

**KERN REGIONAL CENTER  
Monthly Board of Directors Meeting**



5:30 p.m. – 7:30 p.m. Board Meeting  
Malibu Room  
3300 N. Sillect Ave.  
Bakersfield, CA 93308

Kern Regional Center  
3200 N. Sillect Avenue  
Bakersfield, CA 93308

**AGENDA  
October 1, 2013**

**I. CALL TO ORDER:**

- A. Self Introduction:**
- B. Approval of Agenda:**
- C. Approval of Minutes of September 3, 2013 as Attachment I**
- D. Public Comment: Limited to 5 minutes**

**II. ACTION AND DISCUSSION ITEMS - BOARD ACTIVITIES:**

- A. ARCA Report -**
- B. Review of Contracts - Finance Committee**
  - *Checklists and contracts attached.*
- C. DSSF Articles of Incorporation and By-laws Review**
- D. Officer Nomination for Board Secretary - Nominating Committee**

**III. ACTION AND DISCUSSION ITEMS - KRC ACTIVITIES:**

- A. Budget Update and Financial Report - report on the budget situation for KRC and the State as pertains to the delivery of developmental services**

**IV. REPORTS: (Reports will be made only from groups that have met and/or have items to share)**

- a) President's Report

- b) Legislative Report
- c) People First of Kern County Report
- d) Area Board Reports
- e) Vendor Advisory Committee
- f) Executive Committee Report
- g) Foundation Report
- h) Foster Grandparent Progress Report
- i) Affordable Housing Committee (ASPIRE)
- j) Client Services Report
- k) KRC Staff Report
- l) Board Comments
- m) CEO Comments

V. MOTION TO GO INTO CLOSED SESSION:

VI. CLOSED SESSION:

VII. MOTION TO GO OUT OF CLOSED SESSION:

VIII. MOTION TO GO INTO OPEN SESSION:

VIII. RESULTS OF CLOSED SESSION:



IX. Adjournment by 7:30 p.m.

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Susan Lara, KRC Board President

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**MINUTES**  
**September 3, 2013**

**PRESENT:** Susan Lara, President  
Matthew LaGrand  
Frank Meyer  
David Marcus  
Quanah Mason  
Veronica Quezada  
Carol Sackey  
Ashlee O'Brien  
Steve Esselman

**ABSENT:** Ramona Puget (resigned), Emily Greenwood (excused), Lorie Stewart (excused), Iman Killebrew (excused)

- I. CALL TO ORDER:** The meeting was called to order at approximately 5:40 p.m. by Susan Lara. It was determined that a quorum was present.
- A. Self Introductions:** Self-introductions were made around the table. In addition to Board members listed above, in attendance were Beth Himelhoch, Dale Davis, Rob Meszaros, Amanda Meszaros, Susan Graham, Darla Benson, Diane Schneider, Nick Schneider, Virginia Gantong, Aaron Markovits, Jeffrey Popkin, Laura Popkin, Luz Marina Knight, Barry Knight, Lisa Batty, Debbie McDermott, Shawn Kenemer, Grace Huerta, Marlene Donahue, Neil Gehlawat, and KRC Staff: Jon Gusman, Maria Solano, Duane Law, Cherylle Mallinson, Dana Hutchison, Jenny Ainsworth, Laura Burton, Fredine Opheim, Tammie Inman, Jennifer Mullen and Mark Meyer.
- B. Approval of Agenda:** M/s/c--- (Quezada/O'Brien) to approve the agenda with the following deletion: on page two item V. Motion to go into Closed Session. (8-0-0).

