

**North Bay Developmental Disabilities Services, Inc.
Board of Directors' Regular Business Meeting
Wednesday, November 6, 2013, 5:00 p.m.
North Bay Regional Center
10 Executive Court, Napa, CA 94558**

MINUTES

NBRC BOARD MEMBERS PRESENT:

Walter Spicer
Rhonda Foster
Kelley Hanson, VAC Rep.

Harry Matthews, Vice President/ARCA Rep
Margi Stern, Secretary
Barbara Power

NBRC BOARD MEMBERS ABSENT:

Franklin Phillips, Excused

Joanne Tsai, Excused

STAFF PRESENT:

Kathy Newman, Exec. Assistant
Courtney Singleton, Section Manager
Deanna Heibel, Section Manager
Richard Greenwood, CPC, SEIU
Kelly Weber, CMS
Kate Moriarty, CRC
Pamela Madden Krall, Training/Info Manager
Tanya Barreto, CPC

Bob Hamilton, Executive Director
Dave Johnson, Chief Financial Officer
Thomas Maseda, Director of Administration
Michi Gates, Director Client Services
Anna Hiser, CMS
Diana Tucker, QA
Joanne Giardello, CMS
TamiJo McMahon, Assessment Counselor
January Crane, CMS

GUESTS PRESENT:

Margaret Farman, UCPNB
Lauren Meiklejohn, BI
Mylene & Douglas Dado, ARF
Leticia Leon, R&D
Greg Marro, Parent

Bob Phillips, AIVB
Linda Plourde, Bayberry
Kathy Brian, DDS
Charles Devlin, R&D
Emily Davidson, R&D

CALL TO ORDER – Harry Matthews, Vice President, called the meeting to order at 5:05 p.m. Roll was called and a quorum was present. Board and audience introduced themselves. Pamela Madden Krall notified all in attendance (in Spanish) that Spanish translator is ill but will hopefully return next month.

CONSIDERATION OF MINUTES

M/S/C (Stern/Power) Move that the minutes of October 2, 2013 regular business meeting be approved as submitted. UNANIMOUS

TREASURER'S REPORT

M/S/C (Hanson/Power) Move that the Treasurer's Report for the period of September 1 - 30, 2013 be approved as submitted. UNANIMOUS

ANNOUNCEMENTS: Kelly Weber noted that the COAST Unit has released their Request for Proposal for varying projects (Board packet). If there are questions, contact Kelly Weber for details. She asked any interested Board members to participate on the selection committee.

NEW BUSINESS

A. Performance Plan Report – Pamela Madden Krall – The Performance Plan report has been updated based on public input at the September Board meeting and community and staff feedback. Discussion followed.
M/S/C (Power/Stern) Move approval of the Performance Plan Report as submitted. UNANIMOUS

COMMITTEE REPORTS

- A. Executive Committee – The Executive Committee meeting was held via conference call on October 23rd. The following items were discussed:
- The NBDDS Bylaws are in the process of being revised to adhere to trailer bill language.
 - Per the Bylaws, the vacant officers' slots will be filled through June 30, 2014 as follows: Harry Matthews, President; Walt Spicer, Vice President; Margi Stern, Secretary/Treasurer.
- B. Vendor Advisory Committee (VAC) – Kelley Hanson
- The VAC met on Tuesday, October 8, 2013.
 - Pamela Madden-Krall presented the NBRC Performance Contract to the group and answered questions. This presentation was given at the September 2013 NBRC Board of Directors meeting.

