

KERN REGIONAL CENTER

3200 N. Sillect Avenue • Bakersfield, CA 93308 • (661) 327-8531

Board of Directors Meeting

6:00 p.m. – 7:30 p.m.

KRC Malibu Conference Room

3300 N. Sillect Ave.

Bakersfield, CA 93308

MINUTES

April 25, 2017

Present Board Members:

Kurt Van Sciver

Lorie Stewart

Matthew Lagrand

Kevin Gosselin

Richard Rodriguez

Ismael Romero

Oscar Axume

Quanah Mason

Veronica Quezada

Araceli Gonzalez

GENERAL BUSINESS

1. Call to Order and Introductions

The meeting was called to order at approximately 6:00 p.m. by Kurt Van Sciver. It was determined that a quorum was present.

2. Approval/Additions to Agenda

- A. Regular Meeting of the Board of Directors Agenda dated April 25, 2017.
M/S/C - (Romero/Stewart) to approve the Agenda with modifications as follow: Add item 61. Adjustment to Cost of Living. 10-0-0.

3. Meeting Minute Approval

- A. Minutes of the Regular Meeting of the Board of Directors held March 28, 2017.
M/S/C - (Lagrand/Mason) to approve Minutes. 9-0-1 (Van Sciver).

4. Public Input

- A. **Matthew Lagrand** - The Client Advisory Committee of ARCA(Association of Regional Center Agencies) held a meeting on Friday, April 21st. Matthew provided an update of the Kern Regional Center. He will be running for President of ARCA CAC in June.

- B. Imelda Torres Perez** – Proposed that the Board create a link between KRC and Panteras Azules. Panteras Azules would like to become a resource for Spanish speaking parents as parents are not receiving letters or notices of meetings and events that take place at the Kern Regional Center.

UNFINISHED BUSINESS

REPORTS

5. Board President Report

- i. Board President thanked Panteras Azules for their comment; meetings are held twice a month with one of the meetings being the last Thursday of each month from 10:00 am to Noon.
 - ii. Kurt announced the resignation of Terry Foley from the Board of Directors. This leaves the Board with 13 members.
- a. Nominating Committee**
- i. Kurt has requested that a nominating committee be formed with Veronica Quezada appointed as president of the Nominating Committee.
 - ii. Nominating Committee to elect a Board President, Vice President, Treasurer and Secretary at the next Board Meeting.
- b. Conflict of Interest**
- i. DDS has provided the Conflict of Interest waiver statement for Richard Rodriguez. Richard will refrain from any votes pertaining to NAPD. Please see the letter attached as **Attachment 1**.
- c. Special Contract Language**
- i. Kurt went over presentation which included the Special Contract Language. The Special Contract Language can be found on the Kern Regional Center website.
M/S/C - (Gosselin/Romero) to ratify Columbus contract. 10-0-0.
- d. Reappointment of Board Members**
- M/S/C** - (Stewart/Axume) to reappoint Veronica Quezada, Ismael Romero and Richard Rodriguez to the Board. 10-0-0.
- e. Executive Director Search Committee**
- M/S/C** - (Romero/Lagrand) to establish an Executive Director Search Committee. 10-0-0.
- i. Kurt appointed Lorie Stewart and Ismael Romero as chairs of the Executive Director Search Committee; Araceli Gonzalez will serve on the committee. Kurt will serve as an ex officio member.

B. Financial Report

a. Jon Gusman presented his financial report

- i. Please see **Attachment 2**.
- ii. Kern's cash flow balance to date is at \$24 million.
- iii. DDS continues to pay Kern's claims on time and in full.
- iv. Beginning in May of 2017, DDS will start offsetting Kern's claims

- v. As of March 31st, Kern Regional Center is showing a projected balance in operations of about \$395,000; no change from the last reported.
- vi. The most recent projection on Purchase of Service shows a projected balance of about \$6.1 million.
- vii. Statewide POS deficit amongst Regional Centers combined is reported at about \$6.85 million.
- viii. DDS has delayed the C2 Contract Amendment to Regional Centers due to recalculations on Community Placement Plan and Purchase of Service budgets for Regional Centers.

b. Cost of Living Adjustment

M/S/C - (Romero/Stewart) to approve the adoption of Cost of Living Adjustment for the Kern Regional Center defined Benefit Retirement Plan and to have the Secretary verify such motion by signature. 10-0-0.

