

**Indiana Commission on Hispanic/Latino Affairs
Commission Meeting Minutes
Indiana Government Center South
Conference Room 4
10/25/2006**

Commissioners Present:

Manuel Gonzalez, Senate Lay Member, Commission Chair
Frances Vega, Senate Lay Member, Commission Vice-Chair
Carmen Quintana-Designee, Indiana Department of Health
Carolyn Requiz-Designee, Indiana Department of Health
Claudia Ontiveros-Fuentes – Designee, Indiana Economic Development Corporation,
Commission Treasurer
Lawrence McCormack – Proxy, Representative Aguilera
Mary Ilu Altman- Senate Lay Member
Angel Velez-Designee, Indiana Department of Correction
Juana Watson, Senate Laymember
Judge Gregg Scott – Director of the Indiana Civil Rights Commission
Alfonso Vidal- Governor Appointee

Staff:

Amy Mendoza, Executive Director
Laura Barrett, Staff
Ryan C. Marques, Staff

I. Call to Order

A. Establish Quorum

A quorum was established consisting of 12 commissioners.

II. Commission Business

A. Adoption of Minutes

Chair Gonzalez apologized for his tardiness and stated it was important to consider the adoption of the minutes. He reiterated that it was important that everyone be in attendance for each meeting and establish a quorum in order to approve and adopt the Commission's minutes. He also stated that Director Mendoza would be explaining the recent review from the Office of Management and Budget (OMB) and the Program Results: an Outcome Based Evaluation (PROBE). Chair Gonzalez stated that one of the items which this Commission has been and will be evaluated on is the ability to establish quorum. It is important for the Commission to show the State Legislature and the public what we have accomplished and our future goals, and the way in

which they will be informed of these actions is through the minutes. Therefore, the Commission must establish quorum in order to adopt the minutes. Chair Gonzalez stated that this Commission is under scrutiny, but the Commission has the ability to justify its means with the State and the community by establishing quorum, having full participation from each commissioner with committees, and reporting to the Governor and State Legislature in a timely fashion with the Commission's reports and recommendations. Chair Gonzalez stated that the Commission has 3 sets of minutes pertaining to the months of June, August and September 2006 that must be approved during this meeting. Chair Gonzalez mentioned the good experience when meeting with Lt. Governor Becky Skillman during this past summer. He acknowledged that this was a good meeting due to how the Lt. Governor was pleased that the Commission was establishing quorum, completing reports and reaching out to the community. Chair Gonzalez stated that the Lt. Governor was able to state the Commission's accomplishments due to her review of the minutes. Therefore, if the Commission cannot establish quorum in order to adopt the minutes, then the Lt. Governor and every other individual will not be able to see what we are doing and will eventually become displeased.

Chair Gonzalez asked if there were any corrections to be made from the 3 sets of minutes.

Commissioner Altman mentioned that her name should be added to the June 28th, 2006 minutes. She stated that she was present.

Chair Gonzalez asked for additional discussion or corrections.

Chair Gonzalez asked for a motion to accept the minutes. Chair Gonzalez acknowledged a motion to accept the minutes.

Commissioner Altman stated that she accepts the motion with the correction for the June minutes.

Chair Gonzalez asked for a second.

Vice Chair Vega seconded the motion.

Chair Gonzalez asked for everyone's vote.

June 28th, August 30th and September 27th 2006 minutes were approved unanimously.

III. Reports

A. Committee Status Reports and Deadlines: *Committee Chairs & Director Mendoza*

Vice Chair Vega motioned for Director Mendoza to start discussing the status of the Committee reports and deadlines.

Director Mendoza stated that she has met with the Committee Chairs in order to discuss the status and deadlines of each committee member's assignment and report. Director Mendoza referred to the Committee Report Deadline document entailing the due dates for each action step. Director Mendoza stated that October 11th was the date to meet with Committee Chairs and finalize committee report structure and member assignments. She then explained that October 30th would be the due date for all committee member assignments. Director Mendoza stated that November 10th would be the due date for the first draft of each report and the ICHLA staff would send the first drafts to each respective committee member for review, input, corrections, etc. She then ended with stating that November 27th would be the date which the research committee would send the final report back to the staff and the staff would finish the final design and layout. The staff would also send the finished product to committee members and finally to the printer.

Director Mendoza stated that she would like for legislative members to have the committee reports by the first of December 2006.

Director Mendoza asked Commissioner Requiz to discuss the health committee's status.

