



Board of Directors Meeting Agenda
Tuesday, February 28, 2023
6:00 – 7:40 p.m.

General Business			
1. Call to Order and Introductions		Kevin Gosselin	6:00 – 6:05 p.m.
2. Approval/Additions to Agenda	Action	Kevin Gosselin	6:05 – 6:07 p.m.
3. Review and approve minutes of meeting held on January 24, 2023 (Attachment 1)	Action	Kevin Gosselin	6:07 – 6:10 p.m.
4. Presentation – Employment First Initiatives and Progress on Employment for Individuals Services	Info	Samuel Herrera Jamie Patino, KRC Employment Specialist	6:10 – 6:40 p.m.
5. Public Input	Info.		6:40 – 6:45 p.m.
New Business			
6. Routing Logistics Contract (Attachment 2)	Action	Enrique Roman	6:45 – 6:55 p.m.
7. Amendment: KRC Defined Contribution 3105-001 (Attachment 3)	Action	Tom Wolfgram	6:55 – 7:05 p.m.
8. ARCA Strategic Plan (Attachment 4)	Info	Tracey Mensch	7:05 – 7:15 p.m.
Reports			
9. Board President Report	Info.	Kevin Gosselin	7:15 – 7:20 p.m.
10. Executive Director Report	Info.	Dr. Michi Gates	7:20 – 7:30 p.m.
11. Financial Report a. POS Report for December 2022 (Attachment 5) b. Operations Report for December 2022 (Attachment 6)	Info	Tom Wolfgram	7:30 – 7:35 p.m.
12. Vendor Advisory Committee Report	Info.	Tamerla Prince	7:35 – 7:40 p.m.

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/81891289067?pwd=Tnd4M2YxZlA4aTJrdkdjSDZvdE9pdz09>

Webinar ID: 818 9128 9067 Passcode: 584459
Dial-In Number: (206) 337-9723

Next Board Meeting:

March 28, 2023, 6:00 – 7:30 PM

Attachment 1



**Kern Regional Center
Board of Directors Meeting**

January 24, 2023

6:00 – 7:30 p.m.

Zoom Webinar

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

MINUTES

KRC BOARD MEMBERS PRESENT:

Oscar Axume, Treasurer
Kevin Gosselin, Vice President
Carlos Isidoro, Board Member
Ryan Jones, Board Member
Tracey Mensch, ARCA Delegate
Tamerla Prince, VAC Representative
Donald Tobias, Board Member
Mark Tolentino, Board Member
Martin Vasquez, Secretary
Simon Verdugo, Board Member

KRC BOARD MEMBERS ABSENT:

Ruth Watterson

KRC STAFF PRESENT:

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

GUESTS PRESENT:

Cindy Cox, Advocate for Donald Tobias
Adeyinka Glover, OCRA
John Noriega, Advocate for Simon Verdugo
Edwin Pineda, DDS
Jill Smith, Golden Empire Transit
Sandra Van Scotter
Mitzi Villalon
Shawn White

INTERPRETER: Nidya Madrigal Navia

CALL TO ORDER

Mr. Kevin Gosselin chaired the KRC (Kern Regional Center) Board of Directors Meeting and called the meeting to order at 6:03 p.m.

APPROVAL OF AGENDA

The Board of Directors previously received tonight's agenda for review. No changes or additions were requested.

Mr. Gosselin asked for a motion to approve the agenda of January 24, 2023, as presented.

M/S/C: (Mensch, Prince)

Ayes: 10

Motion Carried



REVIEW OF MINUTES

The Board of Directors previously received the minutes of the November 29, 2022, Board Meeting for review. No additions or edits were requested. Mr. Gosselin asked for a motion to approve the minutes of November 29, 2022.

M/S/C: (Mensch, Axume)

Ayes: 10

Motion Carried

INTRODUCTION OF ADEYINKA GLOVER, CLIENTS' RIGHT ADVOCATE FOR OFFICE OF CLIENTS' RIGHT ADVOCACY (OCRA)

Dr. Michi Gates, Executive Director

Dr. Gates introduced our guest, Adeyinka Glover, the new Clients' Rights Advocate and attorney for the Office of Clients' Rights Advocacy (OCRA). Ms. Glover introduced herself to the Board and gave a brief synopsis of her history and experience. She is looking forward to working with everyone and becoming familiar with the Kern area and the Regional Center staff and clients. She explained that OCRA is a grantee of DDS, and through the grant, OCRA is available to help clients of the Regional Center by obtaining services, special education, in home supportive services, social security, and any other issue that is related to a person's disability. Yinka put her contact information in the chat message and the Executive Assistant will also send the contact information to the Board Members via e-mail.

NOMINATIONS AND VOTING FOR PRESIDENT AND OTHER BOARD VACANCIES

Two Board Members, Kevin Gosselin and Oscar Axume, have terms that are expiring in January 2023.

A motion was requested to approve Kevin Gosselin as a Board Member through January 25, 2024.

M/S/C: (Mensch, Isidoro)

Ayes: 9

Abstained: 1 (Gosselin)

Motion Carried

A motion was requested to approve Oscar Axume as a Board Member through January 25, 2024.

