



Board of Directors Meeting Agenda
Tuesday, August 23, 2022
6:00 – 7:30 p.m.

General Business		
1. Call to Order and Introductions	Action	Kevin Gosselin
2. Approval/Additions to Agenda	Action	Kevin Gosselin
3. Review and approve minutes of meeting held May 24, 2022 (Attachment 1)	Action	Kevin Gosselin
4. Presentation – Person-Centered Thinking	Info	Shannon Lueck Tracey Mensch
5. Public Input	Info.	
New Business		
6. Waive Attendance Requirement for Board President, Dr. Jasmeet Bains per KRC Board Bylaw 6.13 (Attachment 2)	Action	Kevin Gosselin
7. Appointment of Board Members to Second 3-Year Term: Martin Vasquez and Simon Verdugo	Action	Kevin Gosselin
8. Appointment of KRC VAC Board Representative: Tamerla Prince	Action	Dr. Michi Gates
9. KRC Board Bylaw Amendment and Resolution (Attachment 3)	Action	Matthew Bahr
10. ARCA Updates	Info	Tracey Mensch
11. Independent Audit Report	Info	Tom Wolfgram Roland Roos
12. HCBS Implementation Funds Contract – contract is over \$250,000 (Attachment 4)	Action	Enrique Roman
Reports		
13. Board President Report	Info.	Kevin Gosselin
14. Executive Director Report	Info.	Dr. Michi Gates
15. Financial Report a. POS Report for June 2022 (Attachment 5) b. Operations Report for June 2022 (Attachment 6)	Info	Tom Wolfgram
16. VAC Report	Info.	Tamerla Prince

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/87055726344?pwd=SVk4TGJsemxhYm1QcFB4UVQzejA3QT09>

Webinar ID: 870 5572 6344 Passcode: 325810

Dial-In Number: (206) 337-9723

Next Board Meeting:

September 27, 2022, 6:00 – 7:30 PM

**Kern Regional Center
Board of Directors Meeting**

August 23, 2022

6:00 – 7:30 p.m.

Zoom Webinar

3200 N. Sillect Avenue ∞ Bakersfield, CA 93308 ∞ 661-327-8531

MINUTES

KRC BOARD MEMBERS PRESENT:

Milan Dinsmore, Board Member
Kevin Gosselin, Vice President
Carlos Isidoro, Board Member
Ryan Jones, Board Member
Tracey Mensch, Board Member
Tamerla Prince, VAC Representative
Donald Tobias, Board Member
Mark Tolentino, Board Member
Simon Verdugo, Board Member
Shawn White, VAC Representative

KRC BOARD MEMBERS ABSENT:

Oscar Axume, Treasurer
Jasmeet Bains, President
Martin Vasquez, Secretary
Ruth Watterson, Board Member

STAFF PRESENT:

Michi Gates, PhD, Executive Director
Kristine Khuu, Assistant Director of Client Services
Celia Pinal, Director of Client Services
Enrique Roman, Director of Community Services
Tom Wolfgram, CFO

GUESTS PRESENT:

Matthew Bahr
Sofia Benitez, 24-Hour Home Care
Cindy Cox, Advocate for Donald Tobias
Martha Grajeda
Jill Green
John Noriega, Advocate for Simon Verdugo
Edwin Pineda, DDS
Jeff Popkin, BARC
Leslie Reynaga, KRC
Misty Villalon

INTERPRETER: Nidya Madrigal Navia

CALL TO ORDER

Vice President, Kevin Gosselin, called the meeting to order. A quorum was present. Due to problems with the interpretation function on Zoom, Mr. Gosselin decided that it would be best to conduct live interpretation and proceed with the meeting. It was suggested by Dr. Gates that everyone review the agenda and postpone any agenda items that could wait until the next meeting and ensure that the urgent items were taken care of tonight.

APPROVAL OF AGENDA

Mr. Gosselin officially called the meeting to order at 6:47 p.m. All board members had received the agenda for August 23, 2022, ahead of the meeting for review. The adjustments proposed for this agenda were to postpone item 4, Presentation – Person-Centered Thinking; item 10, ARCA Updates; item 11, Independent Audit Report; item 13, Board President Report; and item 16, VAC Report.

The proposed agenda for tonight is:

1. Approval of New Agenda
2. Review and Approve Minutes of Meeting Held on May 24, 2022 (Attachment 1)

3. Public Input
4. Waive Attendance Requirement for Board President, Dr. Jasmeet Bains per KRC Board Bylaw 6.13 (Attachment 2)
5. Appointment of Board Members to Second 3-Year Term: Martin Vasquez and Simon Verdugo
6. Appointment of KRC VAC Board Representative: Tamerla Price
7. KRC Board Bylaw Amendment and Resolution (Attachment 3)
8. HCBS Implementation Funds Contract (Attachment 4)
9. Executive Director's Report – Brief Synopsis
10. Financial Report (Attachments 5 & 6)

Vice President Gosselin asked for a motion to approve the proposed agenda with items 4, 10, 11, 15, and 16 to be postponed and presented at a future meeting.

M/S/C (Isidoro, Mensch)

Ayes = 9; Nays = 0; Abstained = 0

Motion Carried

REVIEW OF MINUTES

The Board of Directors all received the minutes of the board meeting held on May 24, 2022, for review. No corrections or additions were requested by board members. Vice President Gosselin asked for a motion to approve the minutes of May 24, 2022

M/S/C (Isidoro, White)

Ayes = 9; Nays = 0; Abstained = 0

Motion Carried

PUBLIC INPUT

Vice President Gosselin asked if there were any members of the public who had input or questions for the Board of Directors. No hands were raised in the Zoom conference and no questions appeared on the chat screen. No public input was presented at this meeting.

