it allowed staff to begin working on our Operations and Purchase of Services budgets for the fiscal year. The D-1 amendment provides the Agency with funding of \$409.6MM, a net increase of \$9MM over prior year’s allocation. The release of the amendment also helped with our cash flow as RCEB was able to claim a cash advance in the amount of \$25MM.

**OPERATIONS:**

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 workload related to the Agnews closure, and for funding the Sonoma Closure Plan. 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 FY16-17 ABX2 1 increases in Regional Center staff salaries and benefits, and Senate Bill 826 funding which allowed for hiring additional Case Managers in FY16-17 to improve caseload ratios for Medicaid Waiver clients and to bring us closer to meeting Federal funding requirements.

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 17-18. 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, 2017 and compares the D-1 allocation and last year's C-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 Sufficiency of Allocation Report (known as the "SOAR") is completed.

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.

#### 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 D-1 amendment, RCEB received \$9.0MM more in regular POS funding compared to 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 regular and the 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 a \$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.

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

With regards to Fiscal Year 2016-17, RCEB ended the fiscal year with a sufficiency of \$13.6MM. All 21 Regional Centers ended the fiscal year with a sufficiency of nearly \$50MM. Most Regional Centers ended Fiscal Year 16-17 with sufficiencies in their POS budgets.

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. We are starting to work with Union Bank to renew our Line of Credit which we expect to re-establish for April of 2018. The staff will provide an update to the Board at a future board meeting.

New Bank Account and Bank Signature Cards

RCEB is establishing a separate bank account to receive a grant from Bay Area Housing Corporation (BAHC) Pre-Development Fund for the development of housing for individuals with intellectual and developmental disabilities. These funds are being granted with a specific understanding that they will only be used to cover the necessary costs of construction of homes being developed for residents of Sonoma Developmental Center that are not covered by state funds. These funds cannot be co-mingled with the other State funds that RCEB receives from our annual Contract with DDS. The check signers on this account will include the following individuals:

Elisabeth Kleinbub	Executive Director
Lynn Nguyen	Director of Finance and Administration
Ronke Sodipo	Director of Consumer Services
Beth Dewitt	Director of Community Services
Steve Robinson	Director of Community Placement
Terri Jones	Director of Human Resources

Since opening a bank account and approval for bank signature cards require Board resolution, Mr. Treppa asked for a motion from the Board for approval:

M/S/C            “I would like to make a motion that the Board duly adopt and approve the opening of the new bank account and authorize RCEB staff persons mentioned above as check signers for this new bank account.”  
[Nash-Butler/Battles] The motion was adopted

Independent Audit for Fiscal Year 16-17

Our independent auditors are currently on site for three weeks to perform the annual financial audit for Fiscal Year 16-17. They are scheduled to present the draft report to the Board at the October 2017 board meeting.

**MEMBERSHIP DEVELOPMENT COMMITTEE:** Kathy Hebert

Ms. Herbert thanked board member Rose Coleman, who is terming out at this board meeting. Ms. Coleman has completed her service of two consecutive terms on the Board, and we are very thankful for her volunteerism and advocacy.

The board conducted a ballot election with Evangeline Iyemura tallying the votes:

2 <sup>nd</sup> term service:	Morena Grimaldi
1 <sup>st</sup> term service:	Lilian Ansari
1 <sup>st</sup> term service:	Gerald Tamayo

After Ms. Iyemura conducted the count of the votes, all three were unanimously elected to serve on our Board of Directors as indicated above.

**PROVIDER/VENDOR ADVISORY COMMITTEE [PVAC]:** Geneva Ziaoué for Sister Marygrace Puchac  
The PVAC meeting was on September 8th in RCEB's San Leandro office. Brent Hesse, Business Development Consultant with Therap Services, presented an online electronic documentation for IDD providers. There was also a discussion on the importance for providers to complete DDS' ABX2 1 online survey by the October 1<sup>st</sup> deadline; otherwise they will forfeit the extra funding for rate increases that they received in 2016.