M/S/C: (Prince, Mensch)

Ayes: 9

Abstained: 1 (Axume)

Motion Carried

Congratulations to our Board President, Dr. Jasmeet Bains, on her recent win to the California State Assembly for the 35th District. We know she will do great things! This means that we now need to nominate and elect a new KRC Board President. Kevin Gosselin and Tracey Mensch are interested in stepping into this role. Oscar Axume nominated Kevin Gosselin to serve as President during his last year, and then he nominated Tracey Mensch to serve in the Vice President role. Ms. Mensch concurred with this and agreed to accept the nomination for Vice President. All members agreed.



A motion was requested to elect Kevin Gosselin as President of the KRC Board of Directors through the end of his term on January 25, 2024.

M/S/C: (Axume, Verdugo)

Ayes: 9

Abstained: 1 (Gosselin)

Motion Carried

A motion was requested to elect Tracey Mensch as the incoming Vice-President of the KRC Board of Directors.

M/S/C: (Axume, Vasquez)

Ayes: 9

Abstained: 1 (Mensch)

Motion Carried

At this point, Mr. Gosselin referred back to item 1 of the agenda, realizing that introductions had not been made, so he proceeded to ask Board Members and KRC Staff to introduce themselves to those in attendance.

PRESENTATION – HCBS

Leslie Reynaga, Community Services Specialist, KRC

Leslie Reynaga gave a presentation of the HCBS program. There is a lot of emphasis on this program presently as we strive to meet the HCBS Settings Rule compliance deadline in March 2024. The PowerPoint presentation is attached to these minutes.

PRESENTATION – GOLDEN EMPIRE TRANSIT (GET)

Jill Smith, Customer Service at Golden Empire Transit

Tracey Mensch introduced Jill Smith, Customer Service Manager of Golden Empire Transit who gave a presentation of the GET transit system. Jill shared the services available to our ADA community. The PowerPoint presentation is attached to these minutes.

PUBLIC INPUT

No public questions or comments were presented at this meeting.

APPROVAL OF FINAL 2023-2024 PERFORMANCE CONTRACT

Enrique Roman, Director, Community Services

The 2023-2024 KRC preliminary performance contract was approved at the November board of directors meeting. Last week, the 2023-2024 final KRC performance contract was distributed to Board Members for review and Mr. Roman now comes before the Board of Directors to present the final contract for approval.

M/S/C: (Mensch, Prince)

Ayes: 10

Motion Carried

The 2023-2024 KRC performance contract will now be submitted to DDS.



BOARD PRESIDENT'S REPORT

Kevin Gosselin, President

Mr. Gosselin expressed his thanks for his election as president and wished everyone a Happy New Year. At this time, it would benefit us to add members to the KRC Board. He encouraged all board members to think of people they could invite to apply to the KRC Board and help us along this journey. One area of significance that we will be looking for is financial background as Mr. Axume will be taking a recess in 12 months. Dr. Gates adds that Hispanic/Latino ethnicity is specifically needed on the Board to represent the KRC community appropriately.

EXECUTIVE DIRECTOR REPORT

Dr. Michi Gates, Executive Director

Dr. Gates and Tracey Mensch were at the ARCA Board of Directors meeting held January 18-20, 2023. The Governor's budget was a large part of the discussion. The State is projecting a \$22 billion shortfall. In spite of the shortfall, regional center systems received a lot of attention and several fund requests remained in place. ARCA has made great strides in regional centers becoming more visible to the legislature.

1. Burns & Associates provider rates increase stands and will go forward.
2. Since the Core Staffing Formula was used to calculate funds, there was a shortfall of how much money was needed to reduce caseload ratios for children ages 0-5 to 1:40. The proposed budget includes \$102 million to correct that shortfall.

ARCA is, and will continue, working on:

1. Advocating for updates to the Core Staffing Formula, along with Lanterman Coalition.
2. Creating a system where provider rates will be updated as costs increase.
3. Permanent elimination of the Annual Family Program Fee and the Family Cost Participation Program.

KRC is involved in several projects.

1. **California Tribal Family Coalition** - One of the deliverables from the California Tribal Family Coalition was to provide a training to each of three centers, SDRC, FNRC and KRC and, if the training goes well, expand to other regional centers. The majority of KRC staff attended this training on January 12. It was an amazing session, presenting tribal background and history, and teaching staff to be more culturally sensitive to our tribal communities. We have had nothing but positive experiences with CTFC.
2. **Early Start Workforce** – This is a grant of \$7 Million from the American Rescue Act with the goal of developing a workforce, specifically clinical, that is more culturally diverse. The focus would be to recruit students or graduates and, in return for their commitment, provide tuition reimbursement or funds toward student loans. We have agreed to participate in this project in collaboration with the Frank D. Lanterman Regional Center.
3. **Coordinated Family Services** - KRC is partnering with Frank D. Lanterman for this service, approved last year, as supportive living services for individuals (18 years or older) to continue living in the family home. This is keeping in line with a family's culture to have multi-generations living in the same household. A bidder's conference will take place soon to invite those interested, give them information, and then ask them to apply to be vendored for this important service. It is a broad service that would also be useful for individuals who have aging caregiver parents or grandparents, giving them a means to care for themselves when their parents/grandparents are no longer able to do so.



