



March 14, 2017

Nancy Bargmann, Director
Department of Developmental Services
P.O. Box 944202
Sacramento, CA 94244-2020

Re: Request for Approval of Conflict Resolution Plan -- Austin Taylor

Dear Ms. Bargmann,

This letter is to present a request by the Board of Directors of Alta California Regional Center (ACRC) and Phil Bonnet, ACRC's Executive Director, pursuant to Section 54533 of Title 17, California Code of Regulations, for approval of its Conflict Resolution Plan regarding a potential conflict of interest for ACRC Board member Austin Taylor.

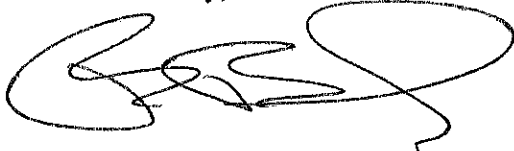
Enclosed please find the following as part of the request:

1. A copy of Mr. Taylor's Conflict of Interest Reporting Statement;
2. A Summary of Law and Regulation Relating to Governing Board Conflicts of Interest;
3. A Request for Approval of Proposed Conflict Resolution Plan; and
4. A Proposed Conflict Resolution Plan.

This Request and supporting documentation is also being served upon the Sacramento Regional Office of the State Council on Developmental Disabilities as required by Title 17.

Thank you for considering this request. We look forward to hearing from you soon in this regard.

Sincerely,

A handwritten signature in black ink, appearing to be 'Phil Bonnet', written in a cursive style with a large loop at the end.

Phil Bonnet, Executive Director
Alta California Regional Center
(916) 978-6236

Enclosures

cc: State Council on Developmental Disabilities

Summary of Law and Regulation Relating to Governing Board Member Conflicts of Interest

Welfare and Institutions Code section 4626 sets forth the prohibition against Regional Center governing board members having a conflict of interest..

Welfare and Institutions Code section 4626(b)(3) provides: “(b) In order to prevent potential conflicts of interest, a member of a governing board or member of the program policy committee of a regional center shall not be any of the following: . . . (3) Except as otherwise provided in subdivision (h) of Section 4622, an employee or member of the governing board of any entity from which the regional center purchases consumer services.

Welfare and Institutions Code section 4626(k) provides that “If a potential or present conflict of interest is identified for a regional center employee that cannot be eliminated, the regional center shall, within 30 days of receipt of the statement, submit to the department a copy of the conflict-of-interest statement and a plan that proposes mitigation measures, including timeframes and actions the regional center or the employee, or both, will take to mitigate the conflict of interest.”

California Code of Regulations, Title 17, Section 50300, contains the Department’s conflict of interest code.

California Code of Regulations, Title 17, Section 54000, et seq., sets forth the standards and procedures regarding regional center conflicts of interest.

California Code of Regulations, Title 17, Section 54525, provides: “(a) The regional center governing board or executive director shall not allow the regional center to refer a consumer to any business entity, entity or provider in which a board member or executive director has a conflict of interest as set forth in these regulations, unless the board member or executive direction has eliminated the conflict of interest or obtained an approved Conflict Resolution Plan prior to the referral. (b) No regional center governing board member or executive director who has a conflict of interest shall continue to serve as a board member or executive director in violation of these provisions, unless the individual has eliminated the conflict of interest or obtained an approved Conflict Resolution Plan. This subdivision does not apply to the extent it is permitted by Welfare and Institutions Code sections 4622 and 4626.

California Code of Regulations, Title 17, Section 54533, describes the procedure for obtaining an approved Conflict Resolution Plan.

Request for Approval of Conflict Resolution Plan

ACRC respectfully requests the Department approve the enclosed Conflict Resolution Plan to allow Mr. Taylor to continue in his role as a member of ACRC's Board of Directors should the Department determine that Mr. Taylor has a potential or present conflict of interest for the following reasons:

1. Mr. Taylor is an ACRC client.
2. Mr. Taylor was elected to ACRC's Board of Directors on February 23, 2017. He previously served as the Board's Client Advisory Committee's Designated Representative from July 1, 2014 until his election to the Board.
3. Mr. Taylor's Board membership helps meet the requirements of W&I Code section 4622(c) and (e).
4. Mr. Taylor works 19 hours per week as an administrative assistant for Lincoln Training Center; he has been employed there for five years. Lincoln Training Center is an entity from which ACRC purchases consumer services; and
5. Mr. Taylor does not have any financial interest in or decision-making authority related to his employment by Lincoln Training Center.


Proposed Conflict Resolution Plan

ACRC's proposal to resolve this potential or present conflict of interest is as follows:

1. As a governing ACRC Board member, Mr. Taylor will not participate in any discussion or vote on any matter involving Lincoln Training Center.
 2. ACRC's Board of Directors and ACRC's Executive Management staff will be informed of this Conflict Resolution Plan and will be informed of the need to ensure that as a Board member, Mr. Taylor does not participate in any discussion or vote on any matter relating to Lincoln Training Center.
 3. The Executive Committee of ACRC's Board of Directors has been informed of and has approved the submission of this Proposed Conflict Resolution Plan.
 4. ACRC's Board of Directors will be responsible for ensuring that the provisions contained in this Conflict Resolution Plan are applied and monitored.
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I have reviewed the above document and attest to its accuracy and truthfulness.

I will follow the plan as described.


Austin Taylor


Date

RECEIVED
MAR 06 2017

Reset Form

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

BY: _____

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: Austin Taylor Regional Center: Alta

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 Status¹

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

Effective 2/23/17, my status changed from Alta CAC Desig. Rep. to the board, to a regular gov. Board member.

1. Please list your job title and describe your job duties at the regional center.

¹ 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 checked="" type="checkbox"/>	Governing Board Member
<input type="checkbox"/>	Vendor Advisory on Board
<input type="checkbox"/>	Executive Director
<input type="checkbox"/>	Employee/Other

2. Do you or a family member² 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.

*I work for
 The vendor's Lincoln Training Center, and they
 provide employment training through jobs to adults
 with Developmental Disabilities.*

3. Do you or a family member own or hold a position³ 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.

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.

Alta CAC member

*2. Employed by (LTC, refer to question 2)
 for answer - same as above*

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.

² 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).

³ 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 checked="" type="checkbox"/>	Governing Board Member
<input type="checkbox"/>	Vendor Advisory on Board
<input 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 member⁴? [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,⁵ executing or approving contracts on behalf of the regional center? ☒ yes ☐ no -- If yes, please explain.

CONTRACTS OF \$250,000 OR MORE.

8. Do you have a financial interest in any contract⁶ 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.

⁴ 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.

⁵ 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.

⁶ 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 checked="" type="checkbox"/>	Governing Board Member
<input type="checkbox"/>	Vendor Advisory on Board
<input 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.

B. ATTESTATION

I Austin Taylor (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 Austin Taylor Date 3/3/17

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

Date Review Completed

3.14.17

See attached
Mitigation Plan