WAIVE ATTENDANCE REQUIREMENT FOR BOARD PRESIDENT, DR. JASMEET BAINS PER KRC BOARD BYLAW 6.13

Kevin Gosselin, Vice President

Due to community factors creating scheduling conflicts, Board President, Dr. Jasmeet Bains has been unable to attend the Board of Directors meeting the past few months. Board Member, Ryan Jones, asked if Dr. Bains plans to return to serve as president and what the timeline might be for her return. Dr. Gates reports that Dr. Bains is committed to the Board of Directors and is very much eager to return. It is anticipated that her schedule will be more manageable after November.

Vice President Gosselin asked for a motion to waive the attendance provision for Dr. Jasmeet Bains provided that she will return to serve as president of the KRC Board of Directors as soon as her schedule allows it.

M/S/C (Mensch, Isidoro)

Ayes = 8; Nays = 1; Abstained = 0

Motion carried

APPOINTMENT OF BOARD MEMBERS TO SECOND 3-YEAR TERM

Vice President Gosselin

Board Member, Martin Vasquez's first 3-year term ended in February 2022 and, due to an oversight, the expiration of the timeframe was overlooked. The cause of the oversight has been found and corrected to prevent a recurrence of this. Vice-President Gosselin asked for a motion to appoint Martin Vasquez for a

second 3-year term to the KRC Board of Directors retroactive to February 26, 2022, with the second term ending February 26, 2025.

M/S/C (Tolentino, Mensch)

Ayes = 9; Nays = 0; Abstained = 0

Motion carried

Board Member, Simon Verdugo's first 3-year term ended on May 28, 2022. We have asked Simon Verdugo to serve a second term to which he most graciously agreed. Vice President Gosselin asked for a motion to appoint Simon Verdugo for a second term retroactive to May 28, 2022, with the second term ending on May 28, 2025.

M/S/C (Mensch, White)

Ayes = 9; Nays = 0; Abstained = 0

Motion carried

APPOINTMENT OF KRC VAC BOARD REPRESENTATIVE

Dr. Michi Gates

As of the last VAC meeting, Shawn White completed his 2-year term as the VAC Chairman and Tamerla Prince volunteered to step up to serve as the next chair of the VAC Committee. Ms. Prince introduced herself to the Board. Tamerla is a long-term provider of services to clients of Kern Regional Center and is very committed to our populations. She has served as the VAC Chairman in the past (2010-2012) and she is excited to serve on the KRC Board of Directors as well as the Vendor Advisory Committee.

Vice President Gosselin asked for a motion to appoint Tamerla Prince as the new VAC Chair on the KRC Board of Directors.

M/S/C (Mensch, Isidoro)

Ayes = 9; Nays = 0; Abstained = 0

Motion carried

Many thanks to Shawn White for being an outstanding VAC Chair for the past two years. Shawn White stated that it was an honor to serve on the KRC Board of Directors as the VAC Chair. He really appreciates everything that the KRC Board of Directors does for clients in Kern.

KRC BOARD BYLAW AMENDMENT AND RESOLUTION

Matthew Bahr

Mr. Bahr presented a resolution and new bylaw to the KRC Board of Directors for consideration. When looking at the bylaws, there are indications that, historically, there was a policy in place that addressed approvals for payments of monies, but there is no such policy that can be found now. This new bylaw will rectify the current gap that exists of the conveyance of that authority to the Executive Director and the Chief Financial Officer. This does not include several large contracts, and the primary DDS contract, as the authority still lies with the Board of Directors. The current suggested new bylaw states:

Execution of Checks, Notes, Contracts

Except as otherwise provided by law, checks, drafts, or orders for the payment of money shall be signed by the Executive Director and the Chief Financial Officer. In the event one of these primary persons is not available, the Chairperson of the Board is authorized to sign such documents.

There is also a resolution, in addition to the new suggested bylaw, that is an acknowledgement and ratification of previous checks that were signed. These are checks that have been reported to the Board

regularly by Chief Financial Officer, Tom Wolfram, as a part of the Financial Statements and Reports of KRC Board Meetings, so the validity of these signatures are assured. The proposed resolution reads:

Resolution:

The Board of KRC hereby ratifies all prior checks signed by any of the following three KRC officers as valid corporate actions, and with the intent to be bound by them: (i) Executive Director; (ii) Chief Financial Officer; and (iii) Director of Case Management; provided, however, to the extent such checks were for matters that required Board approval under Welfare and Institutions Code Section 4625.5, the Board only ratifies those checks signed for these matters the Board previously approved.

Vice-President Gosselin asked if there were any questions about the suggested bylaw or the proposed resolution. Being that no questions were posed, Mr. Gosselin asked for a motion to approve the bylaw as stated.

M/S/C (Mensch, Tolentino)

Ayes = 9; Nays = 0; Abstained = 0

Motion carried

Mr. Gosselin then asked for a motion to approve the resolution as stated.

M/S/C (Mensch, Isidoro)

Ayes = 9; Nays = 0; Abstained = 0

Motion carried

HCBS IMPLEMENTATION FUNDS CONTRACT

Enrique Roman, Director of Community Services

In collaboration with the Vendor Advisory Committee, Mr. Roman comes to the Board of Directors requesting approval to grant \$284,109 to Bakersfield ARC (BARC) to coordinate our efforts to assist our vendor community with achieving Home and Community Based Waiver Services (HCBS) compliance. It is important for us to be compliant with the HCBS Final Rule as part of the funds come from the Federal Government and we must be compliant with these new mandates to receive those funds. An advantage we have in Kern is that Jeff Popkin from BARC, is familiar with the issues that our vendors face here in Kern; he will head this effort in working with these vendors toward HCBS compliance. KRC is confident that BARC has the skill set to work with these vendors as BARC has been so successful creating their own HCBS compliant business plan and transition of services. Tamerla Prince is very pleased and excited as well. The proposal was discussed at length at the last VAC Committee meeting and this action was supported 100 percent by the vendors.