Dr. Gates spoke about the results received from DDS regarding the caseload ratios completed in October. There were eight categories of caseload ratios measured and, although we did not meet the ratio requirement for three of those categories, KRC was at or slightly below the statewide average in those categories. All regional centers are struggling to find the funds needed to meet the caseload ratios and the hiring situation has been challenging. KRC continues to hire service coordinators every month. We have developed a new position of Lead Service Coordinator to help onboard and train the many incoming service coordinators to ensure their success.

The HCBS compliance March deadline quickly approaches. There is a large percentage of providers, statewide, who either are still in the process of becoming compliant or who have not submitted anything at all. DDS would like to see every regional center be ninety percent or above with compliance; presently, most are in the forty-to-fifty percentile. This is concerning. Providers not in compliance after the deadline will be put on a non-referral status. KRC will be required to reach out to those individuals attending or living in these settings to ensure they understand that they are being served by a vendor who is non-HCBS compliant and provide them with other options. Since vendors who do not meet the HCBS Final Rule will not qualify for federal funding, and 50% of payments are paid through federal funds, part of their payment for services might be withheld. It could also result in termination of their vendorization. KRC needs vendors to be successful and we are here to support them and to do everything possible to bring them into compliance.

Mr. Tolentino asked the approximate number of clients who would be affected by “do not refer” or vendorization termination. Enrique Roman reports an approximate number of 200 or less. However, current progress points to successfully meeting the requirement before the deadline.

Daniel Savino from ARCA will be facilitating a legislative advocacy training in February for our Padres Unidos group. The purpose of the training is to teach them how to advocate with legislators to make their needs known. This is a positive and exciting event.

FINANCIAL REPORT

Tom Wolfgram, CFO

Purchase of Services Report as of November 30, 2022

Total spent for month ending November 30, 2022: \$16,529,723

YTD: \$89,825,358

So far, KRC has spent approximately \$7 Million more for services than by this time last year. With an estimated \$2 Million in unbilled services, this would bring us to \$9 Million more purchased services than this time last year.

Operations Report as of November 30, 2022

Total expenses for month ending November 30, 2022: \$1,882,953

YTD: \$10,176,883

The Purchase of Services Report and the Operations Report ending November 30, 2022 are filed with these minutes.

Vendor Advisory Committee Report

Tamerla Prince, VAC Representative

The Vendor Advisory Committee held a meeting on January 24, 2023, at 10:00 a.m.

The VAC Committee and KRC are working very hard to help vendors be in compliance with HCBS. A new group called *Community of Practice* Boot Camp will begin on February 8. This has been published on Constant Contact. If anyone is interested, please contact Jeff Poplin or Irene.



Assembly Bill 2188, a new Cannabis Labor Law, was discussed at the VAC meeting. This bill classifies cannabis users as a protected class of employee. Bakersfield Drug Testing has been contacted for information and more research is being done to see how this might affect vendors and staff.

John Noriega gave a law enforcement presentation to educate law enforcement about recognizing autism. KRC's BCBA staff will assist John in the future with this effort.

The Vendor Advisory Committee agenda is attached to these minutes.

ADJOURNMENT

With nothing further to discuss, Mr. Gosselin adjourned the meeting at 8:18 p.m.

The next public meeting will take place on Tuesday, February 28, 2023, at 6:00 p.m.

Respectfully Submitted,

*Darlene Pankey
Executive Assistant*

Attachment 2

MEMORANDUM

TO: BOARD OF DIRECTORS, KERN REGIONAL CENTER

FROM: ENRIQUE ROMAN, DIRECTOR OF COMMUNITY SERVICES

SUBJECT: CONTRACT APPROVAL FOR CONTRACT IN EXCESS OF \$250,000

DATE: FEBRUARY 14, 2023

Board of Directors,

I come before you this evening to request approval of a Contract Addendum for Routing Logistics, Kern Regional Center's (KRC) transportation brokerage services.

KRC finds itself in a position to have to replace its transportation broker. After many years of service to our KRC community, Routing Logistics, considering the untimely passing of Mr. Tom Devlin, Co-owner, has issued notice to KRC that it will cease to provide transportation brokerage services. Mrs. Jeanette Devlin's commitment to KRC, amidst her loss, has not waived and has agreed to provide transportation brokerage services until KRC secures the services of a new transportation broker.

KRC anticipates that the new transportation broker will be vendored and ready to provide KRC with its brokerage services by July 1, 2023, if not sooner.

At this time, KRC seeks Board approval for KRC to enter into an amendment to a transportation brokerage services contract with Routing Logistics and thus requests for the Board to ratify past payments KRC has made to the vendor.

Attached is the draft Contract Amendment for Routing Logistics for your review and consideration.

Respectfully,

Enrique Roman

Enrique Roman
Director of Community Services

**AMENDMENT TO
Agreement for Transportation Broker Services
Routing Logistics
Vendor Number PK3597, Service Code 883**

This Amendment to Agreement for Transportation Broker Services (this “**Amendment**”), dated for reference purposes as of March 1, 2023, is entered into by and between Kern Regional Center, a California nonprofit corporation (“**KRC**”), and Routing Logistics, LLC, a California limited liability company (“**Contractor**”), in accordance with the following facts:

A. KRC and Contractor executed an Agreement for Transportation Broker Services dated 1/1/2015 (the “**Agreement**”) by which Contractor provides transportation broker services to certain individuals receiving KRC’s services (“**Consumers**”).

