

KERN REGIONAL CENTER

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

Board of Directors Meeting

6:30 p.m. – 8:00 p.m.

KRC Malibu Conference Room

3300 N. Sillect Ave.

Bakersfield, CA 93308

MINUTES

January 28, 2020

Board Members Present:

Oscar Axume

Mitzi Villalon

Ryan Jones

Kevin Gosselin

Martin Vasquez

Simon Verdugo

Nickolerene Mensch

Quanah Mason

Ismael Romero

Mark Tolentino

Board Members Absent:

Jasmeet Bains

GENERAL BUSINESS

1. Call to Order and Introductions

The meeting was called to order at approximately 6:30 p.m. by Oscar Axume. It was determined that a quorum was present.

2. Approval/Additions to Agenda

A. Regular Meeting of the Board of Directors Agenda dated January 28, 2020.

M/S/C – (Vasquez/Mensch) to approve the agenda for the meeting of January 28, 2020.

10-0-0.

3. Meeting Minute Approval

A. Minutes of the Regular Meeting of the Board of Directors held November 12, 2019.

M/S/C – (Mensch/Villalon) to approve minutes of the regular meeting of the Board of Directors of November 12, 2019 with one correction to be made.

10-0-0.

4. Public Input

A. Cindy Martinez reported on the KRC Thanksgiving Basket Committee. Project which is in partnership with Exceptional Family Center. She thanked the KRC staff, friends, families and the community for making this project a success.

B. About \$8781.96 dollars were raised at the event with the Thanksgiving Baskets towards Thanksgiving meals for the clients.

C. About 231 baskets and 66 gift cards were distributed to families. We also, distributed 75 gift cards for food for Christmas.

- A. **Parent/Client** reported to be concerned, upset for being asked to pay for Respite hours being used incorrectly. She asked, if policy had changed. Michi recommended for parent to contact service coordinator to request additional hours. Hours are used throughout the year within monthly amounts based on an needs assessment of the need. We are not trying to withhold services but monitor and adjust hours depending on the need. Oscar suggested the parent schedule an appointment to increase Respite hours with Service Coordinator.

UNFINISHED BUSINESS

REPORTS

5. Board President Report – Oscar Axume

- A. Oscar Axume, Board President, wished everyone a Happy New year.

ACTION: I would like to make a motion to reappoint board members Kevin and Oscar.

M/S/C – (Mensch/Villalon) Motion approved to reappoint Kevin and Oscar.
10-0-0

6. Client Representative – Roy Rocha

- A. Next Client Advisory Committee meeting is scheduled for March 26, 2020.
- B. Our committee is currently searching for speakers for March’s meeting.
- C. Roy invited Board Members to participate as speakers for the next Client Advisory meeting.

7. Board Delegate Report – Nickolerene Mensch

- A. Nickolerene attended the ARCA Delegate meeting last week.
- B. For the ARCA Academy, 83 board members signed up within 21 regional centers.
- C. Nickolerene reported about the United States Census for 2020, the US Census Bureau will pay \$15 an hour.
- D. She suggested every SLS agency could have 1 or 2 people go around to all of their client’s homes/programs to assist with helping complete the census.

8. Financial Report – Tom Wolfgram

- A. Tom Wolfgram provided the financial report. Please see Attachment 2.
- B. This report is as of December 31st, 2019.
- C. We are 6 months into the year. We currently have about 200 employees and have had about 11 staff leave (voluntary or terminated).
- D. Tom went over the Purchase of Service allocations and Operation’s Budget.

9. Executive Director's Report – Michi Gates

- A. Michi attended the ARCA Director's meeting.
- B. The Governor's proposed budget for 2020-21 was released. The population served in our system is projected to be 368,622, reflecting an increase of 18,575 (5.3 percent).
- C. Funding is proposed to lower caseload ratios for 4 and 5 year olds to 1:45Rate Study: Proposed increase in January, 2021 for Early Start and Independent Living Services
- D. Proposed increase of \$78.0 million to establish a Performance Incentive Program for Regional Centers
- E. Proposed changes as the year progresses to review system reform and sustainability, improving quality of services.
- F. Michi thanked Mitzi for her services and support to KRC as the Vendor Advisory Committee Chair and Representative on the KRC Board.

