



**Council Meeting Minutes
November 19, 2014**

Members Present

April Lopez
Bill Moore
Carmela Garnica
Chisorom Okwuosa
Dan Boomer
David Forderer
Eric Gelber
Janelle Lewis
Jonathan Clarkson
Kecia Weller
Kerstin Williams
Kris Kent
Max Duley
Molly Kennedy
Nancy Clyde
Ning Yang
Rebecca Donabed
Robert Jacobs
Robert Taylor
Sandra Smith
Steven Kapp

Members Absent

Catherine Blakemore
Feda Almaliti
Olivia Raynor
Robin Hansen

Others Attending

Aaron Carruthers
Anastasia Bacigalupo
Bob Phillips
Carlyn Meshack
Chris Arroyo
David Grady
Dawn Morley
Dena Hernandez
Elizabeth Drake
Gabriel Rogin
Janet Fernandez
Joyce McNair
Mary Agnes Nolan
Mary Ellen Stives
Mike Clark
Natalie Bocanegra
October King
Robert Phillips
Robin Maitino
Ruby Villanueva
Sam Seaton
Sarah May
Sonya Bingaman
Susan Eastman
Vicki Smith
Joe Bowling

1. CALL TO ORDER/ESTABLISHMENT OF QUORUM

Chairperson Molly Kennedy called the meeting to order at 10:10 a.m. and a quorum was established.

2. WELCOME AND INTRODUCTIONS

Members and others attending introduced themselves.

3. PUBLIC COMMENT

There was no public comment.

4. APPROVAL OF SEPTEMBER 2014 MEETING MINUTES

It was moved/seconded (Lewis/Smith) and carried to approve the September 16, 2014, Council meeting minutes as presented.
(1 abstention)

It was moved/seconded (Weller/Yang) and carried to approve the September 29, 2014, Council meeting minutes as presented.
(2 abstentions)

5. CHAIR REPORT

Chairperson Kennedy provided a written report to the Council covering the year in review, provider rates, strategic plan development, and other ongoing activities.

6. INTERIM EXECUTIVE DIRECTOR REPORT

Executive Director, Michal Clark updated the Council on SCDD activities that have taken place since the September Council meeting.

7. STAFF REPORTS

The Chief Deputy Director, Aaron Carruthers went over his report which was included in the packet and called Councilmembers attention to the statewide activities report as well as the QA report that were included in the packet immediately following his report.

8. AIDD COMPLIANCE/MTARS UPDATE

Chairperson Kennedy and Director Clark provided members with a progress update on implementing the corrective action plan (CAP). They also briefly went over both the AIDD Compliance Task Chart the AIDD Compliance Task Timeline that was included in the packet.

9. VISION FOR THE COUNCIL’S FUTURE

Chairperson Kennedy went over the three questions that were recently given to Committee members by Council Leadership and Executive Management to enable all members the opportunity to participate in developing a roadmap that will lead the organization in advocacy, systems, change, and capacity building.

10. CHAIR/VICE CHAIR ELECTIONS

Per Article VII, Section 2 of the Bylaws which states...“election of officers shall occur once every two years,” candidates were considered as follows: .

Chair

Molly Kennedy (16 votes)

Sandra Smith (5 votes)

Vice Chair

April Lopez (14 votes)

Sandra Smith (5 votes)

Robert Taylor (2 votes)

An election was held separately for each office. The election for Chair was held first. Following member statements by the candidates for Chair, a public vote was taken. Molly T. Kennedy won the majority vote for chairperson with sixteen (16) ayes. Following members statements by the candidates for Vice Chair, April Lopez won the majority vote for vice-chairperson with fourteen (14) ayes.

11. DD SYSTEM SUSTAINABILITY

Steve Miller, Rebecca Lienhard, and Krystal Zanel of Tierra del Sol gave a presentation regarding frozen rates and cost control measures resulting in closing programs throughout the State.

This issue has brought about much discussion on sustainability within the DD system. The Executive Committee felt so strongly about this issue that they took action at the October 2014 Committee meeting to recommend that the Council be the “conveners” for the meetings necessary with leadership and stakeholders to support DD System Sustainability.

Following the presentation, the Council took the below action.

It was moved/seconded (Forderer/Smith) and carried to refer this issue to the Executive Committee to work in collaboration with other agencies and groups to be conveners.

12. SCDD POSITIONS

i. Implementation of Overtime Rules:

A new federal overtime law, intended to give in-home care workers overtime protections, will likely have a negative impact on consumers and their families by limiting hours that an in-home care worker can work and by limiting how many hours a consumer can use in a week.