There were no further questions from the board. Vice-President Gosselin asked for a motion to approve the HCBS Contract funds of \$284,109 to Bakersfield ARC to assist our vendor community with achieving HCBS compliance.

M/S/C (Mensch, Isidoro)

Ayes = 9; Nays = 0; Abstained = 0

Motion carried

EXECUTIVE DIRECTOR REPORT

Dr. Michi Gates, Executive Director

- The criteria for Early Start Eligibility have been lowered. The level of delay for children under 3 years of age to qualify for services has been lowered from 33 percent to 25 percent. This information is also on our website and we are promoting through social media and other interactions with

community partners. Kristine Khuu coordinates outreach with all our community partners and Dr. Gates encouraged the Board of Directors to spread the word as well.

- Would the Board be agreeable to having board trainings from 5:30 – 6:00 for September, October, and November. We still have 3 topics to cover. There were no objections from any members, so we will proceed with the board trainings.
- Dr. Gates acknowledged the sudden passing of one of our Kern providers. Tom Devlin of Routing Logistics passed away suddenly and unexpectedly this past weekend. Tom coordinated transportation for many of our programs to ensure that transportation needs were met for our clients. He has been a provider for KRC since 2005. His wife works with him at Routing Logistics and she is in our thoughts. We will do everything we can to support her during this very difficult time.

FINANCIAL REPORT

Tom Wolfgram, CFO

Purchase of Services Report as of June 30, 2022

Total spent for June 2022: \$16,815.462

YTD: \$204,156,054

This YTD figure reflects that we spent twenty and a half million dollars more for services than at this time last year.

Operations Report as of June 30, 2022

Total expenses for June 2022: \$1,778,931

YTD: \$23,609,715

There were no questions posed by members of the Board.

A copy of the Financial Report ending June 30, 2022, is filed with these minutes as a matter of record.

ADJOURNMENT

With nothing further to discuss, Vice President Gosselin adjourned the meeting at 7:07 p.m.

Board Education Session on September 27, 2022, at 5:30 p.m. via Zoom.

The next public meeting will take place on Tuesday, September 27, 2022, at 6:00 p.m.

Respectfully Submitted,

Darlene Pankey
Executive Assistant

Meeting Attachments

KRC Board Meeting

August 23, 2022

**Kern Regional Center
Board of Directors Meeting**

May 24, 2022

6:00 – 7:30 p.m.

Zoom Webinar

3200 N. Sillect Avenue ∞ Bakersfield, CA 93308 ∞ 661-327-8531

MINUTES

KRC BOARD MEMBERS PRESENT:

Milan Dinsmore, Board Member
Kevin Gosselin, Vice President
Carlos Isidoro, Board Member
Ryan Jones, Board Member
Tracey Mensch, Board Member
Donald Tobias, Board Member
Mark Tolentino, Board Member
Martin Vasquez, Secretary
Simon Verdugo, Board Member
Shawn White, VAC Representative

KRC BOARD MEMBERS ABSENT:

Oscar Axume, Treasurer
Jasmeet Bains, President
Ruth Watterson, Board Member

STAFF PRESENT:

Michi Gates, PhD, Executive Director
Ashley Fontes, Deaf and Hard of Hearing Program Coordinator
Kristine Khuu, Assistant Director of Client Services
Celia Pinal, Director of Client Services
Enrique Roman, Director of Community Services
Tom Wolfgram, CFO

GUESTS PRESENT:

Sofia Benitez, 24-Hour Home Care
Susan Graham
John Noriega, Advocate for Simon Verdugo
Edwin Pineda, DDS

INTERPRETER: Nidya Madrigal Navia

CALL TO ORDER

Vice President, Kevin Gosselin, called the meeting to order at 6:06 p.m. A quorum was present. Mr. Gosselin began with introductions of board members and Kern Regional Center staff.

APPROVAL OF AGENDA

All board members had received the agenda for May 24, 2022, ahead of the meeting for review. No corrections or additions were requested by board members. Vice President Gosselin asked for a motion to approve the agenda.

M/S/C (Mensch, Martin)

Ayes = 10; Nays = 0; Abstained = 0

Motion Carried

REVIEW OF MINUTES

The Board of Directors all received the minutes of the board meeting held on April 26, 2022, for review. No corrections or additions were requested by board members. Vice President Gosselin asked for a motion to approve the minutes of April 26, 2022.

M/S/C (White, Jones)

Ayes = 10; Nays = 0; Abstained = 0

Motion Carried



PRESENTATION OF DEAF AND HARD OF HEARING PROGRAM

Ashley Fontes, Deaf and Hard of Hearing Services Coordinator

Dr. Gates introduced Ashley Fontes, the Deaf and Hard of Hearing Services Coordinator at Kern Regional Center. Ms. Fontes introduced herself and gave a history of her background which includes working with the Deaf and Hard of Hearing community for 10 years and co-establishing the non-profit *ASL Junction*. She explained that deaf and hard of hearing individuals identify as a linguistic minority and community. The clients she works with at Kern Regional Center are known as *Deaf-Plus*, individuals who have various disabilities in addition to being deaf and/or hard of hearing. Kern Regional Center has about 600 clients who range from mild to severe hard of hearing. At the present time, DDS has requested that Ms. Fontes focus on 200 of these individuals. She is excited to work with these clients and looks forward to using her experience to assist them and help the organization become more knowledgeable about this population.