Commissioner Requiz mentioned that the health committee is progressing very well with the three items that this committee is tackling: Alcohol, Tobacco and Prevention, and minority individuals in the healthcare field. She explained that the attendance rate for the health committee meetings has been very good.

Vice Chair Vega stated that the education committee members have all turned in their respective committee assignments and the outlook for this report is very bright.

Director Mendoza stated that all four committees have been progressing very well.

Director Mendoza stated that Commissioner Quintana will no longer be with the Commission. Therefore, Dr. Monroe of the Indiana State Department of

Health, appointed Commissioner Requiz as Commissioner Quintana's replacement.

Director Mendoza stated that she has appreciated Commissioner Quintana's work and efforts over all of the years that she has served with the Commission.

Commissioner Quintana stated that she has been privileged and honored to work with the Commission and recognized Director Mendoza, Laura Barrett and Ryan C. Marques for their continuous efforts in completing the Commission's reports and other tasks in such a timely fashion.

Director Mendoza stated that Senator Vi Simpson will no longer be with the Commission. Therefore, Senator Frank Mrvan has been appointed to take her position on the Commission as the new Senate Democrat.

Director Mendoza mentioned that Commissioner Vidal has been appointed to the Commission as the Governor's appointee, thus taking the vacant position left by former Commissioner and Governor Appointee Ronnie Cantu.

B. 2007 State-wide Conference on Hispanic/Latino Issues Report:
Chair Manuel Gonzalez

Vice Chair Vega noted that Chair Gonzalez was not present, therefore she asked Director Mendoza to explain this item.

Director Mendoza mentioned that the Conference Steering Committee has already met twice and stated that the Commission will be conducting a bi-annual conference in order to save money and represent other organizations and agencies with their conferences during Hispanic Heritage Month. Director Mendoza stated that the Conference Steering Committee will be meeting tomorrow and has invited all Commissioners and the public to join the meeting. She also explained that minutes will be filed and can be sent to all Commissioners who cannot participate. Director Mendoza mentioned that during the last Conference Steering Committee meeting a representative from Black Expo. was present and a possible theme of race relations was proposed.

C. Latino Economic Development Conference Report: *Commissioners Juana Watson and Alfonso Vidal*

Vice Chair Vega asked Commissioner Watson and Vidal to explain the outcome of the Latino Economic Development Conference.

Commissioner Watson stated that she was very excited and many people did attend. She also stated that many Commissioners participated on the Steering Committee. In addition, Commissioner Watson mentioned that she has met

with Joyce Rogers, CEO of Black Expo., and the possibility of partnering with them during Black Expo.'s summer event was mentioned. Commissioner Watson stated that her event would be titled, Latino Expo., and would fall in line with Black Expo.'s summer event. She explained that one day would be devoted to Economic Development and the other day to Education. Commissioner Watson stated that she is happy that the Department of Education, Universities and the ICHLA will be involved with this event.

Director Mendoza asked if the education part of Latino Expo. would cover all two days.

Commissioner Watson explained that it would be a two day conference, with one day devoted to Economic Development and the other to Education.

Commissioner Watson stated that she does not want to divert attention away from the ICHLA's conference, therefore, Latino Expo. will occur in July in conjunction with Black Expo.'s conference just for the first year.

Commissioner Altman asked how many people attended the Latino Economic Development Conference.

Commissioner Watson stated that there were 165 people in attendance.

Commissioner Altman asked if there was any type of survey distributed to those in attendance in order to evaluate the success of the event.

Vice Chair Vega stated that those in charge of the event made sure to collect everyone's email address and then this would enable them to conduct a follow up survey via email.

Commissioner Altman asked what the key discussion topic was during the event.

Commissioner Watson stated that there were many topics, but the major topic consisted of how Latino businesses could contract, work and become involved with the State's initiatives, such as Major Moves and Procurement. Commissioner Watson stated that she will be meeting with many Latino businesses in order to educate them on how to contract with the state and become more involved with Major Moves.

Vice Chair Vega stated that this conference was invaluable due to how many Latino businesses did not know any type of information regarding how to contract with the state and also how to bid for contracts. In essence, this event addressed every issue which Latino businesses are looking for regarding contracting and bidding for state contracts. Vice Chair Vega also stated that

there were many success stories shared during this conference, which was enlightening.

Commissioner Altman stated that she is delighted to hear that many Latino businesses were able to access the information regarding contracting and bidding with the State and its contracts.

Vice Chair Vega asked if Commissioner Vidal could add anything pertaining to the Latino Economic Development Conference.

Commissioner Vidal stated that many people were very happy with the workshops and discussions that took place.

