
CALIFORNIA ACHIEVING A BETTER LIFE EXPERIENCE (ABLE) ACT BOARD

Meeting Minutes

May 23, 2018 – 1:30 p.m.
915 Capitol Mall, Room 587, Sacramento, CA 95814

Teleconference locations open to the public:
2029 W. Orangewood Ave, Suite A, Orange, CA 92868

Public Participation Call-In Number* (877) 810-9415 and Participant Code: 653-5126

Board members present:

Vincent P. Brown for the State Treasurer, John Chiang
Alan Lofaso for the State Controller, Betty T. Yee
Elena Gomez for the Director of the Department of Rehabilitation, Joe Xavier
Eric Gelber for the Director of the Department of Developmental Services, Nancy
Bargmann

Board members absent:

Jacqueline Wong-Hernandez for the Director of the Department of Finance,
Michael Cohen
Peter Mendoza for the Chairperson of the State Independent Living Council,
Joseph Cody
Vacant, Chairperson of the State Council on Developmental Disabilities

Board staff present:

Dante Allen, Executive Director
Carrie Fisher Stone, Deputy Executive Director
Rajeshwari Prasad, Associate Governmental Program Analyst
Robert Hedrick, Legal Counsel

Board consultants present:

Andrea Feirstein, AKF Consulting Group

Chairperson Brown called the meeting to order at 1:31 p.m.

Agenda Item 1 – Approval of the Minutes of the April 3, 2018 Meeting of the California ABLE Act Board (ACTION ITEM)

Chairperson Brown asked for public comment. There was none.

Board Action

Motion to approve the minutes of the April 3, 2018 meeting of the California ABLE Act

Board.

MOTION:	Alan Lofaso	SECONDED:	Elena Gomez
AYES:	Alan Lofaso, Elena Gomez, Eric Gelber, and Vincent P. Brown		
NOES:	None		
ABSTAIN:	None		
RECUSE:	None		
ACTION:	Motion Passes		

Agenda Item 2 – Executive Director’s Report (INFORMATION ITEM)

Mr. Dante Allen provided a verbal report on the Board’s budget for Fiscal Year (FY) 17/18 which includes a projected deficit of \$6,700. Mr. Allen also stated that the Board was granted an additional General Fund loan of \$2 million for FY 18/19, which includes \$1.1 million for its Request for Proposals for Program/Plan Manager Services for the California ABLE Program (RFP), \$650,000 for its ongoing operations, and \$250,000 for marketing.

Mr. Allen also reported that state law has not yet conformed to the federal tax reform provisions from December 2017, but staff will pursue conformity in the next legislative session.

Mr. Allen also reported that in May staff hosted two advisory council meetings which were made up of public agency directors, service providers, and disability advocates to provide them with an update on implementation and to seek feedback on the some of the RFP’s contractual language relevant to indemnification, fiduciary obligation, and liability.

Mr. Allen responded to inquiries from the Board regarding the Board’s additional General Fund loan for FY 2018/2019 and concurrent planning efforts made by staff in case the revised RFP fails to provide viable bids.

Chairperson Brown asked for public comment. There was none.

Agenda Item 3 – 529A Program/Plan Manager Request for Proposals Update (ACTION ITEM)

Mr. Allen provided a verbal report on the status of the California ABLE Program’s Request for Proposals for 529A Program/Plan Manager (“RFP”). Mr. Allen reported that staff with assistance from the Board’s legal counsel and 529A program consultant have revised the RFP to include a dollar amount for startup and operational costs, eliminated unnecessary questions, and modified provisions for indemnification, liability, and fiduciary where possible. Mr. Allen also reported that staff intends to issue the RFP in late May.

Mr. Allen, Ms. Andrea Feirstein, and Mr. Robert Hedrick answered inquiries from the Board regarding the RFP’s contract provisions on fiduciary obligation and its fee structure.

Chairperson Brown asked for public comment. There was none.

Board Action

Motion to approve the issuance of the RFP for the California ABLE Program.

MOTION:	Alan Lofaso	SECONDED:	Elena Gomez
AYES:	Alan Lofaso, Elena Gomez, Eric Gelber, and Vincent P. Brown		
NOES:	None		
ABSTAIN:	None		
RECUSE:	None		
ACTION:	Motion Passes		

Agenda Item 4 – 529A Program Consultant Update (INFORMATION ITEM)

Ms. Feirstein presented a report on the latest update on 529A (ABLE) plans nationwide, informing the Board of Texas’ recent launch and Connecticut’s expected partnership with Oregon. Ms. Feirstein also stated that 36 states have launched ABLE plans so far.

Chairperson Brown asked for public comment. There was none.

Public Comment

Chairperson Brown asked for public comment. There was none.

The meeting adjourned at 2:59 p.m.