



**EXECUTIVE COMMITTEE MEETING NOTICE/AGENDA**

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PARTICIPANT CODE:**

**1-800-839-9416  
2982825**

**DATE:** June 23, 2015

**TIME:** 3:30 p.m. – 5:00 p.m.

**LOCATION:** State Council on Developmental Disabilities  
1507 21<sup>st</sup> Street, Suite 210  
Sacramento, CA 95811

**TELECONFERENCE LOCATION:**

2118 University Park Drive  
Sacramento, CA 95825  
Please Call for Access

*Pursuant to Government code Sections 11123.1 and 11125(f), individuals with disabilities who require accessible alternative formats of the agenda and related meeting materials and/or auxiliary aids/services to participate in this meeting should contact Robin Maitino at (916) 322-8481 or email [robin.maitino@scdd.ca.gov](mailto:robin.maitino@scdd.ca.gov). Requests must be received by 5:00 pm on June 19, 2015*

**AGENDA**

- |                                   |         |
|-----------------------------------|---------|
| <b>1. CALL TO ORDER</b>           | N. Yang |
| <b>2. ESTABLISHMENT OF QUORUM</b> | N. Yang |
| <b>3. WELCOME/INTRODUCTIONS</b>   | N. Yang |

For additional information regarding this agenda, please contact Robin Maitino, 1507 21<sup>st</sup> Street, Ste. 210, Sacramento, CA 95811, (916) 322-8481. Documents for an agenda item should be turned into SCDD no later than 12:00 p.m. the day before the meeting to give members time to review the material. The fax number is (916) 443-4957.

**4. PUBLIC COMMENTS**

*This item is for members of the public only to provide comments and/or present information to the Council on matters **not** on the agenda. Each person will be afforded up to three minutes to speak. Written requests, if any, will be considered first.*

**5. APPROVAL OF MEETING MINUTES FOR:  
APRIL 14, 21 AND MAY 18-19, 2015**

N. Yang 3

**6. AIDD/MTARS UPDATE**

A. Carruthers 13

**7. BUDGET UPDATE**

A. Carruthers 17

**8. CONFLICT OF INTEREST WAIVER (COI) REQUEST,  
INTERIM PROCESS**

N. Bocanegra 19

- i. Westside Regional Center – Kevin MacDonald
- ii. Harbor Regional Center – Patricia Del Monico

**9. CLOSED SESSION – PERSONNEL**

N. Bocanegra

*Pursuant to Government Code 11126 (a)(1) the Council will have a closed session to consider the appointment and/or employment of a public employee.*

**10. RECONVENE OPEN SESSION**

N. Bocanegra

*Pursuant to Government Code Section 11126.3 (f) there will be an announcement of any action(s) taken during closed session.*

**11. JULY COUNCIL MEETING**

ALL

**12. ADJOURNMENT**

N. Yang

**APPROVAL OF  
MEETING  
MINUTES**

**DRAFT**

**Executive Committee Meeting Minutes  
April 14, 2015**

**Attending Members**

April Lopez (FA)  
David Forderer (SA)  
Ning Yang (SA)  
Sandra Smith (FA)

**Members Absent**

Kecia Weller (SA)  
Janelle Lewis  
Nancy Clyde (SA)

**Others Attending**

Aaron Carruthers  
Robin Maitino  
Mike Clark  
Natalie Bocanegra  
Wayne Glusker  
Sandra Aldana  
Gabriel Rogin

**1. Call to Order**

Chairperson Ning Yang (SA) called the meeting to order at 11:58 a.m. and established a quorum.

**2. Welcome and Introductions**

Members and others introduced themselves.

**3. Public Comments**

There were no public comments.

**4. Approval of February Meeting Minutes**

It was moved/seconded (Smith [FA]/Lopez [FA]) and carried to approve the February 24, 2015 Executive Committee minutes as presented. (Unanimous: Forderer, Lopez, Smith, and Yang.)

**5. AIDD Compliance Task Chart**

Chief Deputy Director Aaron Carruthers provided an update on the Council's compliance task progress. Chief Deputy Carruthers also reported that AIDD has agreed to allow SCDD to request funds 5 days prior to the end of each month to cover monthly expenditures. This achievement has resulted in a positive cash flow of approximately \$2 million.

The next quarterly call with AIDD is currently scheduled for April 27, 2015.

6. **Regional Advisory Committee (RAC) Policy Recommendations**

Chief Deputy Director Aaron Carruthers presented five (5) detail sheets on behalf of the Los Angeles RAC to the Committee for consideration and action.

The first detail sheet asked, “Should the Council advocate for the Lanterman Coalition to support, not only a 10% investment in provider rate increases, but also for restoration of suspended and capped services?” The Committee took the below action to support this RAC recommendation:

It was moved/seconded (Forderer [SA]/Smith [FA]) and carried to support a 10% investment in provider rate increases and restoration of suspended and capped services. (Unanimous: Forderer [SA], Lopez [FA], Smith [FA], and Yang [SA].)

The second detail sheet asked “Should the Council advocate for the restoration and increase in Medi-Cal and Denti-Cal rates so as to ease the current crisis that has led to a critical shortage in health care providers?” The Committee took the below action to support the RAC recommendation:

It was moved/seconded (Smith [FA]/Lopez [FA]) and carried to support the restoration and increase in Medi-Cal and Denti-Cal rates so as to ease the current crisis that has led to a critical shortage in health care providers. (Unanimous: Forderer [SA], Lopez [FA], Smith [FA], and Yang [SA].)

The third detail sheet asked “Should the Council advocate for a restoration of the state’s share of SSI payments?” The Committee took the below action to support this RAC recommendation.

It was moved/seconded (Smith [FA]/Forderer [SA]) and carried to support the restoration of the state’s share of SSI payments. (Unanimous: Forderer [SA], Lopez [FA], Smith [FA], and Yang [SA].)

The fourth detail sheet requested that the Council send a letter to the Federal Transit Administration (FTA) on behalf of Access Services, asking the FTA to allow Access Services to keep its current fare setting method. Upon obtaining additional information from the Los Angeles regional

office, clarifying the specifics of this request, the Committee took the below action to send a letter on behalf of the full Council, due to the time sensitivity of this issue.