Vice Chair Vega stated that she had met with her president this morning and she stated that he was very pleased with the conference.

Commissioner Watson also thanked the ICHLA for their help and partnership.

Commissioner Altman stated that it would be beneficial for the Governor to speak at this event.

Commissioner Watson mentioned that the Governor was scheduled to speak, but had to travel to Terre Haute in order to increase jobs. Therefore, the Governor's policy advisor, Harry Gonzo, spoke in place of the Governor.

Commissioner Altman asked Commissioner Watson if the ICHLA could obtain Harry Gonzo's talking points and speech.

Commissioner Watson stated that she would ask him for his speech and talking points.

D. Executive Director Report

Chair Gonzalez stated that it is important to listen closely to Director Mendoza's report as we are moving into the next legislative session which entails tough immigration policy. In addition, the Office of Management and Budget's (OMB) evaluation of the ICHLA needs to be addressed and justified.

Director Mendoza started her discussion entailing the PROBE results from the Office of Management and Budget which is an evaluation of all state agencies and departments. In addition, Director Mendoza mentioned a law which was passed last year for the State of Indiana regarding the establishment of the Government Efficiency Commission, which will also seek to evaluate the progress of all state agencies, commissions and departments.

Director Mendoza stated that she had explained to the Commissioners that she had received a PROBE assessment from the Office of Management and Budget this past month. This assessment consisted of an individual from the OMB conducting a personal interview with Amy during this past summer. Director Mendoza stated that she personally had to ask for the results of the assessment and finally had received them last month. She then explained that the Commission was rated on effectiveness, planning, management and reporting. Director Mendoza stated that the OMB gave an inaccurate grade/response regarding the categories mentioned above. Director Mendoza mentioned that she felt the OMB did not take into account the Commission's minutes, reports, tasks and accomplishments; therefore, our score is not indicative of what this Commission has accomplished over the past two years. Director Mendoza passed around the OMB's grade/response document for the Commission.

Director Mendoza stated that a few months after she was interviewed from the OMB on the PROBE assessment, the Commission received a questionnaire/survey from the Government Efficiency Commission. Director Mendoza mentioned that this survey consisted of questions such as how effective do you think you are, what are your three main goals and what is your annual budget. Director Mendoza stated that she filled out the questionnaire to the best of her ability, attached all of the Commission's reports and submitted the document. She mentioned that she did not receive an overall grade for this assessment, but the Commission did find out from a Ft. Wayne newspaper the results regarding the assessment for each State commission, agency and department. Director Mendoza mentioned that she was able to acquire the results yesterday and she passed the results around. She stated that the report with the results do not go into great detail pertaining to the grade of each commission, but the report does include many attachments and also addresses categories such as who is the director of the commission, who administers the commission and the budget, and the four largest budget items for the commission. Director Mendoza explained that the above categories/questions are exactly what she had answered for the questionnaire. She stated that there were many questions in which she answered for the questionnaire, but her answers were not represented within this report. Director Mendoza mentioned that there was an insert within this report regarding the Commission's answers. This insert contained the message: See a memo dated July 10, 2006 from Commissioner Ron Stiver of the Department of Workforce Development (DWD). Director Mendoza stated that from the time period of yesterday to this morning, she has been trying to obtain the memo mentioned above. She stated that she has been unable to obtain the memo due to the transition of DWD's executive office. Director Mendoza mentioned that once she is able to obtain the memo, she will send it out to the Commissioners. Director Mendoza passed both the PROBE results and the questionnaire from the Government Efficiency Commission to the

Commissioners and then stated that she rated the commission as excellent for both assessments.

Chair Gonzalez asked if Director Mendoza could gather and scan all of the information from each assessment which is pertinent to the Commission and then send it via email to each Commissioner. In addition, Chair Gonzalez also asked Director Mendoza if she could perform the same action regarding Commissioner Ron Stiver's memo, which is still not to be found. Chair Gonzalez stated that this memo situation is very peculiar due to how this Commission has asked Commissioner Stiver, who is in charge of the Commission, for a memo about the Commission. Chair Gonzalez mentioned that Commissioner Stiver has only attended 1 meeting and has only sent a designee to 3 meetings over the course of 2 years. He then asked Director Mendoza if we can respond to the Government Efficiency questionnaire or is it too late to respond since the Governor may already have this report.

