

Minutes of the March 14, 2011  
Annual Meeting of the  
Inland Counties Regional Center, Inc.  
Board of Trustees

MEMBERS PRESENT: Dr. Richard Chinnock; Dr. Drew Cutler; Alma Derritt; Esther Farmer; Darlene Fischer; LaVesta Locklin; William McGuern; Christian Pike; Donita Remington

MEMBERS ABSENT: George Arzoo; Gregory Harrison; Veda Murry; Martha Ramirez

FACILITATOR PRESENT: Tina Beth for Christian Pike

MANAGEMENT STAFF PRESENT: Carol Fitzgibbons; Janet Goehring; Margie Henderson; John Hunt; Lavinia Johnson

RECORDING SECRETARY: Aneta Giltner

GUESTS PRESENT: Melody Amaral, The Wylie Center; Martha Haynes, J.D. Advocate; Therese Kragness, IBP, Inc.; Bob McGuire, Pathways, Inc.; Allan Smith, DDS; Vicki Smith, Area Board 12; Tena Meinders, Salem Christian Homes; Dr. Jose Fuentes, Family Interact; Greg Damewood, Parent; Laura Rathbun, Parent; Howard Widick, Consumer Advisory Committee; Catherine Cee; Helen Robinson, Parent; Judith Enright, Enright & Ocheltree

IRC STAFF PRESENT: John Carville; Bev Ching; Jennifer Cummings; Yazmin DeLeon-Williams; Ernestine Dew; Cheryl Frainee; Arlene Gonzales; Gina Gregory; Marilee Gribbon; Patricia Harrold; Kevin Haynes; Leonard Haynes; Pamela Hutt; Mary Joseph-Bacon; Millee Martin-Walton; Barbara Nguyen; Ismael Ocampo; Marylou Paras; Mary Pounders; Bea Regalado; Merissa Steuwer; Jamilly Tardy-Anderson; Russ Thompson; Vince Toms; Sylvia Wackerman; Kathi Wild; Faisal Zia; Lydia Taukeiaho; Liz Wilson; Ken Willits; Candice Lambert; Nancy Torres; Susan Gomez; Madeilaine Palma

Ms. Locklin called the meeting to order at 7:07 p.m. She introduced Leanette Smith, a parent and special education teacher from Riverside.

Motion to approved the Minutes of the January 10, 2011 Board of Trustee meeting;  
M/S/C McGuern/Derritt

PUBLIC INPUT:

1. Therese Kragness, Innovative Business Partnership, a vendor, sister and parent of a consumer. She expressed her appreciation for the efforts taken to correct some of IRC's problems, but has concerns with regards to intimidation, fear of retaliation, conflict of interest, and misuse of funds, which will not change unless there is a change in IRCs management staff. She recommended that IRC consider hiring an outside source to organizational restructuring; and, IRC should also hold forums to gain input from the community at large.
2. Tina Meinders, Salem Christian Home: Ms. Meinders expressed appreciation to Ms. Fitzgibbons for keeping the vendor community informed through the Communiqué.

3. Helen Robinson, parent, presented an open letter to the Board with a number of questions. 1) Was the representation by a few parents who attended the rally this evening the majority or an insignificant number of family members who believe they were treated unfairly or disrespected? 2) Will IRC consider endorsing AB 382 and AB 862? 3) What was done in regards to preferential treatment to certain vendors and previous employees and their relatives who opened various programs? 4) Is California Housing Foundation operating as an independent entity? 5) What action was taken regarding the transportation vendor who was granted a large amount of money to summarize the transportation issues and is now representing transporters on the Vendor Advisory Committee? 6) What is IRC doing with regards to ensuring protection for all whistle blowers? 7) What is that status of the buy-out lease on the previous headquarters buildings? 8) What is the impact on families who travel further distances now that offices are centralized? 9) Does the board approve of the Director's wanting to build internal culture first, and then speak to vendors and then reach out to families? 10) Has board asked for specifics on how line staff feels about their working relationship with superiors? 11) What is the status of IRC in regards to discussions with Disability Rights of California relating to due process violations during the IPP process? 12) How does IRC feel about service standards being developed? And, 12) Can a summary of 4731 complaints against IRC be shared with the community?

AREA BOARD 12 REPORT: Vicki Smith reported the following: 1) Ms. Fitzgibbons attended the Area Board meeting and went over each item in IRC's probation letter; 2) She and Ms. Fitzgibbons will testify at the Human Services Committee hearing on March 22. Area Board will speak on policies that are needed and provide DDS with Area Board's perspective on legislation and policy so DDS is clear on Area Board's role in insuring IRC is in compliance; 2) Area Board is waiting to see what DDS does when IRC meets its March 31 deadline; 3) Area Board was satisfied with Carol's report as to progress within IRC; 4) Area Board is looking at a formal notification regarding services for a consumer once the families are told about the 4731 complaint process at their IPP meetings; and, 5) Area Board received some phone calls regarding retaliation and intimidation which were forwarded to Carol. She said issues about culture are still serious and refers IRC employees who phone with concerns to IRC's HR Manager or Director and the Fair Employment and Labor Board.

EXECUTIVE COMMITTEE REPORT: Ms. Locklin said the Board held a closed Executive Session on February 14, 2011 to discuss possible litigation with Steve Beckett. Discussion was held on 1) insurance coverage; 2) financial status of IRC and current deficit; and 3) the current climate/attitude of the community; and, 4) Conflict of Interests forms that will be sent to Board members for signature. The Committee discussed and voted to approve the Policy on Procurement which requires ratification by the full Board at this meeting..