It was moved/seconded (Forderer [SA]/Smith [FA]) and carried to send a letter of support to the Federal Transit Administration asking that they allow Access Services to keep its current fair setting method for paratransit fares. (Unanimous: Forderer [SA], Lopez [FA], Smith [FA], and Yang [SA].)

The fifth detail sheet asked “Should the Council advocate for affordable and accessible transportation options for the I/DD community in the Los Angeles metro area?” The Committee took the below action to refer this matter to the full Council for consideration stating that this may be more than a Los Angeles County issue and therefore may need consideration throughout the state.

It was moved/seconded (Lopez [FA]/Smith [FA]) and carried to refer this issue of affordable and accessible transportation options for the I/DD community to the full Council in May. (Unanimous: Forderer [SA], Lopez [FA], Smith [FA], and Yang [SA].)

7. **Regional Advisory Committee Discussion**

Executive Director Clark reported that some of the SCDD Regional Offices are requesting that the Council consider allowing the RACs to have more than just a membership sub-committee if they so desire. The Committee felt that this issue should be brought to the full Council for consideration.

It was moved/seconded (Forderer [SA]/Smith [FA]) and carried to refer the topic of sub-committees for regional advisory committees to the full Council. (Unanimous: Forderer [SA], Lopez [FA], Smith [FA], and Yang [SA].)

8. **Review Advocacy and Direct Individual Advocacy Services Paper**

The Committee reviewed the March 26, 2015 draft of the “Advocacy and Direct Individual Advocacy Services” paper. Following the review, the Committee took the below action to refer the paper to the full Council for consideration and action.

It was moved/seconded (Forderer [SA]/Smith [FA]) and carried to refer the March 26, 2015 version of the Advocacy and Direct Individual Advocacy Services paper to the full Council for consideration.  
(Unanimous: Forderer [SA], Lopez [FA], Smith [FA], and Yang [SA].)

9. **Budget Update**

Chief Deputy Carruthers provided an overview of two budget documents, included in the packet. The first document detailed the monthly budget projections for fiscal year 2014-15 through February 2015. This document indicated a federal grant shortfall of \$274,649 if all vacancies were to be filled. This amount is down from the projected shortfall in December 2014 of \$495,327. The second document was the SCDD Proposed Budget for fiscal year 2015-16. Following Committee discussion on how to present the 2015-16 proposed budget in a manner that is easy to understand, the below action was taken.

It was moved/seconded (Smith [FA]/Lopez [FA]) and carried to refer the Fiscal Year 2015-16 SCDD Proposed Budget to the full Council for approval at the May 2015 Council meeting(Unanimous: Forderer [SA], Lopez [FA], Smith [FA], and Yang [SA].)

10. **Conflict of Interest Waiver (COI) Request**

Legal Counsel Natalie Bocanegra presented a conflict of interest waiver request for Regional Center of the East Bay Board member Darcy Ting. Ms. Ting is a vendor who provides supported living services solely to her family member. Per DDS regulations, Ms. Ting has a conflict of interest and has submitted a COI resolution plan for approval.

It was moved/seconded (Lopez [FA]/Smith [FA]) and carried to approve the COI waiver request and resolution plan with the clarification that Ms. Darcy Ting's recusal must include not using her board position to influence SLS decisions. (Unanimous: Forderer [SA], Lopez [FA], Smith [FA], and Yang [SA].)

## 11. Sponsorship Policy

At the March 25, 2015 Council meeting, councilmembers requested that staff review the Sponsorship Policy and provide clarification on the rules regarding how sponsored agencies/organizations can use sponsorship funds. The following was considered when revising the Policy:

- Providing services or conference registration at no cost or at discounted rates to self-advocates and their families or provides other help;
- Supporting events where self-advocates participate as panelists and presenters;
- Requests must be submitted by an individual authorized to represent the agency/organization requesting funds; and
- Percentage of attendees expected to be consumers.

The revised policy clarified that funds may not be used for: 1) lobbying activities; 2) campaign activities; 3) events with the sole purpose of fundraising; 4) agency/organization overhead expenses not related to the event; and 5) certain earmarked travel payments or conference registration. Following the review and input from the Committee, the below action was taken to adopt the revised policy.

It was moved/seconded (Smith [FA]/Lopez [FA]) and carried to adopt the revised Sponsorship Policy. (Unanimous: Forderer [SA], Lopez [FA], Smith [FA], and Yang [SA].)

## 12. Executive Director Evaluation

Legal Counsel Bocanegra presented the existing "Executive Director Evaluation Tool" to the Committee for consideration and approval.

It was moved/seconded (Lopez [FA]/Forderer [SA]) and carried to approve staff's recommended timeline laid forth on page 30 of the packet. (Unanimous: Forderer [SA], Lopez [FA], Smith [FA], and Yang [SA].)

## 13. Closed Session – Personnel

The Committee went into closed session.

## 14. Reconvene Open Session

The following six (6) actions were reported out in open session:

*Action 1*

The Executive Committee approved revisions to the Executive Director search brochure.

*Action 2*

The Executive Committee took action to require that each Executive Director candidate submit a state application (STD 678).

*Action 3*

The Executive Committee took action to require that each Executive Director candidate submit a statement of qualifications not to exceed three (3) pages.

*Action 4*

The Executive Committee took action to designate the SCDD Personnel Officer as the point person to collect and process applications for the Executive Director position.

*Action 5*

The Executive Committee approved revisions to the materials for the Executive Director search that referenced "area boards."

*Action 6*

The Executive Committee approved a project timeline for the Executive Director search process, including scheduling of interviews in the months of June and July.

15. **Adjournment**

Chairperson Yang adjourned the meeting at 2:50 p.m.

**DRAFT**  
**Executive Committee Meeting Minutes**  
**April 21, 2015**

**Attending Members**

April Lopez (FA)  
David Forderer (SA)  
Janelle Lewis  
Kecia Weller (SA)  
Nancy Clyde (SA)  
Ning Yang (SA)  
Sandra Smith (FA)

**Members Absent**

**Others Attending**

Natalie Bocanegra  
Robin Maitino  
Wayne Glusker  
Phil Bonnet

1. **Call to Order**

Chairperson Ning Yang (SA) called the meeting to order at 1:15 p.m. and established a quorum.