B. The term of the Agreement expired on December 31, 2019. However, Contractor has been providing services on a month-to-month basis to KRC since that date.

C. The parties intend to amend the Agreement to extend its term. All terms that are defined in the Agreement shall have the same meaning when used herein.

NOW, THEREFORE, in consideration of the following mutual covenants, the parties agree as follows:

1. Extension of Term. The term of the Agreement is hereby extended until June 30, 2023. With prior approval from KRC, Contractor may provide services beyond such date on a month-to-month basis, which services may be terminated at any time by KRC on 30 days' advance written notice to Contractor.

2. Rate of Reimbursement. The current Payment Agreement Addendum, dated September 1, 2021, shall continue to remain in effect until the Agreement terminates. The rate specified on the Addendum is \$22,119.36 per month. A copy of the Payment Agreement Addendum is attached hereto as Exhibit "A".

3. Prior Approval; No Guaranteed Minimums. All services provided or purchases made under the Agreement require KRC’s prior express written authorization. KRC does not guarantee a minimum number of referrals or authorizations.

4. No Other Changes. The Agreement, as modified by this Amendment, remains in full force and effect. All other terms and conditions of the Agreement remain the same.

5. Counterparts; Delivery. This Amendment may be executed in counterparts, each of which shall be deemed an original and both of which shall constitute a single instrument. Signed copies of this Amendment delivered by facsimile or electronically in PDF (or similar format) shall be deemed the same as originals.

Executed in Bakersfield, California as of the date first set forth above.

“**Contractor**”:

Routing Logistics, LLC, a California limited liability company

By: _____
Jeannette Devlin, Owner

2092145.2

“**KRC**”:

Kern Regional Center, a California nonprofit corporation

By: _____
Enrique Roman, CSD Director

Routing Logistics Contract Amendment
KRC Board Review: February 28, 2023
KRC Board Approval: TBD

Draft Strategic Plan

BACKGROUND:

Since Fiscal Year 2013/14, ARCA has operated under a strategic plan to help ensure the work of the staff and the organization as a whole are consistent with its overall goals. As each strategic plan generally covers a three-year period, specific priorities consistent with the plan are identified each year. In October 2022, ARCA Board members and staff participated in a strategic planning retreat to identify the major priorities for the organization for Fiscal Years 2023/24 – 2025/26, which are:

- Funding for Current and Future Needs;
- Flexible and Sustainable Services;
- Preservation of the Lanterman Act and Efficacy of the Developmental Services System; and,
- Inclusive and Equitable Communities and Decision-Making.

The Board of Directors also spent time at the retreat identifying key strategies for approaching the work in the above areas. Since that time, ARCA staff drafted a strategic plan document that incorporates work from the retreat.

ANALYSIS/DISCUSSION:

ARCA's Strategic Plan for Fiscal Years 2023/24 – 2025/26 is now in draft form and ready to share with individual regional center boards as well as various ARCA discipline groups and committees for their comments and feedback. Please keep in mind through the feedback process:

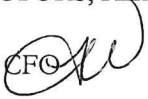
- ARCA's mission is to support regional centers to do their work on behalf of individuals with developmental disabilities in the community.
- This plan is intended to help prioritize work for a three-year period, so it is by design very high level.
- As the group spent a significant amount of time in the pre-retreat survey and at the retreat itself establishing the overall goals (beginning with "ARCA envisions"), ARCA needs feedback that helps to clarify and strengthen those.
- Given the specific strategies (beginning with "ARCA will work to implement this change by") are less refined, comments designed to identify and shape those are welcome.
- After review and discussion, please email feedback to Amy Westling (awestling@arcenet.org) no later than March 31, 2023. This will enable staff and the Strategic Planning Committee to make needed revisions for final approval at the June ARCA Board of Directors meeting.

ATTACHMENT(S): Draft Strategic Plan for Fiscal Years 2023/24 – 2025/26

Attachment 3

MEMORANDUM

TO: BOARD OF DIRECTORS, KERN REGIONAL CENTER

FROM: TOM WOLFGRM, CFO 

SUBJECT: ADMENDMENT TO THE DEFINED CONTRIBUTION RETIREMENT PLAN

DATE: FEBRUARY 21, 2023

Board of Directors,

The Kern Regional Center Defined Contribution Plan 401a (social security replacement plan) currently restricts participants who are age 59 1/2 and older to withdraw funds from the plan in the after-tax money source (employee mandatory contribution) while they are still employed with Kern Regional Center.

We would like to amend the plan to allow the participant to withdraw funds, if desired, once they have obtained the age of 59 1/2 and are still employed with Kern Regional Center.

The amendment has been provided and I come before the Board for approval to amend the plan for this provision.

