



MINUTES OF THE SEPTEMBER 20, 2016 MEETING OF THE BOARD OF TRUSTEES OF THE HARBOR DEVELOPMENTAL DISABILITIES FOUNDATION, INC.

BOARD PRESENT:

Mr. Ron Bergmann, Board Member
Dr. James Flores, Treasurer
Mr. La Velle Gates, Board Member
Mr. David Gauthier, Board Advisor
Mr. Jeffrey Herrera, Board Member
Mr. Bob Irlen, Board Advisor
Ms. Patricia Jordan, Board Member
Mr. John Rea, President
Dr. Bobbie Rendon-Christensen, Vice-President
Mr. Mariano Sanz, Board Member
Dr. Monica Sifuentes, Board Member
Ms. Kim Vuong, Board Member

BOARD ABSENT:

Mr. Fu-Tien Chiou, Board Member
Mr. Joe Czarske, Board Advisor
Mr. Douglas Erber, Secretary
Ms. Terri Nishimura, Board Member
Mr. Jaime Martinez, Board Member

STAFF PRESENT:

Ms. Patricia Del Monico, Executive Director
Ms. Judy Wada, Chief Financial Officer
Ms. Nancy Spiegel, Director of Information & Development
Ms. Colleen Mock, Director of Community Services
Ms. Mary Hernandez, Director of Adult Services
Mr. Dave Bourdeau, Director of Information Technology
Ms. Antoinette Perez, Director of Children's Services
Ms. Heather Shepherd, Director of Early Childhood Services
Ms. Jennifer Lauro, Executive Assistant

GUESTS:

Mr. Barry Finley, Aide to Patricia Jordan
Ms. Denise Thornquest, DDS
Ms. Judy Mark, Autism Society of LA
Mr. David Oster, HRC Client
Mr. Christopher Arroyo, SCDD
Ms. Carrie Wetsch, Parent
Ms. Bobbie Hendrickson, Parent
Ms. Stephanie Baxter, Parent
Ms. Bronwyn Shields, Parent
Ms. Pam Kaplan, Parent
Ms. M. Kehler, Parent
Mr. Andy Kopito, Parent
Ms. Ronda Kopito, Parent
Ms. Kim Sinclair, Parent
Ms. Yoko, Isozaki, Parent
Ms. Nohemi Alcalá, Parent
Ms. Miriam King, Parent
Ms. Carole Kawamura, Parent
Ms. Kim Miyamoto, Parent
Ms. Roz Mooney, Parent
Ms. Lucy Salazar, Service Provider
Ms. Vanessa Monroy, HRC Service Coordinator
Ms. Sandra Gross, HRC Service Coordinator
Ms. Ana Osborne, HRC Team Assistant
Ms. Brenda Martinez, HRC Service Coordinator
Mr. Dustin Irwin, HRC Service Coordinator
Ms. Kelly Carmichael, HRC Client Services Mgr
Ms. LeTresse Grissom, HRC Service Coordinator
Ms. Kaitlin Olson, HRC Service Coordinator
Ms. Erica Magony, HRC Service Coordinator

CALL TO ORDER

Mr. Rea called the Board Meeting to order at 6:30 p.m.

PRESIDENT'S REPORT

Mr. Rea led in the Pledge of Allegiance to the Flag.

Mr. Rea welcomed current Board members, guests and staff and asked all to introduce themselves.

Mr. Rea asked that the record reflect the Executive Committee of the Board met on September 6, 2016 to prepare the agenda for tonight's meeting.

Mr. Rea informed the Board that Erika Braxton-White has resigned from the Board because she has accepted a position of the staff of Harbor Regional Center. Mr. Rea thanked her for her service as a Board member.

Mr. Rea announced that there has been a change in the board meeting schedule and referred the Board to the updated schedule that was provided as a handout. The change reflects a board meeting in November and no meeting in December.

Mr. Rea reminded the Board that our next meeting will be on October 18, 2016 and it will be a training meeting.

Mr. Rea informed the Board that the Board Planning Committee will be reporting on the HRC Draft Performance Plan 2017 during their report. This portion of the Board meeting is designed to receive public input before the Plan is finalized.

Mr. Rea advised that there will be executive session of the Board at the end of tonight's meeting to discuss a personnel matter.

PUBLIC INPUT

None

APPROVAL OF THE MINUTES OF THE JULY 19, 2016 BOARD MEETING. Mr. Bergmann moved to approve the JULY 19, 2016 minutes of the Board meeting, and Dr. Sifuentes seconded the motion, which was approved by the Board.