2. **Welcome and Introductions**

Members and others introduced themselves.

3. **Finding – Substantial Hardship**

It was moved/seconded (Lewis[FA]/Lopez[FA]) and found that providing the 10 day notice required by Section 11125 would cause a substantial hardship on the agency due to employee resignation.

(Unanimous: Clyde, Forderer, Lewis, Lopez, Smith, Weller and Yang.)

4. **Public Comments**

There were no public comments.

5. **Closed Session – Personnel**

The Committee went into closed session.

6. **Reconvene Open Session**

The following action was reported out in open session:

*Action 1*

The Executive Committee acted to appoint Chief Deputy Director, Aaron Carruthers as Acting Executive Director.

7. **Adjournment**

Chairperson Yang adjourned the meeting at 2:00 p.m.

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Legend:  
FA = Family Advocate  
SA = Self-Advocate

**DRAFT**  
**Executive Committee Meeting Minutes**  
**May 18, 2015**

**Attending Members**

April Lopez (FA)  
David Forderer (SA)  
Janelle Lewis  
Kecia Weller (SA)  
Nancy Clyde (SA)  
Ning Yang (SA)  
Sandra Smith (FA)

**Members Absent**

**Others Attending**

Natalie Bocanegra  
Robin Maitino  
Wayne Glusker  
Emma Beza  
Sabrina Smith

1. **Call to Order**

Chairperson Ning Yang (SA) called the meeting to order at 2 p.m. and established a quorum.

2. **Welcome and Introductions**

Members and others introduced themselves.

3. **Public Comments**

There were no public comments.

4. **Closed Session – Personnel**

The Committee went into closed session.

5. **Reconvene Open Session**

There were no actions taken in closed session.

6. **Adjournment**

Chairperson Yang adjourned the meeting at 5:15 p.m.

**DRAFT**

**Executive Committee Meeting Minutes  
May 19, 2015**

**Attending Members**

April Lopez (FA)  
David Forderer (SA)  
Janelle Lewis  
Kecia Weller (SA)  
Nancy Clyde (SA)  
Ning Yang (SA)  
Sandra Smith (FA)

**Members Absent**

**Others Attending**

Natalie Bocanegra  
Robin Maitino  
Wayne Glusker  
Emma Beza  
Sabrina Smith

1. **Call to Order**

Chairperson Ning Yang (SA) called the meeting to order at 2 p.m. and established a quorum.

2. **Welcome and Introductions**

Members and others introduced themselves.

3. **Public Comments**

There were no public comments.

4. **Closed Session – Personnel**

The Committee went into closed session.

5. **Reconvene Open Session**

The following actions were reported out in open session:

The Executive Committee acted to invite identified interviewees to participate in June interviews for the position of SCDD Executive Director which remains open until filled. In addition, the Committee acted to approve final interview questions.

6. **Adjournment**

Chairperson Yang (SA) adjourned the meeting at 5:15 p.m.

# **AIDD/MTARS UPDATE**

## AIDD/MTARS - Compliance Status- At a Glance – As of 6/10/15

CAP ITEM	Task Description	Date of Submission	Status
A-1	AB 1595, Bylaws	12/1/14	MET Compliance
A-2	Executive Director Job Description	1/1/15	Compliance <b>NOT MET</b> - requires continuous monitoring.
B-1	Bylaws	12/1/14	MET Compliance- additional clarification requested
B-2	Membership Committee meeting minutes & report to Council, list of organizations on distribution list, recruitment materials.	4/1/15	MET Compliance
C-1	Bylaws	12/1/14	MET Compliance
C-2	Demographic analysis of Governor's appointees to the Council	12/1/14	Compliance <b>NOT MET</b> – requires continuous monitoring
D-1	AB 1595, Bylaws	12/1/14	MET Compliance
D-2	Council roster showing membership and changes for 2015	12/1/14	MET Compliance
E-1	AB 1595, Bylaws	12/1/14	MET Compliance
E-2	Council roster showing membership and changes for 2015		
F-1	Bylaws, administrative procedure	12/1/14	MET Compliance
F-2	Membership Committee reports to Council	4/1/15	MET Compliance
G-1a.	Orientation binder, welcome letter	1/1/15	MET Compliance
G-1b.	Annual Councilmember training	4/1/15	MET Compliance
G-2	Welcome letter for agency reps	2/1/15	Compliance <b>NOT MET</b> – requesting additional information
G-3b.	SAAC packets and materials for 2015, evidence of facilitator attendance for 2015		
H-1a.	State Plan development process		
H-1b.	Documentation of public outreach, meetings, surveys, use of available data sources (NCI, ICI, CDER, etc). Copies of staff products submitted to committees and Council to support integration of data and public input. Various other documents showing committee work and council review and revisions of state		

<b>CAP ITEM</b>	<b>Task Description</b>	<b>Date of Submission</b>	<b>Status</b>
H-2	Documentation of public outreach, meetings, surveys, use of available data sources (NCI, ICI, CDER, etc). Copies of staff products submitted to committees and Council to support integration of data and public input. Various other documents showing committee work and council review and revisions of state plan.		
I-1	MOU		
I-2	MOU		
I-3	DSS Invoices	2/1/15	MET Compliance
I-4	DSS Invoices	2/1/15	MET Compliance
I-5	AB 1595, Bylaws	12/1/14	MET Compliance
I-6	Bylaws, Form 700, Gov't Codes 1090 and 87100	1/1/15	MET Compliance
I-7	Bylaws	12/1/14	MET Compliance- additional clarification requested
I-8	Breakdown of staff by funding source, training materials, staff orientation binder		
I-9	See A (Staff), H (Five Year State Plan), and M (Fiscal Requirement)		
J-1a.	State Plan work plan		
J-1b.	Evidence of periodic meetings and joint activities.		
J-2	Amended plan and supporting documentation.		MET Compliance
J-3	Approval of new state plan.		
J-4	PPR		
K-1	Documentation of TA received and products based on TA		
K-2	Evaluation plan		
K-3	PPR		
L-1	State accounting policies, budget development directives	2/1/15	Compliance NOT MET – requesting additional information
L-2	Month's expenditures by object code for entire budget	2/1/15	Compliance NOT MET – requesting additional information
M-1	State accounting policies, budget development directives	2/1/15	Compliance NOT MET – requesting additional information
M-2	AB 1595	12/1/14	MET Compliance