EXECUTIVE DIRECTOR REPORT: Ms. Fitzgibbons reported the following: 1) the budget situation has not changed. IRC is currently in a positive situation even though DDS faces a \$750 million deficit for 2011/12; 2) Donita Remington and

Lavinia Johnson will represent IRC at ARCA's Grassroots Day in Sacramento this week to meet with eight legislative representatives; 3) Staff is working very hard on compiling the information for IRC's response to DDS on the added contract language. Three dates were selected for board members to sign up to assist staff in reviewing the responses prior to submission to DDS; 4) She was invited back for a Senate Health Committee hearing on March 22 to report on the BSA and DDS Audits; 5) Human Resources collected about 97% of employee Conflict of Interest forms towards its goal of receiving all forms back by March 31; 6) Carol thanked Tina Meinders for her comment on the Communiqué. Westbound Communication has been assisting with it. Community outreach and an education component has also been playing a key role in keeping people notified; and, 7) IRC now has 25,143 active consumers.

**FINANCIAL REPORT:** Mr. Hunt provided a written report and reported the following additional information: The Operations budget had a turnaround. Initially IRC announced two furloughs and reduced the mileage rate, but with the turnaround, it cancelled the April furlough and returned the mileage rate back up to the federal rate. The second furlough will be reviewed as the date nears.

**CONSUMER ADVISORY COMMITTEE (CAC):** Mr. Widick reported the following: 1) CAC meetings were changed to second Saturday of every month; 2) Consumer Advocates continue to hold meetings at Peppermint Ridge in Corona and Desert ARC in Palm Desert; 3) Planning began for Monte Carlo night; 4) "Beyond Autism" training is scheduled for families on April 30; and, 5) A training on "Navigating the Judicial System" will be held on May 7.

**VENDOR ADVISORY COMMITTEE (VAC):** Ms. Remington reported the following: 1) The meeting on February 28 was very well attended and the VAC is excited to see so many vendors participating; 2) In regards to committee reports the overall anticipation of attendees is the budget and how all vendor categories are very concerned because of rate reductions, insurance costs and current vacancies; 3) Providers asked if insurance rates could be pro-rated based on number of consumers instead of capacity. 4) The VAC Bylaws were the main topic of discussion. The following changes were made: a) Membership is being increased from 8 to 18; b) There will now be 11 core vendor categories represented; c) Membership terms will be two consecutive 2 year terms instead of 2 consecutive 4 year terms; and, d) A Membership Committee will be established consisting of members from the VAC and the community at large. The Bylaws Task Force members were thanked for their efforts to update the Bylaws. Motion to approve the Vendor Advisory Committee Bylaws as presented; M/S/C Derritt/Pike

#### NEW BUSINESS:

1. Ratification of Action taken at February 14, 2011 special meeting on the Procurement of Services and Supports Policy. Motion to ratify the two motions made in the closed session (February 14, 2011); 1) To change the threshold from \$450,000 to \$250,000 and, 2) the motion to approve the Procurement of Services and Supports Policy with the threshold change; M/S/C McGuern/Pike

## 2. Nominations Committee Report:

- a) Ms. Locklin reported that at Board meeting, the Board approved the appointment of Carmela Garnica, pending the Riverside County Board of Supervisor appointment. Ms. Garnica lives in Blythe, is an Educational Program Director who is very active in preschool/day programs in Blythe. She is also the parent of two children with developmental disabilities. It was recommended Ms. Garnica fill a member at large position on the Board since no action has been taken by the Riverside County Board of Supervisors.
  
- b) Dr. Cutler said the Nominations Committee met and recommends the following slate of officers: 1) Drew Cutler, M.D., President; 2) Alma Derritt, Vice President; 3) Darlene Fischer, Secretary; and, 4) Esther Farmer, Treasurer. Motion made to accept the Nomination Committee's slate of officers for May 2011 through May 2012 as presented; M/S/C McGuern/Pike

Ms. Locklin indicated the change of officers would occur May 1, 2011.

3. Review of Conflict of Interest Policy and Form: Ms. Fitzgibbons directed the Board to the Conflict of Interest Forms revised by the HR Manager. The forms need to be completed, noting any potential conflicts, signed and returned to Aneta Giltner. Any potential conflicts must stated and submitted to DDS for review and approval/denial. Ms. Locklin indicated that Steve Ogilvie resigned as he felt he had a conflict because he is part of Loma Linda University Medical Center where IRC purchases services. He is interested in assisting on a committee as a community member.
  
4. Ms. Fitzgibbons asked that a piece of business presented at the last minute by a vendor organization, CDSA, be discussed by the Board. CDSA is requesting that the IRC Board send letters to the legislators and the Governor encouraging lawmakers to keep cuts far away from individuals with developmental disabilities. Dr. Chinnock stated that there may be a concern as to if this lobbying or advocacy. After discussion it was decided that the Board could not submit such a letter, but as private individuals letters could be sent. Information will be distributed to the Board.

Ms. Locklin announced the Board would go into Executive Session to discuss a potential litigation matter. Board reconvened. No action was taken. Ms. Locklin adjourned the meeting at 8:17 p.m.

Respectfully submitted,

Alma Derritt  
Secretary

LaVesta Locklin  
President