10. Vendor Advisory Committee – Mitzi Villalon

- A. VAC met this morning and formed our new 2020 Vendor Advisory Committee. A complete list of Committee Members will be submitted to the Board next month for approval upon its completion by Lynn Clark.
- B. We also took VAC Chair nominations for the 2020 & 2021 term; a final determination on the selected candidate is pending.
- C. Next I discussed that on 01/15 I attended the DS Task Force System & Fiscal Reform Workgroup in Sacramento. The efforts of this Workgroup will be: to consult with a broad and balanced group of stakeholders to discuss system and fiscal reforms, to better serve consumers, create a sustainable, innovative, cost-effective, consumer-focused, and outcomes-based service delivery system. While taking into consideration a wide variety of perspectives and engage with consumers, families, and service providers across different geographic regions of the state, and from diverse racial and ethnic backgrounds, consumer age groups, diagnoses, and service categories. Identify key consumer outcomes and measurable targets. Discuss how feedback may be collected about the reforms, and how this information may be used to make changes to, and adapt, the system over time.
 - During this Workgroup we received several presentations:
 - One from Stephen Pawlowski with Burns & Associates who gave an overview of Public Comment regarding the Vendor Rate Study and changes to it. I additionally gave the VAC the web address where they can go and review the changes.
 - We had another presentation from Nancy Bargmann, wherein she spoke on DDS funding, RC budgets, populations, and caseloads. As well as the \$78 million Performance Incentive Program for DDS to administer through the Regional Center system.
 - Brian Winfield of DDS spoke about Performance Contracts Measures and the methodology for public policy and compliance measures as well as National Core Indicators survey.
 - Marylou Bourne from the National Association of State Directors of Developmental Disabilities Services spoke on component of any quality system.
 - We then had a three hour breakout session focusing on suggested systems changes. A lot of discussion stemmed around areas that vendors would like to see improved, implementation of the rate study, HCBS, and self-determinations.

- This was the first of many Workgroups that I look forward to attending and providing updates as the meetings progress.
- G. Also we had a presentation by Ron Killingsworth on VALARF. He spoke about his group whose primary focus is to work together for the betterment of those we serve. He stated that lately their focus has been legislative advocacy and trying to convey the issues of the Valley to the legislature. All too often the Valley is left out because we are considered low cost. He invited everyone at the meeting to join his group and I look forward to working with them for the betterment of our clients.
 - H. We also discussed last years' Vendor Luncheon. Lynn Clark stated that we had 347 vendors sign up with 302 people actually attending and there were 21 vendor displays. The overall comments from the VAC were that this was one of the best luncheons, everyone very much enjoyed themselves, the speaker, and were impressed at how smoothly the event ran. Our next luncheon is Nov. 6th and we hope the Board can attend.
 - I. Lastly, the meeting concluded with a vendor discussion about issues they would like to see addressed:
 - J. Timely POS(s) and IPPs seemed to be the main issue. The vendors feel it is taking several weeks if not months to get POS(s) and IPPs in the system, and not benefiting anyone by such a huge delay. Apparently, for one Employment vendor, the delay caused the employer to seek employees elsewhere because the authorization took too long to approve. The vendors are being told that the issues with both POS(s) and IPPs are because they are held up at the PM level. Additionally, for most if not all, it is imperative that we have current POS(s), IPPs and CDERs but often do not.
 - K. Also, the vendors would like to know how long it should take to draft an IPP or Addendum and be distributed to all parties?
 - L. Another topic for discussion was updating of client information in the system. One vendor reported that while a client was in the assessment process the client's address changed but was not updated in the system, causing documentation to go out to the old address and thereby causing the process to be temporarily suspended due to non-compliance on the client's part. I believe the services were reactivated but this did cause a significant delay in the assessment and ultimately services.
 - M. The vendors feel they never know who the current SC is because it changes so frequently. Is the best resolution to this to simply call the mainline and ask the receptionist?
 - N. Clients are terminating services with Day Programs but the SC is not letting the Programs know, instead Transportation is informing the Programs that they are no longer going to their Program. So the vendors would like to see an improvement in the communication between SC and vendors regarding termination of services. Or perhaps develop a guideline for SCs to follow when something has changed.