Director Mendoza explained that she was unaware if the memo was sent and she stated that what she does know from the information she garnered from the Ft. Wayne newspaper article is that the Governor has the report but has until November 1st to make any additional changes or recommendations before it becomes final. Director Mendoza mentioned that she is trying to contact the chair of the Government Efficiency Commission in order provide the Commission's input on this matter. She then stated that there has been discussion going on regarding the movement of the Commission from under DWD to the Indiana Civil Rights Commission. Director Mendoza stated that she discussed this movement with Commissioner Stiver and the benefits of that may accompany the move. The Native American Affairs Commission and the Women's Commission may also move under the umbrella of the Civil Rights Commission. Director Mendoza stated that a recommendation from the Government Efficiency report stated that the ICHLA will continue as many other commissions have been recommended to become abolished.

Director Mendoza stated that the Government Efficiency Report is not accurate regarding the Commission's establishment date of 1998, when in fact, the Commission was legislatively established in 2003. This may present a problem due to how the OMB and the Government Efficiency Commission would perceive the Commission as being fiscally ineffective. The possibility that these two agencies would wonder why the Commission has not made full usage of its non-reverted budget during the 7 years could arise, if leaders from the Commission do not correct the establishment date.

Commissioner Altman wanted to make sure that she heard Director Mendoza state that the person who collected the information during the PROBE assessment did not take into consideration the reports, minutes and other items in which the Commission has produced.

Director Mendoza stated an example in which a question from the PROBE assessment asked: Is there an appropriate strategic plan in place? The result for this question regarding the Commission was no. Director Mendoza stated that she did indeed give the OMB interviewer the Commission's strategic plan.

Commissioner Altman stated that it would be beneficial to write a letter to the OMB and the interviewer who conducted the assessment regarding the mistake which has been made pertaining to the Commission's inaccurate score for a lack of a strategic plan: Send the strategic plan, reports and the letter to the OMB.

Chair Gonzalez stated that he agrees with Commissioner Altman and also mentioned that how can an office, which is supposed to measure efficiency while having the wrong data and public information, make a professional assessment.

Chair Gonzalez mentioned that it is important for the Commission to utilize Commissioner Watson in order to reach the Governor and his policy advisors regarding these inaccurate assessments.

Director Mendoza also mentioned that other agencies, departments and commissions have experienced the same results pertaining to inaccuracies by the OMB and the Efficiency Commission. She wanted to reiterate that the Governor does have until November 1st, 2006 to make additional changes and recommendations before final passage of the assessments.

Commissioner Altman mentioned that it would be beneficial to provide Commissioner Watson with talking points about what exactly needs to be addressed regarding the inaccuracies of the assessments.

Commissioner Watson stated that the OMB and the Government Efficiency Commission was not too far off when deciding that the Commission was established in 1998, due to records of Governor O'Bannon's Office of Hispanic/Latino Affairs which was established during 1998.

Commissioner Scott stated that we must understand that this information (inaccurate dates and scores made by the OMB and Efficiency Commission) will be utilized by the budgetary office/process; therefore, we are talking about funding. Commissioner Scott provided an example of the Indiana Civil Rights Commission and their inaccurate scores. For example, he stated that his Commission was marked ineffective and criticized due in part to how the Civil Rights Commission was not regulating age discrimination. Commissioner Scott stated that age discrimination is not a protected class under the Indiana Civil Rights Law; age discrimination is regulated by the Indiana Department of Labor. He mentioned that the Civil Rights

Commission has been criticized for not violating the law, in effect. He stated that this type of mentality would be to suggest that the Civil Rights Commission should be regulating those who are discriminated against because of sexual orientation; the notion of it's not a law, but why aren't you regulating it would arise. Commissioner Scott stated that having those difficulties regarding inaccuracies in the assessment will further effect a commission's funding. He stated that these assessments will act as guide posts for the budget agency. That budget agency will then guide the state legislature more than any other person, agent or office. Therefore, the state legislature will be receiving reports with discrepancies, which could ultimately affect funding opportunities for commissions which truly maintain excellent standards. Commissioner Scott stated that his Commission has filed a response pertaining to the inaccurate assessment and has not heard a word back from the person which the response was filed. He then stated another example that this Commission was criticized on one page of the assessment for not performing a particular action, where further on into the assessment his Commission was praised for performing that same action in which the Commission was criticized earlier. Commissioner Scott wanted to assure everyone that these discrepancies were not formulated by the Governor's Office or policy; it is just a matter of inadequate work done by those who are conducting the evaluations. He then stated that it is possible that with such small budgets, the attention which ICHLA and the Civil Rights Commission received was very small to the attention garnered from larger agencies. Commissioner Scott stated that this is part of the difficulty (varying budget size) for those who are conducting the assessments, along with the terrific time restraint and for work that was not done previously. He stated that those who are conducting the assessments do not have ulterior motives; it is the fact that there is too much work to be done in such a short time frame. He believes at the end, everything will be resolved. Commissioner Scott stated that his Commission was supposed to submit an agency overview separately and a budget on September 15th, 2006. In that, he was supposed to be responding to the PROBE, where he did not receive his PROBE results until the Saturday after September 15th, 2006. Therefore, Commissioner Scott had to submit both the budget and the agency overview and then later he would be able to respond to the PROBE.

