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**STATE-TRIBAL COLLABORATION ACT**

**DEPARTMENT OF FINANCE &**

**ADMINISTRATION**

**FISCAL YEAR 2020**

**AGENCY REPORT**

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**EXECUTIVE SUMMARY**

The New Mexico Department of Finance and Administration (DFA) provides planning, fiscal services, and the necessary oversight for state and local entities to ensure compliance with all applicable statutes as well as transparency and accountability in the management of public funds. This action includes collaboration with all pueblo and tribal entities.

Our aim is to continually strengthen New Mexico's financial management and oversight practices through sound analysis, effective communication, appropriate monitoring and excellent customer service.

We are committed to achieving Governor Michelle Lujan Grisham's performance and accountability goals, and look forward to working with all state agencies, local entities and tribal governments to continue providing efficient services for all New Mexicans.

**MISSION STATEMENT**

Guide, serve, and support public entities to ensure fiscal accountability and effective government that is responsive to all New Mexicans.

**VALUES**

Accountable, Collaboration, Communication, Efficiency, Effectiveness, Fiscally Responsible, Service, and Quality.

## **AGENCY PROGRAMS SERVING NATIVE AMERICAN COMMUNITIES**

### **Capital Outlay**

The State Budget Division, Capital Outlay Bureau (COB) provides training, assistance and oversight on planning, project management and administration of capital project appropriations. The COB has worked with the Indian Affairs Department (IAD) to train IAD and tribal staff on the capital budget and capital outlay processes. The COB also provides training to IAD and tribal entities on the Capital Project Monitoring System (CPMS), which tracks all capital appropriations. Training has been held in conjunction with the Local Government Division (LGD) and individually to tribal governments. The COB monitors the expiration dates of all capital appropriations to ensure timely reversions of expired appropriation balances. Excluding the Tribal Infrastructure Fund (TIF), for FY2020, there are 234 open capital projects for tribal entities throughout all state agencies totaling \$94.5 million and, as of July 2020, the unspent balance is \$69.9 million with \$33.9 million encumbered. Of these open capital projects, \$12.7 million was appropriated during the 2020 legislative session specifically for tribal entities. TIF balances are provided on page 5.

### **Local Driving While Intoxicated (LDWI)**

The LGD, through its Local Driving While Intoxicated (LDWI) Grant Program, supports county initiatives to prevent or reduce the incidence of DWI, alcoholism and alcohol abuse. In FY2020, 23 LDWI programs in New Mexico provided screening and tracking services for Native American DWI offenders. Following is a statewide summary by county of total DWI offenders segmented by Native American DWI offenders along with percentages.

FY2020  
DWI Offenders by County

<b>Geographical Areas</b>	<b>Total DWI Offenders</b>	<b>Native American DWI Offenders</b>	<b>Percent Native American</b>
Bernalillo	1,334	233	17.0%
Cibola	74	42	57.0%
McKinley	114	110	96.0%
San Juan	621	463	75.0%
Sandoval	360	108	30.0%
Statewide Total	4,832	1,066	22.0%

In addition to screening and tracking services, 12 counties provide other services and activities directly

to Native American communities, which include prevention, enforcement and treatment.

### **NM911 Program (E-911 & NG911)**

The LGD administers the Enhanced 911 (E-911) Program, which provides fiscal and technical support for Public Safety Answering Points (PSAPs) operated by municipal and county governments. The E-911 fund reimburses local governmental grantees for capital expenditures and operational costs associated with calls received by PSAPs. In FY2020 there were 34 grantees operating 41 PSAPs within the State. All New Mexico pueblos and tribes receive E-911 service through the state's 41 PSAPs. However, four separate tribal PSAPs—located at Isleta, Jicarilla, Zuni, and Mescalero—are in operation and receive funding through a consolidated effort with each of the respective grantees—Village of Los Lunas, City of Espanola, McKinley County and the Village of Ruidoso.

Combined FY2020 operating and capital funding supporting the four tribal PSAPs totaled \$2,546,657. There were two capital projects completed in FY2020 for 911 call system upgrades at the Zuni and Isleta PSAPs totaling \$428,500.

The NM911 Program is developing a NM911 GIS Database in preparation for Next Generation 911 (NG911) through a contract with the Earth Data Analysis Center (EDAC) at the University of New Mexico. EDAC provides technical assistance and collects GIS data from all 80+ local data providers, including tribal communities. In FY2020, there were GIS Projects completed for the Santa Clara Pueblo and the Pueblo of Zia.

### **Infrastructure Capital Improvement Plan (ICIP)**

The LGD provides technical assistance for all tribal entities on the Infrastructure Capital Improvement Plan (ICIP). Technical assistance includes access to the ICIP online database, the ICIP Data Entry Instruction Manual, the FY 2022-2026 ICIP Guidelines, as well as one-on-one technical assistance to ensure submitted ICIP's are complete. In FY2019, LGD provided five ICIP trainings throughout the state for all local governments, of which approximately 140 Tribal Government individuals representing NM Tribes, Pueblos, and Nations attended. In FY2020, LGD was unable to conduct in-person live ICIP trainings as planned in the spring due to COVID-19, but planning is underway for a summer series of webinars. Submission deadlines were also extended for all local governments in order to provide additional time to submit ICIP's. Tribal Government entities ICIP's are due Friday, September 18, 2020.