PUBLIC INPUT

Vice President Gosselin asked if there were any members of the public who had input or questions for the Board of Directors. No hands were raised in the Zoom conference and no questions appeared on the chat screen. No public input was presented at this meeting.

ARCA UPDATE

Tracey Mensch, Board Member and ARCA Delegate

Ms. Mensch presented an ARCA update with proposals to the Governor's Budget:

- New Proposal to expand Early Start Services based on new eligibility criteria.
 - Reduction of delay diagnosis from 33% to 25%
 - Fetal Alcohol Syndrome diagnosis
 - Receptive and expressive language to be considered separately
- FMS Funding – Financial Management Services
 - FMS to no longer be paid for from the individual's budget, but from the Regional Center's budget.
- Suspension of the AFFF (Annual Family Program Fee) and the FCPP (Family Cost Participation Program). Fees were suspended during the pandemic and the proposal is to expand the suspension until the end of the year. Beginning in January 2023, those that are more than 600% of the poverty level will pay a fee, versus 400%.
- One-time funding for tuition reimbursement.

FACILITATOR TRAINING BYLAW CHANGE (Attachment 2)

Dr. Michi Gates, Executive Director

The board members who were present at the Board Meeting held on April 26, 2022, unanimously accepted the change to the Facilitator Training Bylaw during that meeting; however, a longer time period for review was needed by two board members who were not present. The information was sent to these two board members for review and Dr. Gates received a confirmation of acceptance from one member, but did not get a reply from the other member; therefore, Dr. Gates is now bringing the Facilitator Training Bylaw Change item back to the Board of Directors for another vote.

This addition addresses the need of any board member who requires a support person to participate in board meetings. The change to the bylaw requires the Kern Regional Center to provide a support person to assist the member in meetings. If the member has a support person, Kern Regional Center is required to train the support person in proper rules and etiquette of how a board meeting is conducted.

Vice President Gosselin asked for a motion to approve the change to the Facilitator Training Bylaw as outlined in attachment 2 of the meeting packet.

M/S/C (Mensch, Dinsmore)

Ayes = 10; Nays = 0; Abstained = 0

Motion carried; Unanimously voted by all Board Members present; none opposed.

BOARD PRESIDENT REPORT

Kevin Gosselin for Dr. Jasmeet Bains

Mr. Gosselin expressed his thanks to the board members for solidly supporting and participating in our meetings and for regularly practicing continuous learning through our education sessions. What everyone brings individually to the Board of Directors is so appreciated.

EXECUTIVE DIRECTOR'S REPORT

Dr. Michi Gates

Dr. Gates updated the Board on COVID-19 cases and current initiatives:

- The rate of COVID-19 infections is on the rise. The number is nowhere near the peak we experienced in January, but when compared to the steady downward rate seen in previous months, the numbers are climbing again. We need to continue to be vigilant with carrying out safe practices and social distancing with our clients and families.
- KRC has filled its third participant choice position. This position will assist with some of the back-end difficulties of the Self Determination Program that took place on the accounting side.
- We are continuing to hire new staff every month to be prepared for growth, to cover vacancies, and fill positions created by promotions. All regional centers are reporting higher turnover, including Kern. Client Services and Community Services leadership are reviewing resumes constantly to keep up with staffing needs and, also, in anticipation of staffing funds coming from DDS on July 1. These funds are for regional centers to be able to hire service coordinators to better enable us to meet caseload ratios. DDS has yet to decide how they are going to allocate these funds, but we're hoping to hear something in a couple of weeks. When we learn the amount the regional centers will be receiving, we can proceed with plans to hire program managers and service coordinators. The funding for reducing caseload ratios for children ages 0-5 to 1:40 is still in the budget.
- At this point, we do not know the status of the advocate proposals. Two of those proposals are the AFPP and FCPP fee suspensions. The other two proposals--provider rate increases and updating the core staffing formula for regional center operations--were not included in the May revise. We are hoping for a positive outcome, but it may depend upon if the State is willing to commit to long-term spending as a possible recession is in the forecast for next year.
- Dr. Gates reminded everyone about the Board Education Session on June 28. There is no meeting in July. August 23 is our next meeting after recess and, we are hoping, that we will be able to have this meeting in person.

FINANCIAL REPORT

Tom Wolfgram, CFO

Purchase of Services Report as of March 31, 2022

Total spent for March 2022: \$15,496,197

YTD: \$148,450,137



Operations Report as of March 31, 2022

Total expenses for March 2022: \$2,157,075

YTD: \$17,841,490

Question from Vice President Gosselin: If they occur, what happens to excess funds in the budget?

Answer from Mr. Wolfgram: KRC has two years to spend the excess for other committed expenses. Excess funds are most often used to supplement the unfunded retirement program.

A copy of the Financial Report ending March 31, 2022, is filed with these minutes as a matter of record.

VENDOR ACTION COMMITTEE (VAC) REPORT

The VAC Committee met this morning for the month of May 2022. Mr. White gave a summary of the meeting, including the following highlights:

- Tracey Mensch, KRC Board Member and ARCA Delegate, provided a DDS Consumer Advisory Committee presentation sharing information about the committee's vision, purpose, and membership.
- Enrique Roman, KRC Director of Community Services, provided an update on the DSP Workforce Data Collection and Rate Study. DSP Workforce Data Collection Surveys were sent to vendors on May 17. Vendors should see a 25 percent rate increase if they have submitted billing. There is a review process in place for any contested rates.
- Celia Pinal, KRC Director of Clinical Services, shared that Kern Regional Center is aggressively hiring to meet needs. She also provided information about the best ways to contact staff at KRC.
- The Law Enforcement Subcommittee reported that they are establishing a contact with the Bakersfield Police Department to collaborate on law enforcement education.
- The Transportation Subcommittee reported continuing challenges with transporting clients due to alternative services and changing program schedules.