- C. **Approval of Minutes of August 6, 2013 as Attachment I: M/s/c---** (Meyer/Quezada) to approve the minutes as written. (6-0-2) Steve Esselman and Carol Sackey abstained due to not being present on August 6, 2013.
- D. **Public Comment:** Neil Gehlawat commented that he was present last month to speak on behalf of former employees. He stated he wanted to clarify a few items; first, it was not his intention to criticize current KRC employees as some things were said last month about current employees. Secondly, He indicated that the main issue is that there is no clear explanation why they were let go. He encouraged those in attendance to continue asking questions and to continue voicing their concerns. He indicated that he does not understand why the Board cannot answer all of their questions if there is no lawsuit. He indicated that he wanted to explain the issue. He stated that the bonuses were part of a salary compensation package and that the monies being sent to their pensions was 10% of their salary which was signed and approved by the Board of Directors. They were offered to receive 100% of their salary or to receive 90% and 10% towards their pension. He continued to explain correspondences that the attorney's have had back and forth on this matter. He continued to encourage everyone to keep asking questions. Marlene Donahue asked a couple of questions specifically as to what was the exact issue and if they were invited to discuss. Grace Huerta commented that she remembers signing the forms approving the compensation packages and that she never felt misled when the form was presented to her. She stated that she understood what she was signing. She went on to comment about times she worked closely with these former employees. Dale Davis asked similar questions specifically, asking the Board to clarify what was the issue. Debbie McDermott also asked the Board to clarify what were the issues. Susan Lara commented that the Board understands everyone has many questions but due to laws regarding personnel matters she cannot answer. All she can say was that yes, they were talked to and the Board cannot be represented by one person. She continued to state that you have the Board as a whole or you have the Executive Committee which is composed of the President, Vice President, Secretary and Treasurer of the Board.

Susan Lara commented that League of Dreams will start their Basketball season on September 17, 2013 and more information can be found on their website at [www.leagueofdreams.com](http://www.leagueofdreams.com) she encouraged everyone to visit their website to learn about League of Dreams. Diane Schneider commented that H.E.A.R.T.S. Connection will be hosting a training on IPP's and IEP's which will be held on September 14, 2013 and there will be two four hour sessions. One will be in English to be held at N.A.P.D and one in Spanish which will be held in Celebracion de Familias. Susan Lara apologized and stated she had a family emergency and needed to excuse herself. She requested that the Board jumped ahead to Section II. Item C. Nominating Committee as she had a few items to address.

After completing the Nominating Committee discussion on the Agenda, Frank Meyer commented that he understands the frustration of not knowing everything and the Board not being able to answer their questions. He indicated that the Board did not make this decision lightly and currently, only one side of these events is being told and that they cannot discuss the whole situation.

## II. ACTION AND DISCUSSION ITEMS - BOARD ACTIVITIES:

A. **ARCA Report** - Duane Law reported that they had a meeting in San Diego recently and one of the items discussed was the various committees that do the work of ARCA. They are currently examining duties and responsibilities. Senate Bill (SB) 468 was part of the discussions that they had. This bill proposes changes to the Self Determination program and ARCA is opposed to the bill unless amended as they are questioning the budget methodology being used to determine funding. Duane went on to explain in detail what the problems are and stated that if amended ARCA will support. Specific questions were asked regarding individual client needs. Duane answered questions and discussions continued about 1915I state plan amendment as well as employment first.

B. **Review of Contracts Audit/Finance Committee -**

- o Edgemont Crisis Home
- o Positive Purpose LLC
- o Valley Residential Services

*Checklists and contracts attached.*

Cherylle Mallinson commented that her department is working on reviewing each individual contract so that they can be ready to present to the Board. Unfortunately, the contracts above have not been reviewed and therefore, they were not presented to the Audit/Finance Committee. At this time Susan Lara requested a motion to table the above contracts until they are presented to the Audit/Finance Committee. **M/s/c---** (Marcus/O'Brien) to table the above contracts until presented to the Audit/Finance Committee. (8-0-0)

C. **Nominating Committee** - Susan Lara reported that with the resignation of Richard Stotler, the seat of Vice President became vacant. The nominating Committee met to address this issue and would like to recommend Steve Esselman to serve as Vice President. **M/s/c---** (Meyer/Marcus) to appoint Steve Esselman as Vice President of the Board of Directors. (7-0-1) Steve Esselman abstained due to being nominated to serve as Vice President.

Susan also commented that Ramona Puget has also resigned from the Board of Directors due to having a Conflict of Interest. It was determined that her volunteered position as President of the Kern Autism Network is a Conflict of Interest although she does not benefit financially from her position. Susan stated that Ramona prepared a letter and she requested Susan to read it. Susan went on to read the letter from Ramona.

D. **Pension Update** - Duane Law explained and discussed the pension plan available to KRC employees. Duane explained that currently the trustees of the pension need to be changed due to the fact that those trustees are now retired. He explained that he and Jon would be appointed as trustees and they are also looking at other individuals to appoint as trustees. **M/s/c---** (Esselman/Mason) to remove the current trustees of the Pension and appoint Jon Gusman and Duane Law as trustees. The Board also requests that the Officer's Certificate is amended

to reflect the signature of the President of the Board since Ramona Puget has resigned from the Board of Directors. (8-0-0).