It was moved/seconded (Forderer/Taylor) and carried to work in collaboration with DRC to provided written comments addressed to Health and Human Services Agency Secretary Dooley and Governor Brown about the challenges presented by the implementation of the overtime rule and request the development of exceptions to the overtime rule which promote flexibility and consumer choice. (5 abstentions)

ii. CMS Transition Plan:

The Centers for Medicare and Medicaid Services (CMS) announced new rules what services will qualify for future federal funding. As a part of the process, the State of California, through the Department of Health Care Services, must provide CMS with a transition plan

showing how services in California will follow the new rules. CHCS posted their draft transition plan and has asked that the public comment on the plan.

It was moved/seconded (Yang/Clyde) and carried to sign on to the joint letter to the Department of Health Care Services regarding Comments on the California HCBS Statewide Transition Plan.
(6 abstentions)

13. **SPONSORSHIP REQUEST: LEADING THE CHARGE**

The Developmental Disabilities Provider Network (DDPN) is requesting sponsorship funding in the amount of \$900 for the 1st Annual Leading the Charge - Collaborating for Effective Services One-Day Educational Event.

The purpose of the event is to: 1) Provide education on new, innovative, and successful service models that can be replicated in San Diego to better meet the needs of individuals with disabilities who have more significant service challenge needs now and in the future, and 2) Provide advocacy training to assist people with disabilities, to better advocate for their needs.

DDPN is looking to have 200 community leaders, clients, families, service providers and community members in attendance at this event! They are seeking to have 100 consumers and family members in attendance at the event. They will be conducting outreach and marketing of the event through flyers and emails to the following networks: Area Board13, San Diego Regional Center, DDPN's 120 members, DDPN website, and various organization newsletters.

It was moved/seconded (Forderer/Weller) award funding in the amount of \$900 to the Developmental Disabilities Provider Network.

14. **CENTRAL VALLEY REGIONAL CENTER (CVRC) CONFLICT OF INTEREST (COI) WAIVER REQUEST**

Council considered a waiver request submitted by CVRC Board member Scot Miller. Based on consideration of submitted waiver request materials, the November 12, 2014, approval by Area Board 8 of the waiver request, and Council practice, staff recommended Council's approval of Mr. Miller's waiver request.

It was moved/seconded (Kapp/Weller) and carried to approve the proposed Conflict Resolution Plan and grant the request for waiver consistent with the actions taken by the CVRC and Area Board 8.

15. **BYLAW REVIEW**

Proposed revisions to the Bylaws were presented by Legal Counsel for the purpose of conforming bylaws to Assembly Bill 1595 and MTARS commitments. Legal Counsel explained that continued review may be necessary to confirm that Bylaws incorporate all necessary changes relating to Employment First and Self Determination statutory provisions. Council considered noticed revisions along with the following suggestions:

- Add a link within posted bylaws to statutory language addressing Council composition, as feasible. (By Councilmember Kapp.)
- Add language to Section 4 "Voting Rights of Members" to specify that "in person" includes being physically present or attendance at a meeting by teleconference. (By Councilmember Clarkson.)
- Add citation to Attorney General opinion prohibiting voting by proxy. (By Councilmember Clarkson.)
- Simplify language of Section 2 of Executive Director section addressing utilization of federal funds. (By Councilmember Kent.)

It was moved/seconded (Clarkson/Weller) and carried to approve the revised Bylaws with suggested changes.

16. **COMMITTEE REPORTS**

- a. Executive Committee –Vice-Chair April Lopez provided a summary of the September 26th and October 21st Committee meetings.
- b. Administrative Committee – Chairperson Kennedy provided a summary of the September 24th meeting. In addition, Chief Deputy Director Carruthers provided Councilmembers with an update on both the budget (providing them with an easy-to-read one page slide) and the designated state agency memorandum of understanding.
- c. Legislative and Public Policy Committee (LPPC) – Councilmember Janelle Lewis provided a summary of the October 23rd. The next meeting will be held on December 8, 2014.
- d. Membership Committee – Vice-Chair Lopez provided a summary of the October 28th meeting stating that the Governor’s Office has been very cooperative in working towards filling vacancies.
- e. Self-Advocates Advisory Committee (SAAC) – Councilmember Ning Yang provided a brief summary of the November 18, 2014 meeting.
- f. State Plan Committee – Councilmember Nancy Clyde provided a summary of the October 25th meeting.

17. **STATEWIDE SELF-ADVOCACY NETWORK (SSAN) ANNUAL REPORT**

Councilmember David Forderer shared the SSAN Annual Report with the full Council and provided a written report on SSAN activities and highlights since the September Council meeting.

18. **DEVELOPMENTAL SERVICES TASK FORCE REPORT**

Councilmember Kecia Weller provided a written report recapping the October 8, 2014, Health and Human Services Developmental Services Task Force meeting.

19. **2015 MEETINGS AND ADJOURNMENT**

2015 meeting dates were provided to Councilmembers. The meeting was adjourned at 3:30 p.m.