CAP ITEM	Task Description	Date of Submission	Status
M-3	Council reviews of monthly budget projections, Council votes on resource allocation, including cost-reductions		
N-1	Contract Manual	12/1/14	MET Compliance
N-2	RFP, Overview of RFP process, summary pages of selected vendor		
O-1	State Accounting policies	2/1/15	MET Compliance
O-2	DSA Annual Evaluation		

# **BUDGET UPDATE**

**STATE COUNCIL ON DEVELOPMENTAL DISABILITIES**  
**FY 2014-2015 PROJECTED SPENDING**  
 (BASED ON EXPENDITURES THROUGH APRIL 2015)

**Projected without vacancies**

FUNDING SOURCE	ANNUAL BUDGET			SPENDING TO DATE			CURRENT BALANCE			PROJECTED YEAR-END BALANCE				
	Personal Svc.	OE&E	Total	Personal Svc.	OE&E	Total	Personal Svc.	OE&E	Total	Personal Svc.	OE&E	Total	% Remain	% Remain
BSG	\$5,131,546	\$1,247,454	\$6,809,000	\$3,828,147	\$1,095,610	\$4,923,757	\$1,303,399	\$151,844	\$1,885,243	\$451,290	(\$558,799)	(\$107,508)	28%	-2%
QA	\$1,616,399	\$850,124	\$2,466,523	\$1,300,212	\$454,702	\$1,754,914	\$316,187	\$395,422	\$711,609	\$53,978	\$307,609	\$361,588	29%	15%
CRA/VAS	\$1,322,055	\$557,945	\$1,880,000	\$1,039,291	\$149,121	\$1,188,412	\$282,764	\$408,824	\$691,588	\$58,367	\$390,139	\$448,506	37%	24%
<b>TOTAL</b>	<b>\$8,070,000</b>	<b>\$2,655,523</b>	<b>\$11,155,523</b>	<b>\$6,167,650</b>	<b>\$1,699,433</b>	<b>\$7,867,083</b>	<b>\$1,902,350</b>	<b>\$956,090</b>	<b>\$3,288,440</b>	<b>\$563,636</b>	<b>\$138,950</b>	<b>\$702,586</b>	<b>29%</b>	<b>6%</b>

**Projected with filled vacancies**

FUNDING SOURCE	ANNUAL BUDGET			SPENDING TO DATE			CURRENT BALANCE			PROJECTED YEAR-END BALANCE				
	Personal Svc.	OE&E	Total	Personal Svc.	OE&E	Total	Personal Svc.	OE&E	Total	Personal Svc.	OE&E	Total	% Remain	% Remain
BSG	\$5,131,546	\$1,247,454	\$6,809,000	\$3,828,147	\$1,095,610	\$4,923,757	\$1,303,399	\$151,844	\$1,885,243	\$345,204	(\$558,799)	(\$213,594)	28%	-3%
QA	\$1,616,399	\$850,124	\$2,466,523	\$1,300,212	\$454,702	\$1,754,914	\$316,187	\$395,422	\$711,609	\$47,921	\$307,609	\$355,531	29%	14%
CRA/VAS	\$1,322,055	\$557,945	\$1,880,000	\$1,039,291	\$149,121	\$1,188,412	\$282,764	\$408,824	\$691,588	\$58,367	\$390,139	\$448,506	37%	24%
<b>TOTAL</b>	<b>\$8,070,000</b>	<b>\$2,655,523</b>	<b>\$11,155,523</b>	<b>\$6,167,650</b>	<b>\$1,699,433</b>	<b>\$7,867,083</b>	<b>\$1,902,350</b>	<b>\$956,090</b>	<b>\$3,288,440</b>	<b>\$451,493</b>	<b>\$138,950</b>	<b>\$590,443</b>	<b>29%</b>	<b>5%</b>

NUMBER OF MONTHS REMAINING	
Current Month	Federal
April 2015	5

\*Tables based on State Fiscal Year

# **COI REQUESTS**

**CONFLICT OF INTEREST REPORTING STATEMENT**  
**DS 6016 (Rev. 08/2013)**



The duties and responsibilities of your position with the regional center require you to file this Conflict of Interest Reporting Statement. The purpose of this statement is to assist you, the regional center and the Department of Developmental Services (DDS) to identify any relationships, positions or circumstances involving you which may create a conflict of interest between your regional center duties and obligations, and any other financial interests and/or relationships that you may have. In order to be comprehensive, this reporting statement requires you to provide information with respect to your financial interests.

A "conflict of interest" generally exists if you have one or more personal, business, or financial interests, or relationships that would cause a reasonable person with knowledge of the relevant facts to question your impartiality with respect to your regional center duties. The specific circumstances and relationships which create a conflict of interest are set forth in the California Code of Regulations, title 17, sections 54500 through 54530. You should review these provisions to understand the specific financial interests and relationships that can create a conflict of interest.

Please answer the following questions to the best of your knowledge. If you find a question requires further explanation and/or there is not enough space to thoroughly answer the question, please attach as many additional sheets as necessary, and refer to the question number next to your answer. If the regional center identifies a conflict involving you, it will be required to prepare a conflict resolution plan. Some relevant definitions have been provided in the footnotes to assist you in responding to this statement.

You are required to file this Reporting Statement within 30 days of beginning your employment with the regional center or from the date that you are appointed to the regional center board or advisory committee board. You are then required to file an annual Reporting Statement by August 1st of every year while you remain employed with the regional center or while you are a member of the regional center board or advisory committee board. You must also file a Reporting Statement within 30 days of any change in your status that could result in a conflict of interest. Circumstances that can constitute a change in your status that can require you to file an updated Reporting Statement are described below in footnote one.

**A. INFORMATION OF REPORTING INDIVIDUAL**

Name: Kevin MacDonald Regional Center: Westside RC

Regional Center Position/Title:  Governing Board Member  Executive Director  
 Vendor Advisory Committee sitting on Board  Employee  
 Contractor  Agent  Consultant

Reporting Status:  Annual  New Appointment (date): 02/02/2015  
 Change of Status<sup>1</sup>

If a change in status, date and circumstance of change in status:

1. Please list your job title and describe your job duties at the regional center.  
 Executive Director - oversee all activities of Westside Regional Center.