### III. ACTION AND DISCUSSION ITEMS - KRC ACTIVITIES:

A. **Budget Update and Financial Report** - Jon Gusman reported that for Fiscal year 2012-2013 the most recent purchase of service projection shows a deficit of around (\$5.8) million as of August 10, 2013. Statewide, the deficit for purchase of service still shows around (\$99) million. Since the last board meeting, the state was billed \$11.73 million for July services. The current bank balance is around \$5.16 million. KRC received confirmation from DDS in August of the intent to pay the July 2013 Claim. If payment is received the first week of September, there should be sufficient cash flow to pay bills throughout the month and ongoing, if DDS continues to pay the July 2013 Claim. If payment is received the first week of September, there should be sufficient cash flow to pay bills throughout the month and ongoing, if DDS continues to pay claims. For Fiscal Year 2011-2012 the latest estimate for the statewide purchase of service deficit is (\$16) million with a projected \$4 million in late bills that may occur thereafter. There are enough funds to allocate (\$16) million in the next contract amendment.

### IV. REPORTS: (Reports will be made only from groups that have met and/or have items to share)

- a) President's Report - Susan Lara was not present during this portion of the meeting.
- b) Legislative Report - Duane Law reported what he discussed during the ARCA Report section of the agenda. He also discussed the Senate Bill 946 and the changes Governor Brown proposed as part of his 2013-2014 budget plan. The Legislature approved the restrictions regarding what Regional Centers can and cannot pay. Duane went on to read what is now part of California Law. Various questions were asked and discussions followed.
- c) People First of Kern County Report - Richard Rodriguez reported that they are currently looking at and discussing different ideas for fundraising. He stated that they decided against the car wash because of the hot weather. They are asking each group to do their own fundraising.
- d) Area Board Reports - No one was in attendance to report.
- e) Vendor Advisory Committee - Iman Killebrew was not present to report.
- f) Executive Committee Report - Susan Lara was not present during this portion of the meeting.
- g) Foundation Report - No one was present to report.
- h) Foster Grandparent Progress Report - No one was present to report.
- i) Affordable Housing Committee (ASPIRE) - Grace Huerta had nothing to report.
- j) Client Services Report - No one was present to report.

- k) KRC Staff Report - Duane Law reported that KRC has hired two growth Service Coordinator positions and they have been training for the past two weeks. Currently, they are also working on creating a new hiring list. Duane gave an overview of the types of training the new SC's are having. He pointed out that staff have worked diligently to back fill positions as people were promoted. He also discussed that KRC is managing resources and containing cost to be able to hire additional staff.
- l) Board Comments - Frank Meyer welcomed their newest Board Member, Carol Sackey. Steve Esselman thanked the Board for their recommendation of appointing him as Vice President. He expressed gratitude for the opportunity.
- m) CEO Comments - Duane Law commented that he wanted to clarify in regards to Senate Bill 946. She stated that KRC is mandated by the Legislature and therefore they tell us what we can or cannot do. These changes are not something KRC is deciding to implement; we must comply with the law.

V. **Adjournment by 7:30 p.m.** There being no further business, **M/s/c---**  
(Esselman/Quezada) to adjourn the regular meeting at 7:36 p.m. (8-0-0).

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Susan Lara, KRC Board President

## ACTION LOG

September 3, 2013

1. **M/s/c---** (Quezada/O'Brien) to approve the agenda with the following deletion: on page two item V. Motion to go into Closed Session. (8-0-0).
2. **M/s/c---** (Meyer/Quezada) to approve the minutes as written. (6-0-2) Steve Esselman and Carol Sackey abstained due to not being present on August 6, 2013.
3. **M/s/c---** (Marcus/O'Brien) to table the above contracts until presented to the Audit/Finance Committee. (8-0-0).
4. **M/s/c---** (Meyer/Marcus) to appoint Steve Esselman as Vice President of the Board of Directors. (7-0-1) Steve Esselman abstained due to being nominated to serve as Vice President.
5. **M/s/c---** (Esselman/Mason) to remove the current trustees of the Pension and appoint Jon Gusman and Duane Law as trustees. The Board also requests that the Officer's Certificate is amended to reflect the signature of the President of the Board since Ramona Puget has resigned from the Board of Directors. (8-0-0).
6. **M/s/c---** (Esselman/Quezada) to adjourn the regular meeting at 7:36 p.m. (8-0-0).