- i. Kern will administer COLA to the participants in accordance with the July 1, 2011 reinstatement of the plan rather than on the participant's anniversary.

C. Interim Director Report

- a. Funding for Robert Riddick and Lynn Fjeld will continue through DDS through June 30th, roughly three days a week. After that, they will be at Kern less. Columbus will be coming to Kern Regional Center on May 1st. They will be at Kern five days a week and will aid in finding a permanent Executive Director for Kern Regional Center.
- b. DDS auditors will be at Kern the week of May 8th. DDS is still awaiting response to the appeal filed last year for previous audit.
- c. The May revise will be out in the next couple of weeks.
- d. Bryan Winfield, DDS, Rapone Anderson, DDS, Nancy Bargmann, Director of DDS, and John Doyle, DDS, visited Kern Regional Center in the past week. DDS allowed for some negotiation between the Board and DDS pertaining to some dates.

D. Vendor Advisory Committee

- a. Kern Regional Center is looking to stop handing out checks at the front desk and mail out checks instead. The VAC has asked for feedback to understand impact that this may have.
- b. Michelle Farley has retired; Jon Auger and Suzanne Toothman are covering the Porterville Developmental Center consumers.
- c. Last Self Determination meeting was April 17th.

E. Staff Report

A. Cherylle Mallinson -

a. Rick Wood - Self Determination

- i. Rick Wood, Chair of Kern's Self Determination Committee, is a member of the State Council State Determination Committee and has chaired the Self Determination Liaison Committee for the last 17 years. Rick is also an Attorney and a parent of a consumer who is part of the Self Determination pilot group.

- ii. Rick Wood spoke on the process that has taken place so far to establish the Self Determination group.
- iii. Kern's Self Determination Committee is working on creating a youtube video and post that video into the social media stream/environment as a way to conduct outreach. Rick hopes to see more diversity in the list of participants.
- iv. Rick hopes to have a member of the Self Determination Committee at Board Meetings every other month or so to provide updates.
- v. The Self Determination Waiver Application has not yet been completed.
- vi. Kern has 36 consumers on the pilot group. Those 36 will be grandfathered into the Self Determination project; this will leave 67 slots available. Kern has a list of 110 interested consumers.
- vii. Kern Regional staff will have to be trained on Self Determination and additional Lanterman language.

b. CMS Final Rule

- i. The following vendors were approved for transition funding through the CMS rule: Aimes Homes, As One, Bakersfield ARC, Foster Parent Training Center for Homes of Hope, Pathpoint Life Skills Plus and Social Vocational Services.

c. Community Placement Plan

- i. KRC has provided extensions for submission of the 16/17 request for proposals. KRC is currently in the process of reviewing and interviewing the selections. Next month, Cherylle Mallinson will be requesting the board's consideration in reviewing two contracts that are over \$250,000. This means the Board will not have the 30 day review period that they would normally have.

d. Staff Update

- i. Seven new service coordinators started on Monday, April 24th. They are undergoing training for the remaining of this week and the next week.
- ii. The Caseload Ratio public input meeting will be held on May 18th at 5:00 pm in both Spanish and English at the Kern Regional Center's Malibu Room. This notice will be on the Kern Regional Center website and a flyer will go out to community partners.
- iii. Kern has an opening for an Early Start/Children's Program Manager. Interviews will soon take place.

F. Client Representative

- a. Roy Rocha is starting to visit the Special Education departments at schools to help clients learn more about the services that are available to them. Roy continues to work on the letters in support of Social Recreation. His next visit is to McFarland High School on May 23rd.

NEW BUSINESS

GOOD AND WELFARE

a. Meeting is adjourned at approximately 7:56 p.m.

The next Regular Meeting of the Board of Directors is scheduled for Tuesday, May 23, 2017, at 6:00 p.m. in the Malibu Conference Room at the Kern Regional Center.

Note: Requests for a disability related modification or accommodation, including auxiliary aids or services, in order to attend or participate in a meeting should be made to the Administrative Assistant during regular business hours at 661-852-3360.

Respectfully submitted: _____
Eva Rocha

Action Items:

M/S/C - (Romero/Stewart) to approve the Agenda with modifications as follow: Add item 61. Adjustment to Cost of Living. 10-0-0.