Commissioner Altman asked if this was the first time any assessment or evaluation ever occurred.

Commissioner Scott mentioned that to his knowledge, this was the first time an assessment was initiated.

Commissioner Requiz stated that she would like to support what Commissioner Scott mentioned above. She mentioned that she experienced the same interview process as Director Mendoza and Commissioner Scott.

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Commissioner Scott mentioned that not every commission is perfect. For instance, he stated that his commission has yet to produce an annual report. He then stated that his commission does have some internal problems, most of which were inherited by his predecessor.

Director Mendoza stated that every agency which received an ineffective score by the PROBE was required to submit an improvement plan and an agency overview. She stated that she has already submitted both.

Chair Gonzalez stated that he wanted to make this situation relative to all new commissioners. Chair Gonzalez mentioned that the Commission has a budget of \$125,000 a year. He also wanted to state that this Commission was started under another administration with no legislative budget: The Commission was under the Office of Governor O'Bannon. In 2003, the State Legislature passed the bill in order to create the Commission with a legislative budget. Chair Gonzalez stated that the Commission must show the community and the State Legislature that the Commission's budget is being used properly.

Director Mendoza stated that the Government Efficiency Commission report placed the Commission under the Economic Development, Transportation and Health Safety category. She then stated that a recommendation change from this report was addressed by the DWD Commissioner stating that the Women's, Native American and Hispanic Affairs Commissions be combined with the Civil Rights Commission. Director Mendoza stated that in the article, the word "merged" was used regarding the placement of these commissions with the Civil Rights Commission.

Commissioner Scott stated that "merged" is a poor choice of words. He mentioned that when he met with the Governor 2 years ago regarding the placement of these Commissions under the Civil Rights Commission, he asked the Governor to wait for at least more than a year to move these Commissions under the Civil Rights Commission. Commissioner Scott mentioned that he did not call to remind the Governor that the time has arrived to move the Commissions under the Civil Rights Commission, but he stated that he did receive a call from Commission Ron Stiver regarding the movement. Commissioner Scott stated that he does believe this to be a good idea, but the word "merged" or "combined" are two poor choices of words to be used.

Commissioner Altman stated that she would hope that this Commission not be moved under executive approval.

Commissioner Scott assured Commissioner Altman that in order for this Commission to be moved under the Civil Rights Commission, a legislative action/amendment must be passed. Commissioner Scott did express concern with the movement of the Commission under the Civil Rights Commission,

due in part to how easy of a target this would place on all minority commissions.

Commissioner Altman asked Commissioner Scott the Civil Rights Commission annual budget.

Commissioner Scott replied with an answer of \$2.3 million.

Commissioner Altman wanted to make sure that if the Commission did move under the Civil Rights Commission, there would be enough money to support it.

Commissioner Scott mentioned that the Civil Rights Commission does not have enough money. He stated that he does not have enough investigators to handle all of the cases. Commissioner Scott stated that he has a staff of 43 members. He also stated that he does not have a line item. Commissioner Scott mentioned that it is important for Commissioner Watson and Tony Kirkland to communicate these concerns to the Governor. He stated that both commissions are very dependent upon both of these individuals.

Commissioner Scott stated that he has never been provided a line item of dollars for the King Holiday Celebration and for the Holocaust Services. He stated that the Civil Rights Commission coordinates and conducts both of these events for the State. Commissioner Scott stated that in his recent budget proposal he has requested funding for both events, but he made the point that with an ineffective score made by the assessment, why would the legislature provide his commission funding for those events.

Commissioner Altman stated that this recommendation be on the basis of what? What is the argument behind this recommendation?

Chair Gonzalez stated that the Commission does not have a reverted budget, which is designed that way in order to save money to coordinate the Commission's bi-annual conference and promote other events, etc.

Chair Gonzalez stated that he is going to let Director Mendoza discuss the details of the Commission's budget, but he would later like to ask Commissioner Watson how the Commission can develop a strategy in order to convince or present an argument in front of the Governor's advisors as to why we should exist and how untrue our assessment scores are.