The agenda of this meeting is attached to these minutes as a matter of record. The next VAC Meeting will be held on July 26, 2022, at 10:00 AM.

ADJOURNMENT

With nothing further to discuss, Vice President Gosselin adjourned the meeting at 7:07 p.m.

Board Education Session on June 28, 2022, at 5:30 p.m. via Zoom.

No meeting in July 2022—the KRC Board of Directors is in recess.

The next public meeting will take place on Tuesday, August 23, 2022, at 6:00 p.m.

This will possibly be a hybrid meeting, in-person at Kern Regional Center and accessible via Zoom. In-person status will be announced as the meeting date approaches.

Respectfully Submitted,

*Darlene Pankey
Executive Assistant*



- 6.10 Adjournment. A majority of the Directors present, whether or not constituting a quorum, may adjourn any meeting to another time and place. Notice of the time and place of holding an adjourned meeting need not be given, unless the meeting is adjourned for more than twenty-four (24) hours, in which case personal notice of the time and place shall be given prior to the time of the adjourned meeting to the Directors who were not present at the time of adjournment.
- 6.11 Action Without Meeting. Any action required or permitted to be taken by the Board may be taken without a meeting, if all the Board members, individually or collectively, consent in writing to that action. Such action by written consent or consents shall be filed with the minutes of the proceedings of the Board.
- 6.12 Meeting By Contemporaneous Communications Equipment. Any meeting may be held by conference telephone or other communication, televisual or telecommunication equipment permitted by California Nonprofit Corporation Law, so long as all Directors participating in the meeting can communicate with one another and all other requirements of California Nonprofit Corporation Law are satisfied. All such Directors shall be deemed to be present in person at such meeting.
- 6.13 Attendance. Any director who misses four (4) consecutive Board Events for any reason automatically loses his or her seat on the Board. After the third consecutive missed meeting, staff will send the director (with a copy to the rest of the Board) a warning/reminder via email and first class mail stating that one more missed meeting will result in automatic removal from the Board. If after the warning/reminder the director still misses the fourth consecutive meeting, staff will immediately notify the director via email and first class mail that he/she is no longer on the Board. Any vacancy created by this provision shall be filled in accordance with section 5.10.3 above.

For purposes of this section only, Board Event means any of the following:

Regular Meeting per section 6.1;

Closed Session Meeting per section 6.2, 6.3;

Special Meeting per section 6.6 and;

Board Training as mandated by any pending Special Contract Language required by DDS.

The Board may waive this provision (6.13) as to a particular director by majority vote before, during or after any absences. The Board's waiver of the automatic removal provision can be based on any excuse acceptable to the Board or any other justification deemed appropriate by the Board.

- 6.14 Compensation. All of the members of the Board of Directors of the Corporation shall serve without compensation for any services rendered by them to the Corporation. However, this section (6.14) shall not operate to preclude any Director from receiving reimbursement from the Corporation for reasonable expenses incurred by such Director in his or her capacity as a Director.
- 6.15 Limitation. A person who is a Director of the Corporation shall not solicit services from the Corporation through any procedure or means which would not be available to such person were he or she not a Director; and the Corporation shall not, in providing services, give

New Bylaw

Execution of Checks, Notes, Contracts

Except as otherwise provided by law, checks, drafts or orders for the payment of money shall be signed by the Executive Director and the Chief Financial Officer. In the event one of these primary persons is not available, the Chairperson of the Board is authorized to sign such documents.

Resolution:

The Board of KRC hereby ratifies all prior checks signed by any of the following three KRC officers as valid corporate actions, and with the intent to be bound by them: (i) Executive Director; (ii) Chief Financial Officer; and (iii) Director of Case Management; provided, however, to the extent such checks were for matters that required Board approval under Welfare and Institutions Code Section 4625.5, the Board only ratifies those checks signed for those matters the Board previously approved.

MEMORANDUM

TO: BOARD OF DIRECTORS, KERN REGIONAL CENTER

FROM: ENRIQUE ROMAN, DIRECTOR OF COMMUNITY SERVICES

SUBJECT: \$250,000 (PLUS) CONTRACT APPROVAL

DATE: AUGUST 15, 2022

Board of Directors,

I present to you today a request for a contract approval concerning Funding to Support Compliance with the Home & Community Based Waiver Services (HCBS) Final Rule.

By March of 2023, regional center service providers must comply with HCBS final rule requirements. To assist service providers and regional centers meet these mandates, the Department of Developmental Disabilities (DDS), has allocated to each regional center \$284,109.00 in funding to support broader work in each community to promote HCBS compliance.

Kern Regional Center, in collaboration with our Vendor Advisory Committee, would like to request approval from the Kern Regional Center Board of Directors to grant \$284,109.00 to Bakersfield ARC (BARC) to coordinate our efforts to assist our vendor community with achieving HCBS compliance.

BARC has served the Bakersfield community for over 73 years and it's a trusted institution in Kern County. Over the last 5 years BARC has transformed its organization to provide more inclusive, person-centered programming to our clients. BARC has an excellent understanding of the HCBS compliance mandates and is well qualified to assist our vendor community meet these mandates.

KRC requests your approval of this contract to move forward with this much needed assistance to our service providers.

Included with this memorandum is BARC's proposal for your review.