<sup>1</sup> Change of status includes a previously unreported activity that should have been reported, change in the circumstance of a previously reported activity, change in financial interest, familial relationship, legal commitment, change in regional center position or duties, change in regional center, or change to outside position or duties. See California Code of Regulations, title 17, sections 54531(d) and 54532(d).

<input type="checkbox"/> Governing Board Member
<input type="checkbox"/> Vendor Advisory on Board
<input checked="" type="checkbox"/> Executive Director
<input type="checkbox"/> Employee/Other

2. Do you or a family member<sup>2</sup> work for any entity or organization that is a regional center provider or contractor?  
 yes  no -- If yes, provide the name of the entity or organization and describe what services it provides for the regional center or regional center consumers. If the provider or contractor is a state or local governmental entity, provide the specific name of the state or local governmental entity and describe your job duties at the state or local governmental entity.

Connor MacDonald (son) currently works part-time as a "companion" for Hope Services in Santa Cruz. Connor is a full time student at University of California at Santa Cruz. His schedule and number of hours change by the school quarter.

Hope Services is a service provider of many different types of services in that area.

3. Do you or a family member own or hold a position<sup>3</sup> in an entity or organization that is a regional center provider or contractor?  yes  no -- If yes, provide the name of the entity or organization, describe what services it provides for the regional center or regional center consumers, and describe your or your family member's financial interest.

See notes on Connor above - part - time employee

4. Are you a regional center advisory committee board member?  yes  no -- If yes, are you a member of the governing board or owner or employee of an entity or organization that provides services to the regional center or regional center consumers?  yes  no -- If yes, provide the name of the entity or organization and describe what services it provides for the regional center or regional center consumers.

5. If you are a regional center advisory committee board member and answered yes to all the questions in Question 4 above, do any of the following apply to you: (a) are you an officer of the regional center board; (b) do you vote on purchasing services from a regional center provider; or (c) do you vote on matters where you might have a financial interest?  yes  no -- If yes, please explain.

<sup>2</sup> Family member includes your spouse, domestic partner, parents, stepparents, grandparents, siblings, stepiblings, children, stepchildren, grandchildren, parent-in-laws, brother-in-laws, sister-in-laws, son-in-laws and daughter-in-laws. See California Code of Regulations, title 17, sections 54505(f).

<sup>3</sup> For purposes of this question, hold a position generally means that you or a family member is a director, officer, owner, partner, employee, or shareholder of an entity or organization that is a regional center provider or contractor. For a specific description of positions that create a conflict of interest in a regional center provider or contractor see the California Code of Regulations, title 17, sections 54520 and 54526.

<input type="checkbox"/> Governing Board Member
<input type="checkbox"/> Vendor Advisory on Board
<input checked="" type="checkbox"/> Executive Director
<input type="checkbox"/> Employee/Other

6. Do any of the decisions you make when performing your job duties with the regional center have the potential to financially benefit you or a family member<sup>4</sup>? [Note: Governing board members do not have to answer "yes" to this question if the financial benefit would be available to regional center consumers or their families generally].  
 yes  no -- If yes, please explain.

7. Are you responsible for negotiating, making,<sup>5</sup> executing or approving contracts on behalf of the regional center?  yes  no -- If yes, please explain.  
 As Executive Director - responsible for all of the above.

8. Do you have a financial interest in any contract<sup>6</sup> with the regional center?  yes  no -- If yes, did you negotiate, make, execute or approve the contract on behalf of the regional center?  yes  no -- If yes, please explain.

9. Do any of your family members have a financial interest in any contract with the regional center?  yes  no  
 If yes, did you negotiate, make, execute or approve the contract on behalf of the regional center?  yes  no  
 If yes, please explain.

<sup>4</sup> Generally, a decision can financially benefit you or a family member if the decision can either directly or indirectly cause you or a family member to receive a financial gain or avoid a financial loss. For a specific description of the types of decisions that can result in a financial benefit to you or a family member see the California Code of Regulations, title 17, sections 54522 and 54527.  
<sup>5</sup> California Code of Regulations, title 17, sections 54523(b)(2) and 54528(b)(2) describes the types of conduct which constitute involvement in the making of a contract.  
<sup>6</sup> For purposes of questions 8 and 9, a financial interest in a contract generally means any direct or indirect interest in a contract that can cause you or a family member to receive any sort of financial gain or avoid any sort of financial loss irrespective of the dollar amount. California Code of Regulations, title 17, sections 54523 and 54528 define when financial interests in a contract will occur

- Governing Board Member
- Vendor Advisory on Board
- Executive Director
- Employee/Other

10. Do you evaluate employment applications or contract bids that are submitted by your family member(s)?  
 yes  no -- If yes, please explain.

11. Your job duties require you to act in the best interests of the regional center and regional center consumers. Do you have any circumstances or other financial interests not already discussed above that would prevent you from acting in the best interests of the regional center or its consumers?  yes  no -- If yes, please explain.

**B. ATTESTATION**

I, Kevin MacDonald (print name) HEREBY CONFIRM that I have read and understand the regional center's Conflict of Interest Policy and that my responses to the questions in this Conflict of Interest Reporting Statement are complete, true, and correct to the best of my information and belief. I agree that if I become aware of any information that might indicate that this statement is not accurate or that I have not complied with the regional center's Conflict of Interest Policy or the applicable conflict of interest laws, I will notify the regional center's designated individual immediately. I understand that knowingly providing false information on this Conflict of Interest Reporting Statement shall subject me to a civil penalty in an amount up to fifty thousand dollars (\$50,000) pursuant to Welfare and Institutions Code section 4626.