**ACTION BY THE BOARD OF DIRECTORS
AMENDMENT OF QUALIFIED RETIREMENT PLAN**

The undersigned, on behalf of the Board of Directors, hereby certifies that at a meeting of the Board of Directors of Kern Regional Center ("Employer"), the following resolutions were approved:

WHEREAS, the Employer has maintained the Kern Regional Center Defined Contribution Retirement Plan ("Plan") since 7-1-2018 for the benefit of eligible employees;

WHEREAS, the Employer has decided to amend the above-referenced Plan;

WHEREAS, the Board of Directors has reviewed and evaluated the proposed amendment(s) to the Plan; and

WHEREAS, the Plan document authorizes the Employer to amend the selections under the Adoption Agreement.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors has hereby approved the proposed amendment(s) to the Kern Regional Center Defined Contribution Retirement Plan and authorizes the Employer to adopt the amendment, to be effective on 1-1-2023;

RESOLVED FURTHER that the undersigned members of the Board of Directors authorize the execution of the Plan amendment and authorize the performance of any other actions necessary to implement the adoption of the Plan amendment. The members of the Board of Directors may designate any members of the Board of Directors (or other authorized person) to execute the Plan amendment and perform the necessary actions to adopt the amendment. The Employer will maintain a copy of the amendment to the Plan, as approved by the members of the Board of Directors, in its files; and

RESOLVED FURTHER, if the Plan amendment modified the provisions of the Summary Plan Description, Plan participants will receive a Summary of Material Modifications summarizing the changes under the Plan amendment.

The undersigned hereby certifies that he/she is an Authorized Representative of the Employer and that the foregoing is a true record of a resolution duly adopted at a meeting of the Board of Directors, and that said meeting was held in accordance with state law and the Bylaws of the above-named Employer.

IN WITNESS WHEREOF, I have executed my name below as an Authorized Representative of the Employer.

Authorized Representative / Date

**AMENDMENT TO THE KERN REGIONAL CENTER DEFINED CONTRIBUTION
RETIREMENT PLAN (“the Plan”)**

WHEREAS, Kern Regional Center (the “Employer”) maintains the Kern Regional Center Defined Contribution Retirement Plan (the “Plan”) for its employees;

WHEREAS, Kern Regional Center has decided that it is in its best interest to amend the Plan;

WHEREAS, Section 14.01(b) of the Plan authorizes the Employer to amend the selections under the Kern Regional Center Defined Contribution Retirement Plan Adoption Agreement.

NOW THEREFORE BE IT RESOLVED, that the Kern Regional Center Defined Contribution Retirement Plan Adoption Agreement is amended as follows. The amendment of the Plan is effective as of 1-1-2023.

1. The Adoption Agreement is amended to read:

10-2 **APPLICATION TO OTHER CONTRIBUTION SOURCES.** If the Plan allows for Rollover Contributions under AA §C-2 or After-Tax Employee Contributions under AA §6-6, unless elected otherwise under this AA §10-2, a Participant may take an in-service distribution from his/her Rollover Account and After-Tax Employee Contribution Account at any time.

Alternatively, if this AA §10-2 is completed, the following in-service distribution provisions apply for Rollover Contributions and/or After-Tax Employee Contributions:

Rollover	After-Tax	
<input type="checkbox"/>	<input type="checkbox"/>	(a) No in-service distributions are permitted.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	(b) Attainment of age <u>59-1/2</u> [<i>Insert age no later than Normal Retirement Age</i>].
<input type="checkbox"/>	<input type="checkbox"/>	(c) Attainment of Normal Retirement Age.

EMPLOYER SIGNATURE PAGE

PURPOSE OF EXECUTION. This Signature Page is being executed for Kern Regional Center Defined Contribution Retirement Plan to effect:

- (a) The adoption of a new plan, effective . [Note: Date can be no earlier than the first day of the Plan Year in which the Plan is adopted.]
- (b) The restatement of an existing plan in order to comply with the requirements for Cycle 3 Pre-Approved Plans under Rev. Proc. 2017-41.
 - (1) Effective date of restatement: _____ . [Note: Date can be no earlier than the first day of the Plan Year in which the restatement is adopted.]
 - (2) Name of plan(s) being restated: _____
 - (3) The original effective date of the plan(s) being restated: _____
- (c) An amendment or restatement of the Plan (other than to comply with the requirements for Cycle 3 Pre-Approved Plans under Rev. Proc. 2017-41-49). If this Plan is being amended, a snap-on amendment may be used to designate the modifications to the Plan or the updated pages of the Adoption Agreement may be substituted for the original pages in the Adoption Agreement. All prior Employer Signature Pages should be retained as part of this Adoption Agreement.
 - (1) Effective Date(s) of amendment/restatement: 1-1-2023
 - (2) Name of plan being amended/restated: Kern Regional Center Defined Contribution Retirement Plan
 - (3) The original effective date of the plan being amended/restated: 7-1-2018
 - (4) If Plan is being amended, identify the Adoption Agreement section(s) being amended: §10-2

PRE-APPROVED PLAN PROVIDER INFORMATION. The Pre-Approved Plan Provider (or authorized representative) will inform the Employer of any amendments made to the Plan and will notify the Employer if it discontinues or abandons the Plan. To be eligible to receive such notification, the Employer agrees to notify the Pre-Approved Plan Provider (or authorized representative) of any change in address. The Employer may direct inquiries regarding the Plan or the effect of the IRS Opinion Letter to the Pre-Approved Plan Provider (or authorized representative) at the following location:

Name of Pre-Approved Plan Provider (or authorized representative): The Ryding Company
Address: 2659 Townsgate Road Suite 101 Westlake Village, CA 91361
Telephone number: 805-371-9222