Director Mendoza stated that the Commission has not received a budget report from DWD for almost 1 year. She mentioned that the Commission was required to complete a budget narrative and she stated that Commissioner Fuentes helped her complete this document. Director Mendoza stated that according to the Commission's code, any monies not spent in one year do not revert back to the general fund; therefore, we are able to use our annual allotment first and then any funds not used in previous years. Director

Mendoza started to explain the reasons why previous years' monies have not been spent to the fullest extent. She stated that the Commission was established in 2003 and received the budget in July of 2003. In addition, the Commission hired a director in 2004 and for other reasons that director did not make use of funds which were allotted those 2 years. After the previous director's departure, the Commission was without a director and staff for 6 months. Director Mendoza mentioned that she and Commissioner Fuentes factored the Commission's reports, committee projects and conferences into the budget narrative: thus citing how the Commission would use previous and current years' funds. Director Mendoza stated that the budget and budget narrative were never approved while other agencies have had both approved. She then stated that she met with the budget representative from DWD and the representative stated that the OMB has not yet given approval due to how they do not understand how the Commission can use its reserved funds. Director Mendoza does not understand the confusion due to how the language in the Commission's statute clearly states that the Commission's budget is not a reverted one. Director Mendoza mentioned that over the course of 2 years with the conference, committee and other projects/expenditures, the Commission has used up only 1 full year of budget allotment. In addition, the Commission has hired additional part-time staff members to get back on track with the budget cycle. Director Mendoza stated that a selected few Commissioners must meet with the OMB in order to convince them that the Commission is able to use previous years' funds. Director Mendoza stated that there has been much miscommunication.

Chair Gonzalez stated there this is a failure to communicate cliché, we need to overcome this. He then mentioned that he met with Senator Wyss regarding budget issues. Chair Gonzalez stated that Senator Wyss asked Chair Gonzalez to give him a request of what the Commission needs. Chair Gonzalez stated that the Office of Management and Budget will be an important meeting due to how they have scrutinized the Commission's handling of its own budget. Chair Gonzalez stated that there are two types of people who we must meet with: Function people (those who process the evaluations/assessments), and the decision makers (Earl Goode and Harry Gonzo). Chair Gonzalez asked Commissioner Watson to arrange a meeting with both Mr. Goode and Gonzo in order to talk to them about what the Commission is doing and what has happened. Chair Gonzalez noted that it is unacceptable to not receive a budget from DWD in almost 1 year: That means we don't count. Chair Gonzalez mentioned that we are not going to these prospective meetings as trouble makers, instead we are going in as smart politicians in order to talk to friends. He stated that the Governor is a friend of the Commission and it is important that we talk to his advisors. Chair Gonzalez stated that the function people who are writing the reports are only seeing one side of the story, while we are here as volunteers serving our community and doing the best we can with the amount of resources that we have. Essentially, we are not being heard. Therefore, we need to go to the people who are making the decisions.

Commissioner Watson stated that the placement of the Commission under DWD was an accident. She then mentioned that other states' Hispanic/Latino Commissions and any other minority commissions are placed under their respective Civil Rights Commissions. Commissioner Watson stated that this answers the question: Why should the Commission be placed under the Indiana Civil Rights Commission. She mentioned that it makes more sense for the Commission to be under the Indiana Civil Rights Commission and she also stated that they did not know where to place the Commission during its inception into legislation.

Commissioner Scott mentioned that the Governor was concerned regarding the quality of service and the ability to facilitate the work of the Commission if it were to be placed under the Indiana Civil Rights Commission. He stated that he agrees with Commissioner Watson regarding the original placement of the Commission under DWD.

Chair Gonzalez stated that Commissioner Aguilera and the other legislators who created the Commission did have a strategy for the placement of the Commission under DWD. He stated that this strategy may have been designed in order to have the Commission's bill be accepted and passed as a legislative statute. Chair Gonzalez reiterated the importance of meeting with those decision makers who have received the Commission's assessments from the function persons of the OMB and the Government Efficiency Commission.

Chair Gonzalez asked Commissioner Watson if she could set up meetings with the decision makers in the Governor's office: Harry Gonzo and Earl Goode. Chair Gonzalez stated that these meetings would only take 30 minutes, but it is important that the Commission meet with these decision makers. He also mentioned that Director Mendoza and Vice Chair Vega would be accompanying him. He also invited all commissioners to attend these meetings.