Signature  Date 02/06/2015

<b>INTERNAL USE ONLY</b>	
Date this Statement was received by Reviewer: _____	
The reporting individual <input type="checkbox"/> does <input type="checkbox"/> does not have a <input type="checkbox"/> present <input type="checkbox"/> potential conflict of interest	
Signature of Designated Reviewer  <u></u>	Date Review Completed  _____

MAR 10 2015

## ENRIGHT & OCHELTREE, LLP

Judith A. Enright  
Julie A. Ocheltree  
Noelle V. Bensussen

13400 RIVERSIDE DRIVE, SUITE 207  
SHERMAN OAKS, CALIFORNIA 91423

Telephone (310) 274-1830  
Facsimile (310) 273-7635

March 4, 2015

*Via US Mail and Facsimile*

Santi J. Rogers, Executive Director  
Department of Developmental Services  
(916) 654-2167/facsimile  
1600 9th Street  
P. O. Box 944202  
Sacramento, CA 94244-2020

Mike Clark, Interim Executive Director  
State Council on Developmental Disabilities  
(916) 443-4957/facsimile  
1507 21st Street, Suite 210  
Sacramento, CA 95811

Roberta Newton, Executive Director  
SCDD Los Angeles Office  
(818) 543-4635  
411 N. Central Ave. Suite 620  
Glendale, CA 91203-2020

Re: Kevin MacDonald, Executive Director, Westside Regional Center

Dear Mr. Rogers and Mr. Clark and Ms. Newton:

This office represents Westside Regional Center as corporate counsel. We have been asked to bring what, on its face, is a conflict of interest for Kevin MacDonald, Westside Regional Center's new Executive Director, to your attention for the purposes of securing a waiver of that conflict, in accordance with the requirements of Welfare and Institutions Code section 4626, subdivision (l) and Title 17 of the California Code of Regulations, section 54533.

Kevin MacDonald's son, Connor MacDonald, currently works part-time as a "companion" for Hope Services in Santa Cruz. Connor is a full time student at the University of California at Santa Cruz. His schedule and the number of hours working with Hope Services changes by quarter. This constitutes a conflict of interest for Kevin MacDonald under the provisions of Welfare and Institutions Code section 4626, subdivision (d) and Title 17 of the California Code of Regulations, section 54520,

Santi J. Rogers, Executive Director  
California Department of Developmental Services  
Mike Clark, Interim Executive Director  
State Council on Developmental Disabilities  
Roberta Newton, Executive Director  
SCDD Los Angeles Office

March 4, 2015

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subdivision (a)(10) in that Connor is employed by Hope Services, a regional center vendor.

On the other hand, Hope Services provides services in the San Andreas Regional Center catchment area – a full 340 miles from Westside Regional Center’s catchment area. There are no circumstance under which Kevin MacDonald could influence regional center services or funding in the betterment of either Hope Services or Connor MacDonald as a part-time employee of Hope Services.

Accordingly, we submit the proposed Conflict Resolution Plan on behalf of Kevin MacDonald as follows:

1. Kevin MacDonald will have no communication or interaction of any kind with Hope Services.
2. Kevin MacDonald will have no communication with San Andreas Regional Center regarding Hope Services.
3. Any changes in the nature of the apparent conflict of interest, such as expansion into Westside Regional Center’s catchment area, will be brought to your immediate attention.

It is respectfully submitted that this facial conflict of interest does not operate to the detriment of Westside Regional Center or the regional center system as a whole.

Should you have any questions, please feel free to call me.

Very truly yours,

ENRIGHT & OCHELTRREE, LLP

  
Judith A. Enright

**ENRIGHT & OCHELTREE, LLP**

Santi J. Rogers, Executive Director  
California Department of Developmental Services  
Mike Clark, Interim Executive Director  
State Council on Developmental Disabilities  
Roberta Newton, Executive Director  
SCDD Los Angeles Office

March 4, 2015  
Page 3

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I endorse the contents of the letter set forth above and agree to the terms of the proposed Conflict Resolution Plan.

March 3, 2015

  
\_\_\_\_\_  
KEVIN MacDONALD



**CONFLICT OF INTEREST REPORTING STATEMENT  
DS 6016 (Rev. 08/2013)**

The duties and responsibilities of your position with the regional center require you to file this Conflict of Interest Reporting Statement. The purpose of this statement is to assist you, the regional center and the Department of Developmental Services (DDS) to identify any relationships, positions or circumstances involving you which may create a conflict of interest between your regional center duties and obligations, and any other financial interests and/or relationships that you may have. In order to be comprehensive, this reporting statement requires you to provide information with respect to your financial interests.

A "conflict of interest" generally exists if you have one or more personal, business, or financial interests, or relationships that would cause a reasonable person with knowledge of the relevant facts to question your impartiality with respect to your regional center duties. The specific circumstances and relationships which create a conflict of interest are set forth in the California Code of Regulations, title 17, sections 54500 through 54530. You should review these provisions to understand the specific financial interests and relationships that can create a conflict of interest.

Please answer the following questions to the best of your knowledge. If you find a question requires further explanation and/or there is not enough space to thoroughly answer the question, please attach as many additional sheets as necessary, and refer to the question number next to your answer. If the regional center identifies a conflict involving you, it will be required to prepare a conflict resolution plan. Some relevant definitions have been provided in the footnotes to assist you in responding to this statement.

You are required to file this Reporting Statement within 30 days of beginning your employment with the regional center or from the date that you are appointed to the regional center board or advisory committee board. You are then required to file an annual Reporting Statement by August 1st of every year while you remain employed with the regional center or while you are a member of the regional center board or advisory committee board. You must also file a Reporting Statement within 30 days of any change in your status that could result in a conflict of interest. Circumstances that can constitute a change in your status that can require you to file an updated Reporting Statement are described below in footnote one.

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**A. INFORMATION OF REPORTING INDIVIDUAL**

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Name: Patricia Del Monico Regional Center: Harbor Regional Center

Regional Center Position/Title:  Governing Board Member  Executive Director  
 Vendor Advisory Committee sitting on Board  Employee  
 Contractor  Agent  Consultant

Reporting Status:  Annual  New Appointment (date): \_\_\_\_\_  
 Change of Status<sup>1</sup>

If a change in status, date and circumstance of change in status:

1. Please list your job title and describe your job duties at the regional center.  
Executive Director... manage all aspects of the regional center operations

<sup>1</sup> Change of status includes a previously unreported activity that should have been reported, change in the circumstance of a previously reported activity, change in financial interest, familial relationship, legal commitment, change in regional center position or duties, change in regional center, or change to outside position or duties. See California Code of Regulations, title 17, sections 54531(d) and 54532(d).