TREASURER'S REPORT

Dr. Flores reviewed the following financial statements: Fiscal Year 2015-16, dated June 16; Harbor Regional Center Functional Expenditures, dated June 16; Harbor Regional Center Line Item Report, dated June 16, Harbor Regional Center POS Contract Summary, dated June 16; Fiscal Year 2016-17, dated July 16; Harbor Regional Center Functional Expenditures, dated July 16; Harbor Regional Center Line Item Report, July 2016; Harbor Regional Center POS Contract Summary, dated July 2016; Harbor Regional Center Comparison Fiscal Year 2015-16 to Fiscal Year 2016-17 and the Harbor Developmental Disabilities Foundation Harbor Help Fund Statement of Income and Expenses, dated April 1 to June 30, 2016.

Dr. Rendon-Christensen moved to approve the Treasurer's Report for Harbor Regional Center and Mr. Herrera seconded the motion, which was unanimously approved by the Board.

EXECUTIVE REPORT

1. FY 2015-16 BUDGET UPDATE:

Ms. Del Monico advised that the Sufficiency of Allocation Report indicates there will be no deficiency in the system as a whole for the prior fiscal year.

2. CURRENT YEAR BUDGET:

Ms. Del Monico informed the Board that the first amendment to the regional centers' contracts has been made through which an additional \$169 million Operations dollars and an additional \$1.4 billion POS dollars have been allocated to the centers. Ms. Del Monico referred the Board to their packet and discussed the attachment that showed the detail related to how these funds are calculated and distributed. Discussion followed.

3. ABX2-1 FUNDING TO PROMOTE EQUITY AND REDUCE DISPARITY IN POS:

Ms. Del Monico called the Board's attention to several materials provided in their board packet related to ABX2-1 funding specified to promote equity and reduce disparity in POS. Ms. Del Monico informed that HRC's proposal was prepared by Nancy Spiegel and Erika Braxton-White (HRC's new Manager of Diversity and Inclusion) and in addition to our proposal, all 21 regional centers are collaborating through ARCA and the San Gabriel/Pomona Regional Center on a joint proposal; in addition ARCA has submitted comments to DDS on the topic of additional steps that might be taken to reduce disparities. The materials were reviewed and discussion followed.

4. FUNDING FOR HCBS COMPLIANCE:

Ms. Del Monico provided information to the Board regarding final rules issued by the federal Center for Medicare & Medicaid Services in January 2014 for Home and Community-Based Services (HCBS). The rules require that HCBS programs funded through Medicaid (Medi-Cal in California) provide people with disabilities full access to the benefits of community living and offer services and supports in settings that are integrated in the community.

In recognition that some service providers may need to take steps towards modifying their services, the 2016 Budget Act contains \$15 million to fund changes that will be necessary for providers to come into compliance with the HCBS rules by March 2019. DDS has issued a memo to regional centers describing the process whereby service providers may 1) apply for funds through the regional centers or 2) regional centers can make recommendations for funding based on local priorities. For either process, DDS will make final approval. Ms. Del Monico thanked Ms. Colleen Mock, Director of Community Services, under whose leadership a series of informational sessions for our service providers has been held to encourage those who need to make changes to apply for these funds.

5. SDC CLOSURE UPDATE:

Ms. Del Monico reported that since 2013, the federal government has found persistent noncompliance with Medicaid requirements at Fairview and Porterville State Developmental Centers, which has caused the Medicaid authorities to provide notice of termination of federal financial participation in the operation of the developmental centers. In order to avoid the loss of this funding, DDS has entered into agreements with

the Center for Medicare and Medicaid Services, which will extend federal funding under specified circumstances, specifically related to the ultimate closure of both facilities.

6. VOTING RIGHTS:

Ms. Del Monico called the Board's attention to a complaint filed by the Disability and Abuse Project of Spectrum Institute against the United States Department of Justice. The complaint alleges that the Los Angeles Superior Court has routinely and systematically engaged in activities that violate the civil rights of people with developmental disabilities who are conserved.

Petitions for limited conservatorship for HRC Clients are generally filed by parents or other relatives of adults with developmental disabilities because the parent or relative believes the adult lacks the capacity to make decision in one or more major life areas: choice of residence, financial, medical, education, marital, sexual or social.

The issue of capacity to vote is raised in each new case after a petition for conservatorship is filed. A test is used by petitioners, attorneys, court investigators and judges to decide whether a conservatee should be disqualified from voting. The test is whether the adult in question is able to complete an affidavit of voter registration.

The federal Voting Rights Act prohibits states from using any test to determine eligibility to vote. The federal Americans with Disabilities Act requires states to allow an adult with a disability to have someone help them in the voting process.