IMPORTANT INFORMATION ABOUT THIS PRE-APPROVED PLAN. A failure to properly complete the elections in this Adoption Agreement or to operate the Plan in accordance with applicable law may result in disqualification of the Plan. The Employer may rely on the Favorable IRS Letter issued by the Internal Revenue Service to the Pre-Approved Plan Provider as evidence that the Plan is qualified under Code §401(a), to the extent provided in Rev. Proc. 2017-41. The Employer may not rely on the Favorable IRS Letter in certain circumstances or with respect to certain qualification requirements, which are specified in the Favorable IRS Letter issued with respect to the Plan and in Rev. Proc. 2017-41. In order to obtain reliance in such circumstances or with respect to such qualification requirements, the Employer may need to apply to the Internal Revenue Service for a determination letter.

By executing this Adoption Agreement, the Employer intends to adopt the provisions as set forth in this Adoption Agreement and the related Plan document. By signing this Adoption Agreement, the individual below represents that he/she has the authority to execute this Plan document on behalf of the Employer. This Adoption Agreement may only be used in conjunction with Basic Plan Document #01. The Employer understands that the Pre-Approved Plan Provider has no responsibility or liability regarding the suitability of the Plan for the Employer's needs or the options elected under this Adoption Agreement. It is recommended that the Employer consult with legal counsel before executing this Adoption Agreement.

Kern Regional Center
(Name of Employer)

(Name of authorized representative) (Title)

(Signature) (Date)

Attachment 4



**Association of Regional Center Agencies
Strategic Plan
Fiscal Years 2023/24-2025/26**

DRAFT

The Strategic Planning Process

The Intent and Objective: Why a Strategic Plan?

Strategic planning determines where an organization is going, how it's going to get there, and how it'll know if it got there or not. The fundamental purpose of strategic planning is to align the mission and vision with appropriate strategies and initiatives. Without them, the plan exists in a vacuum. And organizations that develop plans without considering mission and vision usually fail in their execution. The value statements are also important to the strategic planning process, as they provide a touchstone for the organization for how business decisions are made, and what are acceptable strategies and tactics. Goals, strategies, and tasks are the cornerstone of every strategic plan. They are the roadmap for where the organization is going. They define what will be accomplished, by whom, and when. By having focused goals, strategies, and tasks — coupled with a strong accountability system — an organization's likelihood of success is enhanced.

The Next Step: Conducting a Strategic Planning Process

In 2012, ARCA began work on the strategic plan that guided its efforts during the 2013-14 through 2015-16 Fiscal Years. The plan was later revised to guide the organization's work during both the 2016-17 through 2018-19 Fiscal Years and the 2019-20 through 2022-23 Fiscal Years. Most recently, ARCA convened a strategic planning retreat in October 2022 to begin work on its updated strategic plan, intended to guide its work in the coming three Fiscal Years. This document is the result of that concentrated discussion, as well as further consultation with ARCA's various discipline groups and committees.

Given the extensive review of the Vision, Mission, and Values of the organization that was undertaken in 2012, it was agreed that they continue to be current and applicable. It was felt that it was essential all regional centers have an opportunity to participate in the strategic planning process. As such, each regional center Executive Director and Board Delegate was asked to jointly complete a survey regarding the current strengths, challenges, and priorities that should be considered as the strategic planning process unfolded.

Vision, Mission, Values

Vision

The Association of Regional Center Agencies effectively represents a strong regional center system that supports Californians with developmental disabilities and the developmental services system.

Mission

The mission of the Association of Regional Center Agencies (ARCA) is to promote, support, and advance regional centers in achieving the intent and mandate of the Lanterman Developmental Disabilities Services Act in providing community-based services that enable individuals with developmental disabilities to achieve their full potential and highest level of self-sufficiency.

Values

The Association of Regional Center Agencies values:

- Respectful interactions with all stakeholders;
- Democratic decision-making among its members;
- Honesty and integrity in communicating with all stakeholders;
- Analysis of relevant information and crafting of policy;
- Assertive leadership and advocacy; and,
- Effective negotiation of agreements with DDS and partner organizations.

Funding for Current and Future Needs

ARCA will pursue funding to enhance stability and supporting greater individual choice while achieving the intent and mandate of the Lanterman Developmental Disabilities Services Act.

ARCA envisions sustainable funding that is adequate to meet mandates and allows California to keep its commitments to people with developmental disabilities through individually-chosen services and lifelong service coordination supported by manageable caseload ratios.

The developmental disabilities service system has seen...

The State has made recent investments to reduce caseload ratios, particularly for targeted populations, and update service provider rates to link them to the actual cost of service delivery, but neither reform is accompanied by a long-term commitment to keep funding levels updated. Steps are being taken to tie reimbursements to individual outcomes, with priority being given to more robust data collection, choice, person-centered planning, and cultural competence. The lack of guaranteed funding leads to annual budgetary vulnerability. In the long term, this uncertainty, coupled with a lack of automatic adjustments in response to inflationary pressures, has resulted in inadequate staffing and high turnover in both regional center and service provider workforces, which compromises quality outcomes for individuals, particularly in the areas of choice of service providers and lifelong person-centered planning.