Respectfully,

Enrique Roman

Director of Community Services

o

DATE: August 30, 2022

AGENCY EXECUTIVE DIRECTOR: Shawn Kennemer

NAME AND MAILING ADDRESS OF AGENCY:

Bakersfield ARC

4500 California Ave

Bakersfield, CA 93309

Phone:(661) 834-2722

Fax: (661) 834-9815

[Bakersfield ARC-inc.org](http://BakersfieldARC-inc.org)

**Funding to Support Compliance with the Home
& Community Based Waiver Services (HCBS)**

Final Rule

Philosophy, Purpose and Goals

BAKERSFIELD ARC's Mission is to provide support and services so those we serve have an opportunity to live the life of their choosing. We have successfully provided services for adults with IDD in the greater Bakersfield community since 1949. Our services have grown from the provision of a parent study group to inclusive vocational, day, social/recreational, supportive living and community services. BAKERSFIELD ARC has achieved a Platinum rating on Guide Star for not-for-profit fiscal management. We are accredited by CARF and a Source America Contractor. We provide supports that result in an inclusive, participatory community of people. We strive to advance access, equity, and inclusion in services, supports and employment to assist adults to live, work, and socialize in the community of their choice.

BAKERSFIELD ARC's 73year history of support for persons with IDD situates us as a trusted institution in Kern County. We are a household name in the Greater Bakersfield Community. Our Consumers and their Families indicate a desire for services and supports pertaining to living, working, and actively participating as members of the community. Over the last 5 years we have delivered on that commitment by closing a 25-acre site-based array of programs in favor of a community imperative for all our programs. By implementing this Home and Community Based Services Grant we will be expanding our focused of obtaining positive outcomes to Stakeholders, Individuals and Families throughout our three-county catchment area.

This grant project would be provided and overseen by Bakersfield ARC. KRC Vendors and outside Subject Matter Experts will be included as subcontracted providers to the project. It will include a collaborative endeavor with members of the Vendor Advisory Committee, Advocacy Organizations, Parent Groups, Client Advisory Committee and KRC. The project utilizes system matter experts to provide an overview and to disseminate tools and best practice materials. The project will use the expertise within our Kern, Inyo, and Mono's Community of Practice to facilitate practical applications of subject matter materials. KRC vendors will be encouraged to provide focused trainings and to mentor other vendors needing remediation. A Consumer will specifically work with Consumers and Families. Stipends will be available to vendors presenting on topics, facilitating groups, and mentoring other providers. All training will focus on advancement of access, equity, and inclusion in the provision of services.

The primary focus will be on developing and achieving positive, measurable outcomes, not just compliance with HCBS Final Rules. Milestones specific to this project will be developed with KRC and the Vendor Advisory Committee that will address the areas identified by DDS.

- Community of Practice

- Vendor Advisory Committee subcommittees

- Focus groups for residential, day and vocational providers

- Emphasis will be placed on involving currently "non-participating vendors"

Bakersfield ARC Funding to Support Compliance with the Home & Community Based Waiver Services (HCBS) Final Rule

- Engaging families and individuals
 - Consumer Advisory Committee involvement
 - Consumer Forums led by the Consumer member of HCBS Grant Team
 - Family Forums with a focus on outreach to diverse communities
- Creating and implementing innovative pathways to Services and Supports
 - Small Group subject specific participatory forums
 - Sharing of Program and Consumer positive experiences and developments across forums and in the E-mail newsletter

Individual vendors will be encouraged to develop agency specific HCBS centered goals and objective toward greater community-based day, employment, and residential options for the clientele they serve.

- Seminars (video conference and potential face to face),
 - System Matter Experts
 - Bakersfield ARC's Licensed Clinical Social Worker/Advanced-Certified Social Work Case Manager
 - KRC Vendors
 - Community Members
 - Consumers
- Small Groups discussions,
 - Bakersfield ARC's Licensed Clinical Social Worker/Advanced-Certified Social Work Case Manager
 - KRC Vendors
- Bi-weekly E-mail update
 - Project schedule and updates
 - Program updates including positive developments
 - Consumer perspective and stories of community
- Individual trainings/technical assistance mentoring
 - Prescriptive, based on special remediation needs as identified by KRC and the vendor provided by KRC Vendors
 - Vendor Board Trainings
- Dissemination of tools and best practice materials.

Bakersfield Arc's believes that the Home and Community Based Services (HCBS) Final Rule is about Individuals with IDD exploring and engaging in a meaningful and purposeful life, based on individual preferences and needs as identified in a person-centered Individual Service Plan. This grant is directed toward creating a community where Individuals determine what they want from services. The community supports efforts to pursue one's own direction with an emphasis on developing integration, independent living, social and vocational skills. Individuals at all levels of the community must be involved to create fully integrated community living systems. Utilizing this grant Kern Regional Center Stakeholders, and significant others in the person's life will help to lead a good life as independently as possible.

The approach of this grant will be two-fold. One is the focused on the administrative/operational requirement to transition services from the traditional to the HCBS Final Rules. System Matter Experts will lead this area. Subject matter will include:

- Orientation to Change,
- Provider Transformation, and
- Training and Staff Development.

The other will teach holistic approaches to planning which will ultimately reflect the wishes of the person with IDD, and when relevant his or her parents, siblings, extended Family members, friends, and other important people in their life. We will be teaching planning which contains information about all aspects of a person's life including:

- Living arrangements
- Vocational/Community Skills
- Preventative healthcare, eating healthy and staying active
- Informed Decision-making and self-advocacy capacity
- Culture, religious beliefs, behaviors, interests, friendships, and other important relationships
- Social/emotional factors
- Understanding of prevention of abuse and neglect
- Emergency Preparedness
- Understanding of choice, safety, and risk

Guiding Values

The grant will utilize values and principles to guide decision-making about how community-based services and supports are provided:

- Teach how to identify services and supports based on individual needs and desires.
- Training which supports meaningful changes in the lives of Consumers.
- Encourage stakeholders to expand the range of opportunities for Consumers to participate in their homes and communities as active and equal members.
- Promote advancement in equity and cultural competency,
- Encourage full participation in typical valued societal roles, side-by-side with fellow citizens without disabilities.