11. Staff Report – Cherylle Mallinson

A. Self Determination

- Self Determination were held on 12/09/2019 & 01/13/2020
- Statewide issue with transition (for example, see notes)
- Orientation Update

- The next meeting of the Self-Determination Local Advisory Committee is on **February 24, 2020** here at 5pm. It will be a potluck. FMS vendors have been invited.

D. Community Placement Plan (CPP/CRDP)

CPP/CRDP Update

FY 1617

1. **1617-9 Jenkins (Link)** tour: : <https://my.matterport.com/show/?m=f29oRjrvVvE> photos and video
https://www.dropbox.com/sh/snegh22eurysot/AAD9fioV4gHOiMXUI7j8DPM_a?dl=0
2. **1617-1 Notify of Cal Mentor Notice to Close Board Policy No. C-9 section 6 states**
“Under unique and extraordinary circumstances, when the RFP process has been implemented but not successful in adequately identifying resource development needs, Board approval may be granted on a case by case basis to identify needed resources through direct procurement. Identification and solicitation of potential community resources under these circumstances shall meet the following minimum criteria:
 - a. Exhausted and not procured through the RFP process;
 - b. The service need is for consumer populations considered difficult to serve, which may include but not limited to consumers exiting from or at risk of entering a State Developmental Center and;
 - c. The services to be procured are based not solely on Title17 but would also be based on specific contract requirements.”

ACTION - Request KRC Board Approval for KRC to Procure with Atenar to provide the services for the ARFPSHN located in Bakersfield under KRC Project No. 1617-1.

M/S/C – (Gosselin/Jones) to approve KRC to procure services with Atenar, KRC Project No. 1617-1.
8-0-2.

- b. **FY 1819 CRDP Children’s EBSH – HAR approved on 11/25/2019 and we closed escrow on 12/13/2019 (Link)** - https://www.zillow.com/homedetails/8029-Vargas-Ct-Bakersfield-CA-93313/69243369_zpid/
- c. **FY 1920 CRDP - RFP Releases**

1. **EBSH Children w/IP- provider**
2. **EBSH 3 Adult w/IP- provider**
3. **Community Crisis Step Down - provider**
4. **Mobile Dental Clinic**

d. HDO approval of contracts

KRC Board Policy No.O-12 states that in accordance with WIC Section 4625.5 the KRC board shall review and approve any contract for \$250,000 or more prior to KRC entering into the contract.

ABOUT THE HDO

The Lanterman Act [California Supreme Court in ARC-CA vs. DDS] determined that a primary function of regional centers is to “prevent or minimize the institutionalizations of developmentally disabled persons”. Kern Regional Center (KRC) will use Community Placement Plan (CPP) funds to acquire and develop permanent, accessible homes in the community, owned by non-profit housing corporations, for the use of individuals at risk of or currently residing in, state developmental centers. For CPP 1516, KRC sought proposals for the acquisition and renovation of two (2) single family homes, which will be available with long-term leases for residential service providers selected and vendored by KRC. The successful bidder must be a Non-Profit Housing Origination, or have that as a component of their organization that does not provide direct services to any individuals with developmental disabilities. The funding for renovating the homes is available for modifications required to meet the support needs of the individual referred, and to meet the licensing standards that will apply to the residents referred. The NPO will also be responsible for the long term management and maintenance of the property. To ensure that homes developed using CPP funds are always available for use by individuals served by KRC, real estate deed restrictions or restrictive covenants are required of the Non-Profit Housing Organizations (NPO) for each property purchased with these funds. Each property will be developed in accordance with Fiscal Year 2015-2016 Community Placement Plan Housing Guidelines issued by the State of California, Department of Development Services.