ARCA will work to implement change by:

1. Directly advocating for rates that are based on the actual cost of service provision and automatically adjust with time, leveraging ARCA's resources to calculate fiscal impacts, connecting advocates to legislative champions and decisionmakers in the Administration, and demonstrating the importance of this due to its impact on individuals served and their families as they seek greater person-centered choice and community participation.
2. Leading efforts to modernize and automatically update regional centers' Core Staffing Formula through a legislative and public relations campaign that includes rich data, cultivation of legislative champions, and advocacy coalition building with active participation from people served, their families, and local and statewide service provider organizations to highlight the importance of supporting robust service coordination.
3. Exploring and pursuing, with the support of stakeholders and governmental champions, reliable funding sources for the developmental services system outside the state's General Fund, beginning with an in-depth analysis of the funding streams for education and behavioral health systems.
4. XXX
5. XXX

Flexible and Sustainable Services

ARCA will pursue reforms to enhance resources to meet individual needs as envisioned in the Lanterman Developmental Disabilities Services Act.

ARCA envisions a developmental services system that efficiently offers a greater variety of services and enhanced choice to people with developmental disabilities in order to empower them to meet their individualized person-centered goals.

The developmental disabilities service system has seen...

A foundational tenet of California's developmental services system is that services and supports should be uniquely tailored to enable each person served to meet his or her individualized goals, which requires the expansion of flexible service models as the people served become increasingly diverse racially, ethnically, and linguistically, as well as in their needs and preferences. The system has seen fiscal constraints and limitations on flexibility in the services it can offer to meet identified needs. Individuals with developmental disabilities and their families are increasingly expressing a desire to access more flexible, innovative, individualized services. The pandemic demonstrated the benefit of flexible service options and control for those served by regional centers and their families, particularly as a tool for increasing service equity and satisfaction.

ARCA will work to implement change by:

1. Building momentum for needed regulatory changes, including through public relations efforts, to enhance service flexibility informed by ideas provided by individuals served and their families through focus groups, surveys, and other means.
2. Promoting the value and importance of regional center flexibility to operationalize DDS directives and statutory and regulatory changes, with input from their local communities.
3. Embedding the philosophy of person-centeredness in formal decision-making processes and community communications and advocating for dedicated funding for person-centered education and training for regional centers and the broader community to empower and support individualized planning and resource matching.
4. XXX
5. XXX

Preservation of the Lanterman Act and Efficacy of the Developmental Services System

ARCA will pursue greater stakeholder and decision-maker understanding and support for the structure of California's developmental services system as outlined in the Lanterman Developmental Disabilities Services Act and Early Intervention Services Act.

ARCA envisions a developmental services system that visibly and effectively supports people with developmental disabilities through regional centers, which maintain their independence, are accountable to, representative of, and embedded in their communities, and earn the support of those served, legislators, and stakeholders.

The developmental disabilities service system has seen...

Regional centers were intentionally designed to meet the needs of their communities by making them responsive to both their state funding source and, through volunteer boards of directors, local communities. Uniform statutes, regulations, and contracts establish a consistent framework for services across regional center catchment areas. Rapid growth in both population served and state fiscal investment have led to increased scrutiny of individual regional centers and the whole service system, as well as questions about the balance between statewide consistency and local flexibility. With the support of various advocacy groups, the Legislature and Administration have increasingly constrained local control in recent years. Since its inception, the developmental services system has enjoyed bipartisan legislative support, but given legislative turnover, it lacks consistent legislative champions.

ARCA will work to implement change by:

1. Educating legislators and staff about the regional center system and the value of its independence through a coordinated media strategy that will include clear, customizable materials, multilingual outreach, and refined talking points augmented by Grassroots Day and ongoing networking.
2. Improving collaboration with stakeholders and decision-makers to champion preservation of the regional center system through regular engagement and educational opportunities, including for those without ready digital access.
3. Enhancing ARCA's role as a recognized authority for quality information and perspectives on the developmental services system through reporting on strengths and challenges, and highlighting the strategies regional centers use to meet the needs of their communities.
4. Developing meaningful metrics supported by clean, actionable information that demonstrate regional center effectiveness through the establishment of standard and consistent definitions, data collection on meaningful outcomes, and periodic evaluation with an eye towards continuous improvement.
5. Supporting greater consistency in performance across all 21 regional centers through the sharing of quality data, the establishment of a peer review and support structure, creation of a cross-regional center intervention and escalation strategy, and formalization of a mentorship process for incoming regional center Executive Directors.

Inclusive and Equitable Communities and Decision-Making

ARCA will pursue reforms to support greater visible and authentic participation of those served by regional centers in all of California's geographic, ethnic, and linguistic communities.

ARCA envisions a developmental services system led by the people it serves that supports their meaningful integration, better aligns with their wants, needs, and aspirations, and enhances their quality of life as measured by data and their satisfaction.

The developmental disabilities service system has seen...