In 2019, DFA participated in the State-Tribal Leader's Summit (STLS) and will also be participating in this year's 2020 Summit. DFA presence and engagement ensures that relevant questions pertaining to Tribal Governments are addressed.

Additionally, in 2019, Carmen Morin, DFA Tribal Liaison and the LGD-ICIP Program Manager, was the official chair of the New Mexico Infrastructure Finance Conference (NMIFC). The NMIFC Committee includes IAD as an official member which works to ensure full representation throughout the sessions especially in those sessions that highlight planning, budgeting and administration of Tribal capital projects. Due to the COVID-19 pandemic, the 2020 NMIFC has been postponed and

rescheduled for October 2021 to and is planned to be held at the Santa Ana Star Hotel in Santa Ana Pueblo.

**Tribal Infrastructure Fund (TIF)**

The Tribal Infrastructure Act (Act) provides tribal communities with financial assistance in order to address basic infrastructure needs. The Act creates a 13 person Tribal Infrastructure Board (Board), consisting of nine voting members and four non-voting members. The Secretary of DFA is a voting member of the Board.

A portion of the senior Severance Tax Bond (STB) capacity is earmarked for Tribal Infrastructure projects awarded by the Board. From FY2012 through FY2015, nearly 5% of senior STB capacity was earmarked for Tribal Infrastructure projects. Legislation that was enacted in the 2015 regular legislative session reduced the overall senior STB capacity, but increased the tribal earmark to 6.5% in FY2016 and 5.5% in FY2017 and beyond. Additional legislation enacted during the 2016 special legislative session reduced the trial for FY2017 and beyond to 4.5%. The Board evaluates project proposals and awards grants and loans funded with STB proceeds to qualified projects from monies available in the Project Fund. The New Mexico Interim Legislative Indian Affairs Committee provides oversight of the Board.

The LGD processes fiscal documents related to the Tribal Infrastructure Project Fund. Awards and unspent balances in the fund for FY2020 as of June 30, 2020, are as follows:

<b>Fiscal Year of Award</b>	<b>Amount of STB Award</b>	<b>Current Unspent Balance</b>	<b>Encumbrances</b>	<b>Amount Reverted</b>
FY2012	\$ 13,207,965.00	\$ 183,402.00	\$ -	\$ 183,401.50
FY2013	\$ 16,640,011.00	\$ 224,193.00	\$ -	\$ 224,193.00
FY2014	\$ 14,235,640.00	\$ 1,451,043.00	\$ -	\$ 1,451,043.34
FY2015	\$ 14,000,875.00	\$ 1,122,726.00	\$ -	\$ 1,122,726.05
FY2016	\$ 11,958,068.00	\$ 902,726.00	\$ 225,162.18	\$ 2,019,082.41
FY2017	\$ 5,222,483.00	\$ 778,575.00	\$ 778,575.52	\$ -
FY2018	\$ 8,831,925.00	\$ 5,533,483.00	\$ 3,642,235.59	\$ -
FY2019	\$ 14,050,394.00	\$ 13,734,632.00	\$ 5,514,113.64	\$ -

Encumbrance provided by IAD

**Governor’s 2020 Census Statewide Complete Count Commission & Tribal Outreach Funds**

On April 22, 2019, Governor Lujan Grisham issued Executive Order 2019-007 establishing the Statewide Complete Count Commission (SCCC) to promote and advertise the 2020 Census; focus resources on hard-to-count areas and populations; ensure the highest participation rate possible and support and coordinate with local complete count committees (LCCCs). The New Mexico Legislature appropriated a total of \$11.5 million to DFA for outreach purposes. Of these appropriated funds, \$4.4 million was made available to participating New Mexico counties to conduct 2020 Census outreach, promotion, and education to increase the self-response rate and accuracy of the 2020 Census. Another \$800,000 was distributed to IAD for grant agreements to tribal governments, in the hopes of ensuring a more complete count in New Mexico’s tribal communities.

The chair of the SCCC is Pamela Coleman, State Personnel Director. As part of the SCCC, a Tribal subcommittee was formed and is made up of the following members: Lynn Trujillo, IAD Cabinet Secretary, Jamie Gloshey, Complete Count Commission, Chair of Tribal Subcommittee, member of the New Mexico Native Census Coalition and Roanhorse Consulting, Ahtza Chavez and Kim Baca, Native American Voter Alliance Education Project (NAVAEP), Keegan King, IAD, and Alvin Warren, Vice President of Career Pathways & Advocacy, LANL Foundation.

**State-Tribal Trainings and DFA Employee Training Notifications**

Pursuant to the State-Tribal Collaboration Act, all state agency managers and employees who have ongoing communication with Indian nations, tribes or pueblos shall complete a training provided by the State Personnel Office with assistance from the IAD. This training supports the promotion of effective communication and collaboration between state agencies and Indian nations, tribes or pueblos; the development of positive state-tribal government-to-government relations; and cultural competency in providing effective services to American Indians or Alaska Natives.

Additionally, IAD notifies DFA directly of these scheduled trainings and DFA employees are invited to attend these trainings. Plans are underway to require all DFA employees to complete this training by year end FY2021.

**Key Names and Contact Information**

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