- The group discussed the impact of the two new wage laws; the statewide increase in July 2014 to \$9.00 per hour and \$10.00 per hour in January of 2016 and the federal law passed to eliminate the exemption that covered any “companion” services. Legislators should be made aware of the impact on employers and how the rates, which have been frozen for years, should be increased to support the new requirements. There was also discussion around how the new federal law will affect SLS vendors providing 24 hour services.
 - Group reports were provided:
 - The Napa/Solano Vendor Group met on October 2nd and discussed abuse reporting requirements and how they are being interpreted by Community Care Licensing (CCL).
 - There was discussion around the Vendor Fair, Tailored Day Services, SLS tiers, and the poker night fundraiser at Milestones.
 - The Sonoma Vendor Group discussed Emergency Preparedness and Lola Beckly from COPE spoke to the group regarding that topic.
 - The Petaluma art exhibit for people with disabilities was also discussed.
 - Bob Phillips from the Area IV Board talked about the Affordable Care Act and how it benefits many individuals. He mentioned that there would be a round table discussion regarding the ACA in November.
 - Mike Huckins reported that the Annual meeting for CDSA was in Costa Mesa last month. Discussion topics were; 14C/Disability Rights, Social Media, Union vs. Non-Union, the ACA, Tailored Day Services, Workers Compensation, Minimum Wage and Wage Compression, and legislative items. The next Bay Area Caucus meeting will be on the 21st of November at the Ed Roberts Center in Berkeley from 10:00 a.m. to 12:00 p.m.
 - Stan reported on the statewide conference call held for VAC Chairs. They discussed duplication of oversight and reiterated that a third party should be doing the monitoring.
 - Dave Johnson clarified that annual audits should be submitted to NBRC four (4) months after the close of the fiscal year.
 - There was discussion regarding SLS and that the renewal of contracts will require that an audit be completed and submitted to NBRC. The SLS tier structure was discussed at length and several vendors asked for clarification around minimum and maximum hours in each tier and a definition of what those hours include. Michi Gates provided clarification around purchase of service requirements and reporting.
 - The group at large decided that the December Holiday event would be a potluck on the day of the VAC meeting, just like last year. It will be held on Tuesday, December 10th.
 - The next VAC meeting will be held on Tuesday, November 12, 2013.
- C. Nominating Committee – Walt Spicer and Joanne Tsai – NBDDS has received several applicants interested in serving as Board members. The Board has decided to wait until the Bylaws are revised prior to seating any new Board members.

EXECUTIVE DIRECTOR'S REPORT

Bob Hamilton, Executive Directors Report:

- Bob noted that NBRC's new website is nearing completion with rebranding with a new logo. He commended members of the Management Team but specifically Pamela Madden Krall for taking the lead on this project. Individuals will be responsible to maintain and update content.
- Bob also noted a new 501(c)3 non-profit, Friends of North Bay Regional Center. Pamela will provide a press release to the media. Friends' has received a significant donation from Clif Bar and Harry & Lyn Isbel. The Board of Friends is working on setting up a “challenge grant” toward the end of the year. Bob encouraged everyone to consider “Friends” when making a tax deductible donation.

Thomas Maseda, Director of Administration:

- NBRC continues to move forward with hiring and staffing. The Regional Center, at the direction of the Board of Directors, has made case management its top priority. We continue to focus resources on hiring case managers, Early this summer NBRC announced five additional case management positions. Over the last couple of years NBRC has experienced very low attrition. In a typical year, NBRC has had an average of 22 employees per year leave which has now slowed down to approximately 11 employees. Currently NBRC employs 192 people.
- NBRC continues to hire case managers in order to bring down caseload ratios. NBRC is hopeful that DDS will provide funding so that NBRC is able to hire more case managers.
- There have been several promotions this past year as well as new staff. In September alone, NBRC hired six new employees in one pay period. The new hires are highly qualified candidates for case management positions. NBRC recruited employees from other Regional Centers with many years of experience. NBRC is

fortunate to be a position to hire as many other Regional Centers are not able to do so because of their budgetary issues. Discussion followed.

Michi Gates, Director of Client Services:

- Michi congratulated supervisors in selecting highly qualified staff for the Regional Center.
- As NBRC has added new staff, monthly reports indicate caseloads are currently in the low to middle 80s. NBRC recently filled two growth positions and continues to work to further reduce caseload ratios.
- NBRC has received start up funding from the Department of Developmental Services through the Community Placement Plan (CPP), to develop resources for individuals living in State Developmental Centers, and people with more challenging needs in the community. NBRC is seeking applicants for this Request for Proposal (RFP) to develop new programs to address the needs of these individuals. Courtney and Kelly worked hard to create the RFP. NBRC has received approximately \$2.6M in start-up funds for CPP through the E-2 allocation. Discussion followed.
- Case managers strive to offer multiple resource choices to our clients and families. It is important that NBRC has a multitude of resources to meet the needs of an individual so they have options to choose from.
- NBRC continues to work to refine the Purchase of Service process to assure client services are funded. Michi thanked Jane Hankins, Supervisor of the Fiscal Department, and her staff for their hard work and patience.
- Page 13 in the Board packet highlights a difficult living arrangement where Ellisa Reiff worked tirelessly for a client who was evicted from his placement. Ellisa understood the needs of this client and knew he needed a special resource to address certain characteristics and health and safety issues. It took several months to find options but Ellisa persevered and was successful in finding a placement that allowed her client to remain in his school where he was comfortable. Ellisa is our spotlight for the month.

Dave Johnson, Financial Report: - Dave noted that late on this day, NBRC received the E-2 allocation which is not reflected in his report in the packet.