Deed restrictions, per the Fiscal Year 2015-2016 housing guidelines issued by the State of California, Department of Developmental Services (DDS), must specify the properties will be held in perpetuity for persons referred by KRC. This Non-Profit Organizations may hold the properties as a non-profit corporation, limited partnership or limited liability corporation. Renovation of the property must be supervised by, and is the responsibility of the NPO. Renovation plans must be developed for the NPO by a licensed architect and implemented by a licensed, bonded contractor, and the plans approved by KRC prior to an application for construction permits. The property will be leased to a residential service provider who will provide care and supervision to the residents. The selected residential service provider as well as regional center staff will be available to the

NPO/architect/building contractor for development team meetings and technical assistance regarding the needs for the individuals referred as well as the requirements of Community Care Licensing. Property must be convertible to meet the standards of licensing by the Department of Social Service of the State of California, Community Care Licensing Division. Property ownership and management will be separate and distinct from the provision of services and supports.

1. **1819-4 – \$209,300 Acq \$440,700 Reb MODIFIED ALLOCATION**
2. **1920-4 – \$250,000 Acq \$400,000 Reb**
3. **1920-7 – \$200,000 Acq \$400,000 Reb**

ACTION: KRC IS REQUESTING THE BOARD TO APPROVE THE HDO BRILLIANT CORNERS CONTRACT OF Total contract amount **\$1,900,000.00** and amend project KRC 1819.1

M/S/C – (Mason/Mensch) to approve THE HDO Brilliant CORNERS Contract for total contract amount \$1,300,00.00. Motion passes to approve the contract for \$1,300,000.00
8-0-2 (Villalon/Tolentino)

M/S/C – (Gosselin/Mensch) to approve project KRC 1819.1 combined total of 600,000.00 to Brilliant Corners. Motion passes to amend contract 1819.1
8-0-2 (Villalon/Tolentino)

E. Performance Contract

- SB 81 established that beginning 05/01/2020, and annually thereafter, each RC’s governing board must hold one or more public meetings regarding its prior year’s contract performance objective and outcomes. RC must inform the Department that a meeting has been scheduled at least 30 days prior to the meeting. Notice of the meetings must also be posted on the RC’s internet website at least 30 days prior to the meeting and must be sent to RC individuals and families and stakeholders at least 30 days prior to the meeting. Each RC’s governing board must report to the Department regarding the outcomes of each public meeting within 90 days of the meeting, per W&I Code section 4629(f)

Timelines are:

- November 2019 - RC submit 2020 Performance contract to the Department
- January 31, 2020 – RC submit their locally-developed public policy measures listed in Calendar Year 2019
- February 28, 2020 – DDS provides draft CY 2019 Year-End report to RC
- March 17, 2020 – DDS and RC post final CY 2019 Year-End report to their websites
- After May 1, 2020 – RC governing boards shall hold one or more public meetings regarding its prior years (CY 2019) contract performance objectives and outcomes.

BOARD TRAINING

NEW BUSINESS

GOOD AND WELFARE

- a. Meeting is adjourned at approximately 8:15 p.m.

The next Regular Meeting of the Board of Directors is scheduled for Tuesday, February 25, 2020, at 6:30p.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: _____

Upcoming Dates / Events / Announcements:

- a. Self Determination Orientation on Feb. 8th at 9:00 – 12:00 p.m. at KRC in both English and Spanish
- b. HCBS Final Ruling / Self-Assessment Training sessions (see attached flyer)
- c. 2020 Night to Shine at Crossroads Christian Fellowship on Feb. 7th. Must register in advance at:
<https://www.timtebowfoundation.org/ministries/night-to-shine>
- d. Therap Q&A for Special Incident Reporting on Feb. 18th at KRC from 10-12 p.m. OR 1:30-3:30 p.m.
- e. Self Determination Potluck meeting on Feb. 24th at 5:00 p.m. in Malibu Room
- f. KRC Board meeting February 25th from 6:30 – 8:30 p.m. in Malibu Room
- g. VAC meeting on March 24th at 10:00 – 12:00 p.m. in the Malibu Room
- h. Self Determination Orientation on May 9th at 9:00 – 12:00 p.m. at KRC in both English and Spanish

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