**CONSUMER ADVISORY COMMITTEE [CAC]:** Nyron Battles/Gwen Nash-Butler  
The CAC met on Monday, September 11<sup>th</sup>. Mr. Battles stated that the Statewide CAC as well as RCEB's CAC needs to recruit for new members, and for those who are interested to contact Karen Shuttleworth. Mr. Battles and Ms. Nash-Butler updated the Board on the Wendy's restaurant accessibility issue.

**DIVERSITY and EQUITY COMMITTEE:** Morena Grimaldi  
Ms. Grimaldi stated that the Diversity & Equity met prior to this board meeting and it was well attended. Our Diversity & Equity Specialist, Jairo Guiza, informed the committee of all the new endeavors that RCEB is engaging the communities in, with the goal to reduce disparity in our service system. Some of the communities being reached are adults needing services in the Cambodian, Lu mien and Vietnamese communities.

Very important information → DDS is calling for community-based organizations and individuals to submit their Request for Proposals [RFP] to receive funding for their projects to reduce disparities and promote equity. The deadline for the application is November 6, 2017 and DDS will respond to those applicants by December 21st. The funds were allocated in 2016 to DDS as a result of the ABX2 1 and earmarked for this purpose. This information is also on our website: <https://www.rceb.org/post/201718-disparity-funds-guidelines>

DDS will hold two conference calls to address any questions about the program. The dates for these calls are October 6<sup>th</sup> from 1pm to 2:30pm, and October 11<sup>th</sup> from 11am to 12:30pm. (800) 553-0329.

The next Diversity & Equity Meeting will be October 23<sup>rd</sup> in our Concord office.



**EXECUTIVE DIRECTOR'S REPORT:** Lisa Kleinbub, Executive Director

ABX2 1

The ABX2 1 provider survey has been the focus of Community Services for the past 4-5 weeks, as our providers need to complete the survey by the end of October 1st. If they do not complete the survey by that deadline, they will lose the rate increase that they received in July 2016. As of today, we have a good 78% of the surveys turned in. RCEB has a large number of providers, including many small individual providers. We have been actively calling to assist them with information for completion by this Sunday.

Respite

Another piece of important information is that the cap for respite hours has finally been lifted. 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 exemption criterion has also been lifted, and as a result, we will need our Purchase of Service policy to reflect that change. We used to have a Purchase of Service policy authorizing up to 40 hours per month of respite, so we will most likely return to a similar policy and we will be able to relax the exception criteria. The exception criteria was very narrow and always a challenge. We will be revising the respite policy and submitting it to DDS by the November 1<sup>st</sup> deadline.

Early Start Program

There is a little more flexibility around accessing private insurance for services in Early Start. This added flexibility will allow the ID Team for infants and toddlers to put services in place when it is evident that insurance is not going to be covering those services.

We have an Early Start audit every three years, and this year it is on October 16<sup>th</sup> so we are currently in preparations. Our infants and toddlers program will be evaluated and checked to see if we are compliant with Federal and State laws.

Department of Developmental Services

**Health & Safety Exemptions**

There is a proposal to have a work group at DDS to look at health and safety exemptions and unanticipated rate increases that can be addressed by DDS for our service providers. Right now, the regional centers have to apply to DDS for Health and Safety waivers for each individual affected by whatever changes have occurred (e.g. minimum wage). The process is very tedious and it takes from months to years before it is approved. The Legislature requested DDS to simplify that process.

Diversity & Equity Funding

Ms. Kleinbub elaborated on the RFP's for ABX2 1 funding that was touched upon in Ms. Grimaldi's report under Diversity & Equity. Last year it was only the regional centers that were able to apply for the funding, and this year it is open to Community Based Organizations [CBO's] and individuals to apply independently for their project that will reduce disparities and promote equitable access to the regional center services and supports. Regional centers will be applying

in specific areas such as cultural training and cultural humility, and working both with our community and our staff on those issues. In addition, RCEB will consider a promotora program.

### Performance Contract

Every year regional centers submit their performance contract to DDS after Board approval. We will have our public meeting in October to solicit comments from the public, and will present the final proposal at the November Board meeting. What's new this year is that DDS added employment objectives to the required categories. RCEB has always had local objectives related to employment, and as of this year, all the regional centers have this as an additional objective, in addition to a disparity reduction objective.