While its origins were in a professional-led medical model, the developmental services system continues to evolve to improve its person-centeredness and its systemic and individually-defined outcomes. Building on an understanding that people are the experts in their own lives, federal guidance now requires the balancing of what is important for the individual with what is important to them. Increasingly, communities are moving from acceptance to integration to inclusion of individuals with disabilities, but there is still a lack of broad understanding of the value their participation brings to community life. Increasingly, there is greater understanding of the importance of hearing from people served directly when possible and following their lead in the development of policy and practices, although much work remains to be done in this area to ensure its more consistent application. Much of the future work in this area can be supported through partnerships with community-based organizations to leverage available funding sources (e.g., Service Access and Equity, Community Grants, Placement Plan/Community Development Plan).

ARCA will work to implement change by:

1. Identifying, supporting, and advancing people served to participate in statewide and local committees, commissions, and initiatives, including those internal to ARCA, through highlighting their strengths, contributions, and expertise.
2. Developing two-way communication and education strategies with diverse communities to support advocacy for improving information and services available to local communities.
3. Increasing the recognition by the general public and other agencies of the presence and contributions of people served by regional centers through public relations and networking efforts.
4. Supporting the work of regional centers and their partners to increase inclusion in community life (e.g., employment and housing) among individuals with developmental disabilities through better outreach tools and advocacy for needed service capacity.
5. Enhancing the capacity of regional centers to develop more culturally sensitive and responsive services and supports through the building of provider capacity that reflects the diversity of various cultural and ethnic communities.
6. Advocating for the flexible development of a greater array of services and supports to meet the needs of people requiring differing levels of support intensity and seeking funding to address identified shortfalls in this area.

Operational Focus Area: Regional Center System Efficacy

ARCA will pursue an effective, efficient organization that promotes the goals and objectives of the ARCA Board of Directors and encourages and supports regional center efforts in California.

ARCA envisions an effective, efficient organization that promotes the goals and objectives of the Board of Directors, and encourages and supports regional center efforts in California.

ARCA will work to implement change by:

1. Fostering relationships with state-level partners and stakeholders, including DDS, the Legislature, the State Council on Developmental Disabilities, The Arc and United Cerebral Palsy California Collaboration, and others.
2. Representing ARCA, the regional centers, and the developmental disabilities service system in legislative and Budget hearings, promoting the developmental disabilities service system at Grassroots Day and other venues, and by being responsive to requests for information, testimony, and formal and informal meetings with state representatives, including members of the Legislature, DDS, and others.
3. Promoting education and information sharing within the ARCA office, with the Board of Directors, its committees and sub-committees, task forces, key stakeholders, and our community.
4. Providing relevant and vital information to internal and external partners in a respectful, clear, and concise manner.
5. Maintaining fiscal responsibility to its regional center members with an unqualified independent audit with no material findings, and operating within budget.

Implementation and Accountability

The Strategic Plan establishes a prioritization of activities for the next three years.

Annual budget and work plan development in each fiscal year should be organized around the focus areas of the Strategic Plan.

Annual focus areas will be developed at the beginning of each fiscal year.

Periodic reporting on progress will ensure there is ongoing awareness of, and engagement with, the plan.

DRAFT

Attachment 5

Attachment 6

KERN REGIONAL CENTER
 OPERATIONS
 FY 2022/2023
 AS OF DECEMBER 31, 2022

	PROPOSED EXPENDITURE	YEAR TO DATE	07/31/22	06/31/22	09/30/22	10/31/22	11/30/22	12/31/22	01/31/23	02/28/23	03/31/23	04/30/23	05/31/23	06/30/23	TOTAL	OVER/UNDER
OPERATIONS																
Salaries & Benefits	20,378,826	10,189,413	1,427,790	1,567,602	2,011,650	1,261,290	1,116,049	1,915,921							9,300,302	889,111
Operating Expenses	5,268,000	2,634,000	306,691	363,842	403,645	530,362	629,596	537,121							2,771,257	(137,257)
SUBTOTAL OPS	25,646,826	12,823,413	1,734,481	1,931,444	2,415,295	1,791,651	1,745,645	2,453,042							12,071,559	751,854
COMMUNITY PLACEMENT PLAN																
Salaries & Benefits	870,375	435,188			30,170	266,852	63,808	48,818							379,477	55,710
Operating Expenses	253,082	126,541			30,170	56,416	47,670	17,708							151,964	(25,423)
SUBTOTAL CPP	1,123,457	561,729	-	-	30,170	323,268	111,478	66,526							531,442	30,287
FOSTER GRANDPARENT PROGRAM																
Salaries & Benefits	98,040	49,020	3,823	4,467	6,206	4,467	4,467	4,467							27,897	21,123
Operating Expenses	151,503	75,752	3,444	153	4,221	14,490	11,476	9,633							43,418	32,334
SUBTOTAL FGP	249,543	124,772	7,267	4,620	10,427	18,957	15,943	14,100							71,314	53,457
SENIOR COMPANION PROGRAM																
Salaries & Benefits	65,360	32,680	2,557	2,978	4,137	2,978	2,978	2,978							18,606	14,074
Operating Expenses	101,002	50,501	2,565	194	2,821	8,019	6,910	5,947							28,555	23,946
SUBTOTAL SCP	166,362	83,181	5,122	3,172	7,058	10,997	9,888	8,925							45,161	38,020
TOTAL OPERATIONS	27,186,188	13,593,094	1,746,869	1,939,236	2,462,851	2,144,873	1,882,953	2,542,593							12,719,476	873,618