SB 589 took effect on January 1, 2016 and provides that conservatees are presumed competent to vote unless a judge finds that they can't communicate a desire to vote. Those who have already had their right to vote taken away can submit a request to the court to have it restored. Ms. Del Monico referred the Board to a copy of a newspaper article about this issue as well a letter we have sent to those HRC Clients who have been conserved.

7. DDS FACTBOOK:

Ms. Del Monico reported that each year DDS publishes a "factbook" in which demographic information is provided by gender, age, residence types, ethnicity and primary language of Early Start, Active clients and Developmental Center clients. The most recent factbook provides data as of January 1, 2005, as compared to January 1, 2015.

8. EMMY FOR "BORN THIS WAY":

Ms. Del Monico congratulated the Sanz Family, especially Cristina, on the continuing success of "Born This Way", which just won an Emmy Award.

9. HOLIDAY GIVING:

Ms. Del Monico advised the Board that HRC has begun the annual campaign to provide food and gifts to needy families during the holidays. Ms. Del Monico thanked the Board for their continued support and requested a motion for the Board to approve a

donation of \$35,000 from the Harbor Help Fund to purchase food and gift certificates to donate to those HRC clients/families most in need.

Ms. Vuong moved to approve a donation of \$35,000 from the Harbor Help Fund to purchase food and gift certificates to donate to HRC clients/families and Mr. Gates seconded the motion, which was unanimously approved by the Board.

Dr. Flores moved to approve the Executive Report and Dr. Rendon-Christensen seconded the motion, which was unanimously approved by the Board.

COMMITTEE REPORTS

A. AUDIT

Mr. Gates reported that the Committee has not met since April where they discussed the Fiscal Year 2014-15 IRS Form 990 and on the Fiscal Year 2015-16 Audit Engagement Letter.

B. BOARD DEVELOPMENT

Mr. Rea announced the resignation of Erika Braxton-White who accepted a position with Harbor Regional Center as the new Manager of Diversity and Inclusion. Mr. Rea referred the Board to Ms. Braxton-White's letter of resignation and thanked her for her service and congratulated her on her new service as a staff member of HRC.

C. CLIENT ADVISORY

Mr. Gauthier informed that the committee's August meeting primarily focused on the status of the proposed draft 2017 Performance Plan, of the self-determination program and on Voter Rights training.

D. CLIENT SERVICES

Ms. Spiegel assisted Ms. Jordan in reporting the main topic discussed at the July committee meeting which was the review of the proposed draft 2017 Performance Plan.

E. COMMUNITY RELATIONS

Dr. Sifuentes reported that the Committee met in July and provided an update on the committee's legislative advocacy and community outreach efforts.

F. SERVICE PROVIDER ADVISORY

In Ms. Nishimura's absence, Ms. Spiegel informed that this committee also focused on the review of the proposed draft 2017 Performance Plan. In addition, the HRC Resource and Technology Center made a presentation to the committee to introduce its new Manager, Maria Elena Walsh and also inform them about new information that the resource center has available for families.

G. BOARD PLANNING

Mr. Bergmann reported on the committee's activities in preparation of the 2017 Performance Plan. Ms. Spiegel provided a comprehensive and informative presentation

of HRC's draft proposed 2017 Performance Plan. Members of the audience provided comments on the proposed draft plan, which will be incorporated and brought back at the October Board meeting for adoption.

H. RETIREMENT

Dr. Flores reported that the purpose of the August meeting was to review HRC's current plans with TIAA and the role of the Retirement Committee. The Committee also reviewed the Retirement Committee Report for the quarter ending March 31, 2016. Ms. Wada also called the Board's attention to the Harbor Regional Center Retirement Plan Balances as of 06.30.16.

I. ARCA

In Mr. Czarske's absence, Ms. Del Monico reported on the August ARCA meetings that took place at Harbor Regional Center.

J. HOPE (Home Ownership for Personal Empowerment)

Mr. Irlen reminded the Board about the October 25, 2016 golf and tennis tournament at Ocean Trails and encouraged all to participate.

K. SELF-DETERMINATION ADVISORY

Mr. Sanz reported that the committee will meet on October 12, 2016 at HRC.

Mr. Gates moved to accept the committee reports and Mr. Sanz seconded the motion which was unanimously approved by the Board.

ADJOURNMENT

Mr. Rea adjourned the meeting at 9:00 p.m.

Submitted by:



Mr. Doug Erber, Secretary
Harbor Developmental Disabilities
Foundation, Inc. Board of Trustees