M/S/C - (Lagrand/Mason) to approve Minutes. 9-0-1 (Van Sciver).

M/S/C - (Gosselin/Romero) to ratify Columbus contract. 10-0-0.

M/S/C - (Stewart/Axume) to reappoint Veronica Quezada, Ismael Romero and Richard Rodriguez to the Board. 10-0-0.

M/S/C - (Romero/Lagrand) to establish an Executive Director Search Committee. 10-0-0.

M/S/C - (Romero/Stewart) to approve the adoption of Cost of Living Adjustment for the Kern Regional Center defined Benefit Retirement Plan and to have the Secretary verify such motion by signature. 10-0-0.

DEPARTMENT OF DEVELOPMENTAL SERVICES

1600 NINTH STREET, Room 320, MS 3-9
SACRAMENTO, CA 95814
TTY (916) 654-2054 (For the Hearing Impaired)
(916) 654-1958



April 14, 2017

Robert Riddick, Interim Executive Director
Kern Regional Center
3200 North Sillect Ave.
Bakersfield, CA 93308

Dear Mr. Riddick:

This is in response to Kern Regional Center's (KRC) January 19, 2017, correspondence requesting a conflict of interest waiver for Richard Rodriguez. The Department of Developmental Services (Department) is in receipt of the Conflict of Interest Reporting Statement and proposed Conflict Resolution Plan for Mr. Rodriguez, a KRC board member. The Department received written approval of the proposed Conflict Resolution Plan from the State Council on Developmental Disabilities on March 22, 2017, as required by Title 17, California Code of Regulations, section 54534(a).

The noted conflict is that Mr. Rodriguez is employed as a Security Guard by New Advances for People with Disabilities (NAPD), a vendor of KRC. KRC reported Mr. Rodriguez has no authority to make financial or management decisions for NAPD.

Based on the information provided, the proposed Conflict Resolution Plan is approved for Mr. Rodriguez, effective for twelve months from the date of this letter. If, at any point in time, there is a change of status that creates a present or potential conflict of interest, KRC must ensure that Mr. Rodriguez prepares and files a new Conflict of Interest Reporting Statement, and KRC submits a new Conflict Resolution Plan, if appropriate, pursuant to Title 17 Regional Center Conflict of Interest Standards and Procedures.

This approval is based on the implementation of the safeguards identified in your January 19, 2017, correspondence and the KRC governing boards' assurance the following conditions are met:

1. Mr. Rodriguez will fully disclose the existence and nature of the conflict of interest to the KRC board and have it noted in the official board records;
2. Mr. Rodriguez will abstain from voting on any matter pertaining to NAPD or any matter which could impact NAPD services;

"Building Partnerships, Supporting Choices"

KERN REGIONAL CENTER
 BUDGET AND EXPENSE REPORT
 FY 2016/2017
 AS OF MARCH 31, 2017

	Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6	Col. 7
(1) - OPERATIONS	Preliminary Allocation - C Series	C-1 Allocation	Total Allocation To Date thru C-1 Allocation - Col.1 + Col. 2	Operations By Claim to State July to Mar 2017	Projected - Apr to June 2017	Total Projected - Col. 4 + Col. 5	Projected Balance - Col. 3 - Col. 6
GENERAL							
Salaries and Benefits	\$ 13,269,648	\$ 2,177,088	\$ 15,446,736	\$ 10,408,387	\$ 3,889,457	\$ 14,297,844	
Operating Expenses		3,051,457	3,051,457	2,916,958	997,867	3,914,825	
TOTAL PERSONNEL SERVICES	13,269,648	5,228,545	18,498,193	13,325,345	4,887,324	18,212,669	285,524
Less: Interest Income				(53,130)	8,130	(45,000)	45,000
Less: ICF SPA Fees (see Note 2)				(39,562)	(20,438)	(60,000)	60,000
Less: Other Income				(13,242)	8,242	(5,000)	5,000
SUBTOTAL GENERAL	\$ 13,269,648	\$ 5,228,545	\$ 18,498,193	\$ 13,219,411	\$ 4,883,258	\$ 18,102,669	\$ 395,524
Percentage			100%	71.46%	26.40%		2.14%
COMMUNITY PLACEMENT PLAN (CPP)							
Salaries & Benefits		\$ 533,950	\$ 533,950	\$ 293,981	\$ 239,969	\$ 533,950	
Operating Expenses		28,525	28,525	48,853	(20,328)	28,525	
SUBTOTAL CPP	\$ -	\$ 562,475	\$ 562,475	\$ 342,835	\$ 219,640	\$ 562,475	\$ -
FOSTERGRANDPARENT (FGP)							
Salaries & Benefits		\$ 59,043	\$ 59,043	\$ 56,090	\$ 2,953	\$ 59,043	
Operating Expenses		112,977	112,977	74,347	38,630	112,977	
SUBTOTAL FGP	\$ -	\$ 172,020	\$ 172,020	\$ 130,437	\$ 41,583	\$ 172,020	\$ -
GRAND TOTAL OPERATIONS	\$ 13,269,648	\$ 5,963,040	\$ 19,232,688	\$ 13,692,682	\$ 5,144,482	\$ 18,837,164	\$ 395,524
Percentage			100%	71.19%	26.75%		2.06%