Chair Gonzalez noted that the assessments made by the OMB and the Government Efficiency Commission show that these two bodies have misunderstood the Commission's objectives. He also mentioned that it was wrong for the assessment to state that the Commission should be moved under the Civil Rights Commission. Chair Gonzalez explained that this decision to place all minority commissions under the Civil Rights Commission was not thought out and a generic one.

Commissioner Watson mentioned that the assessments do not refer to minority but to civil rights issues. She explained that the Commission's objectives center around civil rights and to place the Commission under any other department than the Civil Rights Commission would be a mistake.

Director Mendoza reiterated the point that Commissioner Stiver never stated that the Commission would be merged or combined with the Civil Rights Commission. Director Mendoza stated that the Commission needs to clarify the point that the Commission will not be merged or combined with the Civil Rights Commission. She then stated that she believes the Commission was placed under DWD solely for administrative purposes.

Commissioner Altman stated that it is important during the meetings with the decision makers to ask if the Civil Rights Commission will be the fixed agent of the Commission.

Chair Gonzalez asked if the Civil Rights Commission was an agency.

Commissioner Scott stated that it is a state agency.

Chair Gonzalez then stated the Civil Rights Commission should then have the budget and power in order to perform what DWD is not performing for the Commission.

Commissioner Scott explained that it is important to preserve the Commission's line item budget. He mentioned that it would be an error for the decision makers to make regarding a decision to fund the Commission through the Civil Rights Commission's budget. Commissioner Scott made a point in stating that one of the criticisms that this Commission receives is that the Commission has to spend of all its dollars. He mentioned that why should agents criticize this Commission for not spending its dollars when the Commission is authorized to carry money over from pervious years in order to save for quality conferences, interpreters and a legislative liaison. The ability for the Commission to reserve money from previous years and combine it with current year funds provides the Commission the opportunity to improve and add new objectives and initiatives for the community and state.

Chair Gonzalez stated that what Commissioner Scott had just stated regarding the authority for the Commission to carry funds over from previous years has been echoed in 3 other sets of the Commission's minutes. It is important for others to know that the Commission has this authority and capability.

Commissioner Scott reiterated the point that from the outset of establishing the Commission, the ability for the Commission to carry over funds from pervious years and implement them into the current year budget had to be established and was established, in order to create new and better initiatives each and every year. Commissioner Scott mentioned that this authority is declared in the Commission's statute and for someone to criticize the statute and the Commission's ability is absurd.

Chair Gonzalez mentioned that the Commission's bi-annual statewide conference is a true function of the Commission's ability to carry over funds from previous years in order to save for and host a well funded and well administered conference presented to our community and state.

Commissioner Fuentes stated that now the Commission has come to the point where it is trying to spend some of the reserved money from previous years and the ability to complete this action has been hindered by the OMB. She stated that it is important to ask the OMB what their policy consists of and how they are going to handle this situation when the Commission's statute clearly states that the Commission can use reserve funds from previous years' budgets. Commissioner Fuentes stated that the Commission was founded on three items: the Commission to be established, the Commission to be placed under DWD due to how the Women's Commission was already under DWD, and the ability to carry funds over from previous years.

Commissioner Altman mentioned that it is important to show the Governor the reason why we exist and why the structure of our budget needs to remain the same as it is stated in the Commission's statute. Otherwise, some of the Commission's funds may be reverted back to the general fund in order to support the Governor's plan in creating a balanced budget.

Commissioner Fuentes stated that some of the Commission's funds have been reverted back to the general fund in order to help the Governor's plan in creating a balanced budget.

Vice Chair Vega asked what the timeline would consist of between now and late December regarding the meetings with the decision makers.

Director Mendoza stated that the Commission has a meeting which she is trying to arrange with the OMB either this week or early next week in order to address the structure of the Commission's budget. She also mentioned that she is trying to contact the Chair of the Government Efficiency Commission in order to schedule a meeting with him or her.

Director Mendoza explained that she would send all of the information which she has provided to the OMB and the Government Efficiency Commission to the commissioners (PROBE and Government Efficiency results, Improvement Plan, and Budget Narrative).

Vice Chair Vega asked if Director Mendoza has already submitted a request to meet with the OMB and the Government Efficiency Commission.

Director Mendoza stated yes, but dates have not been determined.

Chair Gonzalez asked if Commissioner Watson could set up meetings with the Governor's policy advisors before November 1st, 2006.

Commissioner Watson stated she would try, but it may be difficult due to the personnel transition within the Governor's Office.