- Embrace a mindset of how individuals without disabilities typically participate in the community.
- Focus will be on the use of generic, typical resources in the community available to all.
- Use a person-centered planning and individual needs and preferences as the driver of all activities.
- Maximize opportunities for the development of individual relationships with community members.
- Views staff and agency as facilitators of inclusion and full acceptance of individuals with disabilities.
- Ensure individual rights of privacy, dignity and respect, and freedom from coercion and restraint
- Avoid activities that reinforce stereotypes and stigma of individuals with disabilities
- Avoid activities that unnecessarily segregate.

Accountability and Transparency

- A Website specific to this project will be posted for all KRC Vendors
- All Training Sessions will be recorded and available to KRC vendors for on-going staff trainings
- All Sessions will have attendance recorded
- Minutes of Discussion Sessions will be made available to all KRC Vendors
- All subcontractor payments and stipends will be in accordance with documentation provided to Bakersfield Arc by the provider
- Evaluation forms for all sessions will be required for stipends
- Reports of activities and budget allocations will be presented to at Vendor Advisory Meetings bi-monthly and quarterly reporting to KRC.

HCBS Waiver Grant Proposal 2022
1 Year at \$284,109 (October 2022 to September 2023)

Project Coordinator – LCSW, C-ASWCM @ Salary of \$100,000 with \$20,000 in employment costs **\$120,000**

Salary based on the overall project objectives

- Overall implementation
- Subject matter presentations
- Facilitation of discussion groups and Community of Practice
- Technical Assistance to agencies, boards, and individuals
- Coordination of E-mail newsletters
- Reports to Vendor Advisory Committee and KRC
- Facilitation of Family Forums
- Facilitation of Client Forums

Administrative Assistant ½ time @\$20 per hour + employee costs

\$30,000

- Documentation of Webinar Attendance
- Completion of minutes of Meetings
- Completion of Bi-weekly E-mail newsletters
- Maintenance of Website
- Confirming access and inclusion of Stakeholders
- Coordinating Stipends
- Meeting with Stakeholders to obtain input into the project
- Coordination of project evaluation forms

Consumer Coordinator 12 hours per week at \$15.50 per hour

\$9,672

- Meeting with Consumers and Families
- Contribute to Community of Practice

Bakersfield ARC Travel, Phone and Allowable Expenses

\$5,000

Bakersfield ARC Administrative Overhead

\$42,615

System Matter Experts @ \$200 per hour x 80 hours

\$16,000

Stipends KRC Vendors for SME, mentoring and participation

\$60,822

- Stakeholder speakers, facilitation and mentoring @\$60.00 per hour x 1014 hours

Total

\$284,109

Attachment 5

KERN REGIONAL CENTER
PURCHASE OF SERVICE
FY 2021-2022
AS OF JUNE 30, 2022

PURCHASE OF SERVICES	July 2021	August 2021	September 2021	October 2021	November 2021	December 2021	January 2022	February 2022	March 2022	April 2022	May 2022	June 2022	2021-2022 Total
OUT-OF-HOME													
Community Care Facility	4,357,815	4,407,132	4,371,415	4,396,603	4,396,309	4,441,175	4,526,835	4,451,541	4,491,480	4,892,398	4,932,038	4,895,161	54,561,902
ICF/ISNF Facility	73,861	76,834	65,351	78,014	85,889	88,686	122,162	109,057	132,126	116,564	119,295	115,501	1,203,340
TOTAL OUT OF HOME	4,431,676	4,483,966	4,436,766	4,474,617	4,484,198	4,529,861	4,648,997	4,560,598	4,623,606	5,008,962	5,051,333	5,010,662	55,765,242
DAY PROGRAMS													
Day Care	52,330	54,430	51,559	53,025	51,769	53,698	53,782	49,941	50,491	48,137	46,371	47,465	612,998
Day Training	2,521,578	2,595,723	2,589,777	2,548,236	2,506,646	2,523,803	2,490,264	2,465,926	2,717,864	2,662,101	2,732,243	2,831,375	31,185,536
Supported Employment	409,940	435,841	374,336	384,952	345,993	353,113	339,898	332,401	362,170	362,683	356,132	409,492	4,466,951
Work Activity Program	5,990	6,152	6,364	5,375	5,187	4,866	4,866	4,225	5,455	4,556	6,338	8,451	67,825
SUBTOTAL DAY PROGRAMS	2,989,838	3,092,146	3,022,036	2,991,568	2,909,595	2,933,480	2,868,810	2,852,493	3,135,980	3,077,477	3,141,084	3,296,783	36,333,310
OTHER SERVICES													
Non Medical Services Prof	373,357	399,493	390,012	420,417	427,147	413,077	341,272	377,853	464,259	416,791	365,534	333,250	4,722,462
Non Medical Services Prog	1,424,254	1,407,431	1,360,851	1,354,163	1,251,912	1,256,882	1,259,715	1,301,483	1,425,347	1,295,942	1,348,541	1,311,619	15,998,140
Home Care Services Prog	23,797	18,447	15,263	15,627	15,962	15,341	12,550	11,953	14,776	9,568	13,565	11,544	178,395
Transportation	446,147	449,190	452,942	465,541	464,309	462,786	463,731	463,402	470,292	466,434	470,257	472,549	5,549,580
Transportation Contracts	604,704	599,279	582,304	571,346	553,097	557,621	568,238	548,286	575,443	484,051	568,584	483,257	6,706,210
Prevention Services	570,821	569,332	579,975	565,419	572,571	565,645	571,423	573,596	656,578	587,431	576,190	211,090	6,644,071
Other Authorized Services	3,791,287	3,767,715	3,796,269	3,808,643	3,666,353	3,547,132	3,540,778	3,467,778	3,691,083	3,693,197	3,674,565	3,523,745	43,956,297
P & I Expense	9,493	9,304	8,630	9,650	9,855	9,579	10,940	11,099	10,791	10,483	10,791	10,448	121,063
Hospital Care													
Medical Equipment	9,523	6,899	76,483	1,587	8,734	10,427	3,828	1,103	5,162	2,561	2,978	2,443	116,250
Medical Services Prof	172,536	192,758	175,415	196,436	192,050	196,837	176,116	172,685	190,525	182,227	195,422	189,527	131,708
Medical Services Prog	46,288	52,368	46,301	46,501	49,578	49,412	46,639	49,250	40,804	36,893	37,844	30,097	2,232,534
Respite Care - In Home	1,818,534	1,807,754	1,802,097	1,835,951	1,811,637	1,846,604	1,838,106	1,884,799	1,992,910	2,005,428	2,046,993	1,634,544	532,903
Respite Care - Out of Home	21,968	19,901	16,653	7,238	5,555	15,166	4,409	19,372	13,967	14,044	10,964	11,544	23,325,257
													160,801
													-
													-
TOTAL OTHER SERVICES	9,312,709	9,319,871	9,283,715	9,318,819	9,028,758	8,950,529	8,837,745	8,882,411	9,544,439	9,254,540	9,360,978	8,283,157	109,377,671
TOTAL PURCHASE OF SERVICES	16,734,223	16,895,983	16,762,517	16,785,024	16,422,551	16,415,870	16,375,552	16,295,502	17,304,025	17,340,979	17,573,395	16,570,602	201,476,223
COMMUNITY PLACEMENT PLAN													
Community Care Facility	195,877	195,877	196,039	196,039	196,039	196,039	201,164	193,441	196,912	201,264	241,274	242,292	2,452,277
ICF/ISNF Facility													
Day Training													
Non-Medical Services			425	1,434					425	400	500	400	3,584
Non-Medical Services-Programs											1,313	1,500	2,813
Transportation													
Other Authorized Services	1,425	1,813	1,901	1,489	2,151	1,152	1,351	313	2,901	1,798	129,801	688	146,783
Other Services													
Medical Care - Prof													
Community Care Facility	9,330	9,330	9,330	9,330	9,330	9,330	9,197	9,197					-
TOTAL COMMUNITY PLACEMENT PL	206,632	207,106	207,695	206,292	207,520	206,521	211,712	202,951	200,238	203,462	372,888	244,880	2,679,831
TOTAL PURCHASE OF SERVICE	16,940,855	17,103,089	16,970,212	16,991,316	16,630,071	16,622,391	16,587,264	16,498,453	17,504,263	17,544,461	17,946,283	16,815,482	204,156,054