Note 1: The "Projected Balance" is an estimate of the difference between KRC's funding allocation from DDS (col. 3), and Total Projected (col. 6)

Note 2: The Intermediate Care Facility State Plan Amendment (ICF SPA) administrative fees are included in this fiscal year as an offset to current year expenditures. The fees are 1.5% of current year day program and transportation costs for KRC clients that resided in ICF's.

KERN REGIONAL CENTER
 BUDGET AND EXPENSE REPORT
 FY 2016/2017
 AS OF MARCH 31, 2017

	Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6	Col. 7
(2) - PURCHASE OF SERVICES							
GENERAL							
Out of Home Care	\$ 27,596,864	\$ 6,491,275	\$ 34,088,139	\$ 25,863,382	\$ 10,747,525	\$ 36,610,907	\$ (2,522,768)
Day Programs	21,393,226	7,419,872	28,813,098	21,657,619	8,064,900	29,722,519	(909,421)
Other Services	72,174,104	20,702,444	92,876,548	61,717,473	25,208,646	86,926,119	5,950,429
SUBTOTAL GENERAL	121,164,194	34,613,591	155,777,785	109,238,474	44,021,071	153,259,545	2,518,240
Less: ICF SPA Funded			(2,411,447)	(1,182,113)	(1,182,113)	(3,593,560)	3,593,560
TOTAL GENERAL	\$ 121,164,194	\$ 34,613,591	\$ 155,777,785	\$ 106,827,026	\$ 42,838,959	\$ 149,665,985	\$ 6,111,800
Percentage			100%	68.58%	27.50%		3.92%
COMMUNITY PLACEMENT PLAN (CPP)							
Out of Home Care	\$ 295,134	\$ 295,134	\$ 295,134	\$ 389,508	\$ 252,288	\$ 641,796	(346,662)
Day Programs	198,010	198,010	198,010	28,163	53,640	81,803	116,207
Other Services	3,996,996	3,996,996	3,996,996	133,885	4,602,240	4,736,125	(739,129)
TOTAL CPP	\$ 4,490,140	\$ 4,490,140	\$ 4,490,140	\$ 551,555	\$ 4,908,169	\$ 5,459,724	\$ (969,584)
Percentage			100.00%	12.28%	109.31%		-21.59%
TOTAL PURCHASE OF SERVICE	\$ 121,164,194	\$ 39,103,731	\$ 160,267,925	\$ 107,378,581	\$ 47,747,128	\$ 155,125,709	\$ 5,142,216
Percentage			100%	67.00%	29.79%		3.21%
GRAND TOTAL ALL BUDGETS	\$ 134,433,842	\$ 45,066,771	\$ 179,500,613	\$ 121,071,264	\$ 52,891,609	\$ 173,962,873	\$ 5,537,740
Percentage			100%	67.45%	29.47%		3.09%

Note 1: The "Projected Balance" is an estimate of the difference between KRC's funding allocation from DDS (col. 3), and Total Projected (col. 6)
 Note 2: Reimbursement for the estimated costs of day program and transportation for Intermediate Care Facility State Plan Amendment clients is not funded by DDS's Standard Agreement. The reimbursement to KRC will be provided from the SPA ICF's within the catchment area.