Last year we had the Home and Community Based Services [HCBS] funding to assist our providers in bringing them in compliance with the Federal settings rules regarding community exclusion. Those funds will be available again for the next fiscal year, and people will be able to apply in the next few weeks per DDS.

### Self-Determination [SD]- Ronke Sodipo

DDS will start holding trainings on the Self Determination Plan [SDP] at five different California locations in the months of September and October. These meetings will be a train-the-trainer model to teach those how to hold a SDP meeting. The family's attendance at one of these meetings in the future is a requirement in order for the client to be able to be added to DDS' candidate list. DDS will be picking 2,500 clients from this pool, to be the first participants in the Self Determination project.

The regional center staff SDP training was held on September 6<sup>th</sup> at RCEB and attended by other regional center staff and our local advisory Self Determination committee Chair and Vice-Chair. The next day it was the train-the-trainer focused format, which was open to anyone or organization that wanted to learn how to hold the SDP meetings in the community. We are still waiting for Federal approval of the SD program.

The next Self-Determination meeting will be at 7pm on October 2nd in Concord

### Sonoma Developmental Center [SDC] Closure – Steve Robinson

Mr. Robinson started by thanking retiring board member, Rose Coleman, for all her constructive feedback upon reviewing the numerous Request for Proposals [RFP's] and being on the interview committee to assist in selecting the providers who will be serving our residents leaving the developmental center.

When the closure was announced in 2015, RCEB had 128 clients residing in SDC, and now we have 75. All the homes for the closure have been acquired, and we are very close to completing the renovations in all of these homes. Several SDC residents have already moved to the new homes, as we are continuing to develop additional resources for all the residents.

Back in May, 2017, DDS had submitted a Safety Net Services Plan as an update to the May Revise. This Plan included the availability of crisis and residential services to those moving out of the developmental centers. RCEB has been awarded two Northern STAR [Stabilization, Training, Assistance, and Reintegration] Acute Crisis Centers that will provide short term crisis stabilization treatments for those experiencing severe psychiatric and behavioral issues. The main goal is to get them stabilized enough to return to their home.

As part of the Safety Net Plan, we are also developing a couple of homes in North Bay Regional Center's catchment area, as we were selected to award the project to a housing development organization to acquire and renovate the homes. These two homes will be State operated, so we are working very closely with DDS, especially the clinical staff and chief psychologist. One of the benefits of being State operated is that there will be staff from SDC's Acute Crisis Stabilization Unit working at the homes and because it is State run, they can pay a higher rate to the staff positions.

#### **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.

**Sept 27:** This is the next CCCDDC meeting at the RCEB/Concord location where Vi Ibarra, Chair for the Local Advisory Committee on Self Determination, will give an update on the State's SD training status.

**Sept 28:** FAME (Fostering Art and Microenterprise) art exhibit at the Marriott in Walnut Creek.

Sandi Soliday, Alameda County Developmental Disabilities Council [ACDDC]

Ms. Soliday stated that they had two employment and training fairs sponsored by the East Bay Employment Task Force in August and that they were very well attended.

**Oct 7:** Chris Darden, a criminal defense attorney, will give a presentation on Navigating the Criminal Justice System on Saturday, October 7<sup>th</sup> at the Ed Roberts Campus

**Oct 11:** This is the next ACDDC meeting where there will be a presentation by Irene Litherland, member on the Local Advisory Committee on Self Determination.

**Oct 20:** Carlos Quintong Celebration of Self-Advocacy at the Ed Roberts Campus

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

**Sept 27:** This is the next Community Outreach & Regional Advisory Committee meeting in San Rafael where there will be an update on the DC closure RAC elections, and many more items.

**ARCA REPORT:** Lisa Kleinbub

The meeting was in Torrance and the content was reported on throughout the Executive Director's report. The next ARCA meeting will be in October in San Diego.

**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 October 23, 2017 in CONCORD