The Purchase of Service (POS) section of the dashboard reflects expenditures for the first three months of the fiscal year which represents 25% of NBRC's fiscal year. POS expenditures are currently 27% of the allocation through the E-2. Based on the September POS forecast NBRC will overspend its POS allocation through E-2. We are anticipating additional funds will be allocated by the Department of Developmental Services in the future to make up this shortage. NBRC received the E-2 today so unable to reflect that allocation in this report.

During the month of November NBRC will be signing new annual contracts for all supporting living vendor contracts with over \$250,000 in existing POS's. There are currently 18 vendors with contracts over \$250,000 who supports 97% of NBRC's Supported Living Services (SLS) clients. The three new vendors on the list this year are On My Own, A Bright Future, and Wellness. NBRC currently serves 750 SLS clients, up 33 clients from last November (5%) at a total cost to POS of \$31 million, up 14% from last November's total SLS cost.

On the Operations side, NBRC's allocation through the E-2 is \$16,663,560 for 2013/14 vs. \$16,472,681 for 2012/13, (a 1% increase). NBRC is still waiting for the Community Placement Plan (CPP) operations allocation and Mediation with SEIU before we can finalize NBRC's operations budget for 2013/14. NBRC's mediation with SEIU is scheduled for November 22nd 2013. Discussion followed.

LIAISON REPORTS

A. Association of Regional Center Agencies (ARCA) – Harry Matthews (10 minutes):

- Bob and Harry attended ARCA's quarterly meeting in Sacramento October 17-18.
- ARCA distributed a 57 page report detailing the underfunding of Regional Center's Operations budget. NBRC has a total budget of approximately \$143M per year with 86% going to Purchase of Services. Approximately 14% goes to Operations which is roughly \$15-16M. Ninety five percent of the Operations budget goes toward salaries and rent. In June 2009, North Bay Regional Center had 7,500 clients. At the end of June 2013, NBRC has approximately 8,300 clients. NBRC's Operations budget in 2009 was just under \$15.8M and as of June 2013 it is \$16.5M. This is a 10% increase in clients but only 4% increase in funding. Over a period of time this will trickle down and affect the clients and their services.
- NBRC is the middle man in this process. The real problem is with the State Assembly and the State Senate. They are the people that control all 21 Regional Center's funding.

B. Area IV Board – Bob Phillips, Executive Director (10 minutes):

- Regional Self Advocacy Newsletter was distributed.
- AIVB will hold their public Board meeting on November 21, 2013 at Petaluma Community Center. The agenda was distributed.

- A free seminar on Health Care for Individuals with Developmental Disabilities is scheduled for November 19, 2013 at Solano County Office of Education at 6:00 p.m. The seminary is in conjunction with Disability Rights of California.
- October 2013 Governor Jerry Brown signed into law Assembly Bill 1041, the Employment First law. Bob distributed a fact sheet outlining details regarding this bill.
- Senate Bill 468 (Emmerson) on Self Directed Services has been passed into law. The implementation of this bill is dependent upon DDS submitting a Waiver to the Federal Government and subsequent approval. Adults with disabilities or families of children with disabilities are able to gain control over needed services and supports by receiving an individualized budget. Receiving a federal waiver allows the state to get back some of the money spent on Self-Determination services. DDS has until December 2014 to apply. After the waiver is approved regulations must be written. Self Determination is at least a year away from being implemented.

GENERAL PUBLIC COMMENT:

- Margaret Farman extended an invitation to the United Cerebral Palsy of the North Bay and Old Adobe Developmental Services merger Open House on November 21st from 5:30 to 7:30 at 1301 Rand A Street, Petaluma CA. This Open House is opened to the public.
- Harry noted that NBRC's Board and Management Team have no quarrel with the Union and would like to feel they can support the Union. The Regional Center is growing and is in the process of hiring case managers to bring down high caseload ratios. ARCA has sent a letter to Governor Brown, asking him the same thing the Union is asking of the Board, and that is to increase rates. The Board is not the negotiating entity for North Bay Regional Center; it is the staff's responsibility and the Board supports the staff.
- TamiJo McMahon distributed personal letters to each Board member.
- Richard Greenwood, SEIU Chapter President, made a presentation regarding bargaining issues. As a part of his presentation he read a letter written by Laurel Hunt, employee of NBRC and SEIU member.

GOOD OF THE ORDER – The Board will have a closed session to discuss the NBDDS Bylaws.

NEXT MEETING ANNOUNCEMENT – The next Board meeting is a Regular Business Meeting scheduled for December 4, 2013 at North Bay Regional Center, Napa Office at 5:00 p.m.

ADJOURNMENT – M/S/C (Spicer/Hanson) Move to adjourn the meeting at 6:30 p.m.

UNANIMOUS