- |  |
|--|
| <input type="checkbox"/> Governing Board Member        |
| <input type="checkbox"/> Vendor Advisory on Board      |
| <input checked="" type="checkbox"/> Executive Director |
| <input type="checkbox"/> Employee/Other                |

2. Do you or a family member<sup>2</sup> work for any entity or organization that is a regional center provider or contractor?  
 yes  no -- If yes, provide the name of the entity or organization and describe what services it provides for the regional center or regional center consumers. If the provider or contractor is a state or local governmental entity, provide the specific name of the state or local governmental entity and describe your job duties at the state or local governmental entity.

The MENTOR Network provides a wide range of services and supports for people with developmental disabilities nationwide including regional center clients in California. My sister is an employee of The MENTOR Network. For HRC, The MENTOR Network provides host home services, licensed residential services, day program services, behavior services, assistive technology services and family support services.

3. Do you or a family member own or hold a position<sup>3</sup> in an entity or organization that is a regional center provider or contractor?  yes  no -- If yes, provide the name of the entity or organization, describe what services it provides for the regional center or regional center consumers, and describe your or your family member's financial interest.

The MENTOR Network provides a wide range of services and supports for people with developmental disabilities nationwide including regional center clients in California. My sister is an employee of The MENTOR Network working in Assistive Technology.

4. Are you a regional center advisory committee board member?  yes  no -- If yes, are you a member of the governing board or owner or employee of an entity or organization that provides services to the regional center or regional center consumers?  yes  no -- If yes, provide the name of the entity or organization and describe what services it provides for the regional center or regional center consumers.

5. If you are a regional center advisory committee board member and answered yes to all the questions in Question 4 above, do any of the following apply to you: (a) are you an officer of the regional center board; (b) do you vote on purchasing services from a regional center provider; or (c) do you vote on matters where you might have a financial interest?  yes  no -- If yes, please explain.

<sup>2</sup> Family member includes your spouse, domestic partner, parents, stepparents, grandparents, siblings, stepsiblings, children, stepchildren, grandchildren, parent-in-laws, brother-in-laws, sister-in-laws, son-in-laws and daughter-in-laws. See California Code of Regulations, title 17, sections 54505(f).

<sup>3</sup> For purposes of this question, hold a position generally means that you or a family member is a director, officer, owner, partner, employee, or shareholder of an entity or organization that is a regional center provider or contractor. For a specific description of positions that create a conflict of interest in a regional center provider or contractor see the California Code of Regulations, title 17, sections 54520 and 54526.

<input type="checkbox"/> Governing Board Member
<input type="checkbox"/> Vendor Advisory on Board
<input checked="" type="checkbox"/> Executive Director
<input type="checkbox"/> Employee/Other

6. Do any of the decisions you make when performing your job duties with the regional center have the potential to financially benefit you or a family member<sup>4</sup>? [Note: Governing board members do not have to answer "yes" to this question if the financial benefit would be available to regional center consumers or their families generally].  
 yes  no -- If yes, please explain.

7. Are you responsible for negotiating, making,<sup>5</sup> executing or approving contracts on behalf of the regional center?  yes  no -- If yes, please explain.

The HRC Executive Director, the Associate Director, the Chief Financial Officer and the Director of Community Services all negotiate, make, execute or approve contracts on behalf of HRC. Accordingly, I negotiate, make, execute or approve some of the contracts HRC enters with various entities and other HRC senior management staff negotiate, make, execute or approve others.

8. Do you have a financial interest in any contract<sup>6</sup> with the regional center?  yes  no -- If yes, did you negotiate, make, execute or approve the contract on behalf of the regional center?  yes  no -- If yes, please explain.

9. Do any of your family members have a financial interest in any contract with the regional center?  yes  no  
 If yes, did you negotiate, make, execute or approve the contract on behalf of the regional center?  yes  no  
 If yes, please explain.

My sister is an employee of the MENTOR Network which contracts with HRC to provide various services and supports for HRC clients. The HRC Chief Financial Officer and Director of Community Services negotiate, make, execute and approve contracts between HRC and the MENTOR Network.

<sup>4</sup> Generally, a decision can financially benefit you or a family member if the decision can either directly or indirectly cause you or a family member to receive a financial gain or avoid a financial loss. For a specific description of the types of decisions that can result in a financial benefit to you or a family member see the California Code of Regulations, title 17, sections 54522 and 54527.

<sup>5</sup> California Code of Regulations, title 17, sections 54523(b)(2) and 54528(b)(2) describes the types of conduct which constitute involvement in the making of a contract.

<sup>6</sup> For purposes of questions 8 and 9, a financial interest in a contract generally means any direct or indirect interest in a contract that can cause you or a family member to receive any sort of financial gain or avoid any sort of financial loss irrespective of the dollar amount. California Code of Regulations, title 17, sections 54523 and 54528 define when financial interests in a contract will occur.

<input type="checkbox"/> Governing Board Member
<input type="checkbox"/> Vendor Advisory on Board
<input checked="" type="checkbox"/> Executive Director
<input type="checkbox"/> Employee/Other

10. Do you evaluate employment applications or contract bids that are submitted by your family member(s)?  
 yes  no -- If yes, please explain.

11. Your job duties require you to act in the best interests of the regional center and regional center consumers. Do you have any circumstances or other financial interests not already discussed above that would prevent you from acting in the best interests of the regional center or its consumers?  yes  no -- If yes, please explain.

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**B. ATTESTATION**

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I Patricia Del Monico (print name) HEREBY CONFIRM that I have read and understand the regional center's Conflict of Interest Policy and that my responses to the questions in this Conflict of Interest Reporting Statement are complete, true, and correct to the best of my information and belief. I agree that if I become aware of any information that might indicate that this statement is not accurate or that I have not complied with the regional center's Conflict of Interest Policy or the applicable conflict of interest laws, I will notify the regional center's designated individual immediately. I understand that knowingly providing false information on this Conflict of Interest Reporting Statement shall subject me to a civil penalty in an amount up to fifty thousand dollars (\$50,000) pursuant to Welfare and Institutions Code section 4626.