Director Mendoza stated that she has met with Tony Kirkland, Governor's advisor, and communicated to him the Commission's concerns.

Commissioner Watson stated that the Commission should meet with Commissioner Aguilera regarding the structure of the budget.

Chair Gonzalez stated that there were some complications with the past Executive Director's unwillingness to use funds allocated to the Commission's budget. He then stated that Commissioner Aguilera pointed out that the Commission must show the OMB and the Legislature that the Commission does in fact need its budget.

Vice Chair Vega stated that there are 3 things that the Commission must complete before late December 2006. She pointed out that Director Mendoza would take responsibility for setting up the meetings with the OMB and the Government Efficiency Commission. Vice Chair Vega then explained that Commissioner Watson would set up a meeting with the Governor's advisors.

Commissioner Watson stated that she would set up a meeting with Harry Gonzo and Earl Goode as soon as possible.

Commissioner Scott mentioned that it would be a benefit for the Commission to meet with representatives from the OMB (Chuck) and Harry Gonzo at the same time. This opportunity would delete the chance of important issues not being addressed in time.

Chair Gonzalez stated that Director Mendoza would type up a memorandum and send it to Mr. Goode and Mr. Gonzo depicting what issues and problems the Commission has confronted regarding the inaccurate assessments and the hindrance of the ability to use the Commission's budget according to statute.

IV. New Business

A. Retreat Budget Proposal

Chair Gonzalez explained the details and the process of the Commission's retreat to Commissioner Vidal.

Director Mendoza referred to two documents in the meeting packet: Blank Budget Request for this year's retreat and a spreadsheet detailing itemized

items from last year's retreat budget (2005) that would mirror this year's retreat budget (2006).

Director Mendoza stated that the Executive Committee has been discussing a possible dinner the night before the retreat where the Commission could recognize those volunteers who have helped the Commission through participating with the Commission's committees. In addition, that dinner would be open to legislators where the Commission would have the opportunity to distribute its reports; thus creating awareness within the General Assembly. Furthermore, this dinner would provide the opportunity for the Commission to recognize the Commission's Committee Chairs.

Director Mendoza stated that the Commission would need to have a sponsor for the legislative/community dinner in order to off set the costs.

Chair Gonzalez stated that he already has a sponsor for the Legislative/Community dinner.

Director Mendoza explained the details of the budget.

Chair Gonzalez asked for a vote on this item.

Commissioner Scott mentioned that as long as a quorum was established during the meeting, the Commission has the opportunity to vote on items and conduct business. He stated that there are some exceptions, but none to his knowledge pertaining to the Commission. (Some commissioners left early, thus losing quorum).

Director Mendoza also concurred with Commissioner Scott. She stated that she checked Robert's Rules of Order.

Chair Gonzalez asked for a vote on the retreat and legislative/community dinner budget.

Vice Chair Vega stated that she was impressed with the potential moderator's biography for this year's retreat.

Chair Gonzalez asked for a motion to accept the retreat and legislative/community budget.

Vice Chair Vega stated a sole move.

Commissioner Vidal seconded the motion.

All commissioners agreed to accept this motion.

Director Mendoza stated that outside community members who were not invited to the dinner would have to pay. A cost has yet to be determined.

Commissioner Watson asked when this would take place.

Director Mendoza stated that the legislative/community dinner would take place on December 8th and the retreat on December 9th, 2006. A location for the dinner has yet to be determined, but the retreat will take place at the Governor's Mansion.

Chair Gonzalez and the Commissioners congratulated Director Mendoza and staff. He also praised the creation of the Hispanic/Latino Events Calendar.

Director Mendoza stated that the Calendar was published in the *Indiana Minority Business Magazine*.

Chair Gonzalez stated that Commissioner Vidal has an event this Friday, October 27th, 2006 in Evansville, IN. He mentioned that it is important for the Commission to host a meeting in Evansville in the near future.

Commissioner Vidal stated that he and Director Mendoza have spoke about this matter and will be finding a date and place to host the Commission meeting.

Chair Gonzalez stated that all Commissioners who travel long distances to Commission meetings have travel reimbursement options.

Commissioner Scott mentioned that the Civil Rights Commission will be sponsoring the *National Association of Human Rights Workers: 59th Annual Training Conference*. This conference will take place from November 3-9th, 2006 at the Westin Hotel in Indianapolis, IN.

Vice Chair Vega stated that she and Director Mendoza will be conducting an immigration training session for this Conference.

V. Adjournment

The Commission meeting was adjourned at approximately 12:18 p.m.