Attachment 6

	PROPOSED EXPENDITURE	YEAR TO DATE	07/31/21	08/31/21	09/30/21	10/31/21	11/30/21	12/31/21	01/31/22	02/28/22	03/31/22	04/30/22	05/31/22	06/30/22	TOTAL	OVER/UNDER
OPERATIONS																
Salaries & Benefits	18,666,299	18,666,299	1,408,718	1,321,901	1,856,452	1,487,745	1,351,822	1,890,775	911,065	1,276,801	1,764,565	1,484,238	1,358,083	1,488,080	17,600,244	1,066,055
Operating Expenses	4,794,000	4,794,000	322,819	314,808	360,853	495,622	377,784	575,089	386,613	505,931	304,801	416,741	491,102	218,665	4,771,028	22,972
SUBTOTAL OPS	23,460,299	23,460,299	1,731,537	1,636,709	2,217,305	1,983,367	1,729,607	2,465,864	1,297,678	1,782,732	2,069,365	1,900,979	1,849,185	1,706,745	22,371,273	1,069,026
COMMUNITY PLACEMENT PLAN																
Salaries & Benefits	1,081,257	1,081,257							522,616	42,936	53,417	27,308	16,349	5,845	668,470	412,787
Operating Expenses	42,200	42,200						219,469	(7,999)	43,234	16,994	7,973	2,950	46,397	329,019	(286,819)
SUBTOTAL CPP	1,123,457	1,123,457						219,469	514,618	86,170	70,411	35,281	19,299	52,242	997,489	125,968
FOSTER GRANDPARENT PROGRAM																
Salaries & Benefits	69,809	69,809	3,371	4,133	4,713	3,407	3,464	3,427	3,334	2,868	4,461	3,688	3,458	3,249	43,574	26,235
Operating Expenses	127,864	127,864	7,275	13,720	19,073	2,916	140	24,622	6,420	6,474	4,251	8,820	1,192	8,382	103,284	24,560
SUBTOTAL FGP	197,673	197,673	10,646	17,853	23,786	6,323	3,604	28,049	9,754	9,342	8,711	12,508	4,650	11,631	146,858	50,815
SENIOR COMPANION PROGRAM																
Salaries & Benefits	85,320	85,320	4,120	4,168	5,761	4,164	4,234	4,188	4,075	3,506	5,452	4,507	3,995	4,205	52,396	32,924
Operating Expenses	155,596	155,596	4,087	4,200	3,738	2,228	248	6,238	3,077	3,760	3,664	4,946	1,406	4,108	41,700	113,896
SUBTOTAL SCP	240,916	240,916	8,207	8,368	9,499	6,392	4,482	10,426	7,153	7,265	9,115	9,454	5,401	8,313	94,095	146,821
TOTAL OPERATIONS	25,022,345	25,022,345	1,750,390	1,662,951	2,250,590	1,996,082	1,737,692	2,723,808	1,829,403	1,895,510	2,157,603	1,958,221	1,878,535	1,778,931	23,609,715	1,412,630