Signature  Date 06/23/2014

**INTERNAL USE ONLY**

Date this Statement was received by Reviewer: \_\_\_\_\_

The reporting individual  does  does not have a  present  potential conflict of interest

Signature of Designated Reviewer  <u></u>	Date Review Completed
--	-----------------------



March 16, 2015

Mr. John Doyle  
Chief Deputy Director  
Department of Developmental Services  
1600 Ninth Street  
Room 240, MS 2-13  
Sacramento, CA 95814

Re: Conflict of Interest

Dear Mr. Doyle:

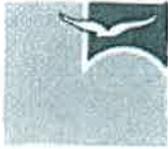
This is in response to your letter dated February 19, 2015 and received by Harbor Regional Center on March 4, 2015. Attached, per your request, is a Conflict of Interest Resolution Plan for Harbor Regional Center Executive Director, Patricia Del Monico. We look forward to hearing from you in response to this plan.

Sincerely,



Tammy Carter  
Director of Human Resources

c: Karen Kinnebrew  
Patricia Del Monico  
Brian Winfield



**HARBOR  
REGIONAL  
CENTER**

**MEMORANDUM**

**to: John Doyle, Chief Deputy, Department of Developmental Services**  
**from: Tammy Carter, Harbor Regional Center Director of Human Resources**  
**date: March 4, 2015**  
**subject: Conflict of Interest Resolution Plan**

**Nature of the Conflict:**

Patricia Del Monico is the Executive Director of the Harbor Regional Center. Patricia Del Monico's sister, Barbara Del Monico, is employed by California Mentor as a manager. California Mentor provides services and supports for Harbor Regional Center clients.

**Proposed Actions to Eliminate the Conflict:**

1. All negotiations with California Mentor for the development or provision of services for Harbor Regional Center clients will be conducted by the HRC Associate Director or the HRC Director of Community Services working in collaboration with the HRC Chief Financial Officer and Ms. Del Monico will not be involved in any way in any such negotiations nor in the execution of any contracts between Harbor Regional Center and California Mentor.
2. All decisions to refer individual clients to services provided by California Mentor shall be made as part of the individual program planning process and approved by an HRC Program Manager and/or the HRC Director of Children's Services or the HRC Director of Adolescent and Adult Services. No such decision shall be reviewed by or approved by Ms. Del Monico.
3. Ms. Del Monico shall not participate in the preparation, presentation, formulation or approval of reports, plans, policies, analyses or recommendations regarding California Mentor.
4. The HRC Director of Human Resources and the HRC Board President shall ensure that this plan is implemented and monitored.

**Signed by:**

  
Patricia Del Monico, HRC Executive Director

3-16-15  
date

  
Tammy Carter, HRC Director of Human Resources

3/16/15  
date

  
Karen Kinnebrew, HRC Board President

3/19/2015  
date



May 17, 2013

Mr. Eric Gelber, Assistant Director  
Office of Legislation and Regulations  
Department of Developmental Services  
1600 Ninth Street, Room 322  
MS 3-10  
Sacramento, CA 95814

**RE: Conflict of Interest Standards for Regional Center Board Members, Employees, and Others Acting on Behalf of the Regional Center**

Dear Mr. Gelber,

The State Council on Developmental Disabilities (SCDD) is established by state and federal law as an independent state agency to ensure that people with developmental disabilities and their families receive the services and supports they need. To that end, the SCDD delegated the review of the conflict of interest regulations to Executive Committee of the SCDD to meet the comment period deadline.

Previously, the proposed regulations were reviewed by the Executive Committee on February 12, 2013 and comments were submitted. The Executive Committee met again on April 9, 2013 and wanted to comment further on the proposed emergency regulations since there is a strong impression that the regulations expand the responsibilities of the SCDD and local area boards without a statutory basis.

Welfare and Institutions Code Section 4626(l) requires that when a "present and potential conflict of interest is identified for a **regional center director** or a **board member** that cannot be eliminated, the regional center governing board shall, within 30 days of receipt of the statement, submit to the department and the state council a copy of the conflict of interest statement and a plan that proposes mitigation measures, including timeframes and actions the regional center governing board or the individual, or both, will take to mitigate the conflict of interest" (emphasis added.)

Welfare and Institutions Code Section 4628 provides that "if, for good reason, a contracting agency is unable to meet all the criteria for a **governing board** established in this chapter, the director may waive such criteria for a period of time, not to exceed one year, **with the approval of the area board in the area and with the approval of the state council**" (emphasis added.)

*"The Council advocates, promotes & implements policies and practices that achieve self-determination, independence, productivity & inclusion in all aspects of community life for Californians with developmental disabilities and their families."*

May 17, 2013  
Eric Gelber  
Page 2

Currently, the welfare and institutions code does not require the area board and state council to review conflict of interest plans for the purpose of approving or denying a waiver request for regional center executive directors. WIC 4628 provides for the approval of regional center board member waiver requests only.

The SCDD continues to believe that the Department of Developmental Services (DDS), as the contracting agency of regional centers, has the authority for the approval or denial of conflict of interest waiver requests. The regulations, as written today, do not allow DDS to approve waiver requests for regional center staff without approval from the SCDD and the Area Board which could result in unintended consequences. This needs to be remedied as soon as possible to allow DDS to approve or deny regional center staff waiver requests with or without input from the SCDD and area board.

The Council will continue to review regional center board member conflict of interest waiver requests as required by WIC 4628; however, as we previously expressed, our role in this process must be significantly clarified in terms of staff/board members waiver requests or, in the alternative, we request that the SCDD and area boards be removed from the entire conflict of interest review process to avoid any unintended consequences.

To that end, we respectfully request that the regulations that were put into effect as they apply to regional center staff are revised because they do not reflect what is currently in the Welfare and Institutions Code. Our recommendation is to revise the regulations to either: 1) allow DDS to approve or deny waiver requests with or without input from the SCDD and area boards or, 2) remove both the SCDD and the area boards from reviewing Conflict Resolution Plans so that the SCDD does not have any active role that could be inconsistent with our functions or create unintended consequences for regional center board members or staff.

Thank you for your consideration of our input. If you have any questions, please do not hesitate to contact us.

Sincerely,



JORGE AGUILAR  
Chairperson