



City of Albuquerque
Accountability in Government Oversight Committee
P.O. Box 1293 Albuquerque, New Mexico 87103

August 28, 2024

Honorable Mayor Tim Keller, Members of the City Council, and Citizens of Albuquerque:


The Accountability in Government Oversight (AGO) Committee wishes to acknowledge the outstanding efforts of the Office of Inspector General (OIG), particularly the Inspector General and her dedicated staff, for their continued service to the Administration, City Council, and the residents of Albuquerque.

As evidenced in this annual report, the OIG consistently conducts thorough investigations that yield recommendations aimed at improving City processes, enhancing efficiencies, and generating cost savings for the citizens of Albuquerque.

The AGO Committee has found the OIG staff to be a highly professional and well-respected resource for both the residents and the administrative government of Albuquerque. As an independent and objective body, the OIG provides the City with crucial expertise in pursuit of its goals. The OIG is undoubtedly an essential component of the City of Albuquerque's government.

Sincerely,

Signed by:


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Victor Griego, Chairperson for
Accountability in Government Oversight Committee

Johnny I. Mangu
Robert J. Aragon
Manilal Patel



OFFICE OF INSPECTOR GENERAL
City of Albuquerque

Melissa Santistevan, CFE, CIG, CIGE
Inspector General

P.O. Box 1293, Suite 5025
Albuquerque, New Mexico 87103
Telephone: (505) 768-3160
Fax: (505) 768-3158

September 4, 2024

Honorable Mayor Tim Keller
Office of the Mayor
P.O. Box 1293
Albuquerque, NM 87103

Dear Mayor Keller and Councilor Lewis:

The Office of Inspector General has completed our Annual Report for fiscal year 2024. The Accountability in Government Oversight Committee approved the Annual Report on August 28, 2024, and I am pleased to transmit it to both the Mayor's Office and the City Council for review.

Respectfully,

Melissa R. Santistevan, CFE, CIG, CIGE
Inspector General



Office Of Inspector General



CITY OF ALBUQUERQUE OFFICE OF THE INSPECTOR GENERAL

ANNUAL REPORT FOR THE FISCAL YEAR 2024

July 1, 2024

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Melissa Santistevan, CIG, CIGE, CFE
Inspector General

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Albuquerque, New Mexico 87103
Telephone: (505) 768-3160
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To the Mayor, City Council, and Citizens of the City of Albuquerque:

I am pleased to present the fiscal year 2024 (FY2024) Annual Report on behalf of the Office of Inspector General (OIG) as required per Section 2-17-10 of the Municipal Code of Albuquerque. This report summarizes the OIG team's efforts to promote transparency, accountability, efficiency, and effectiveness in government over the past year. I am so grateful to work with such a dedicated OIG staff, whose work led to some of the OIG's significant accomplishments in our independent oversight of the City of Albuquerque government, and whose accomplishments include:

- **Guarding taxpayers' dollars:** The Office received and assessed 225 complaints, closed 205 complaints, and issued 27 reports identifying **\$243,358.32** in potential cost savings to taxpayers or in future avoidable costs.
- **Promoting Integrity in Government:** We referred **30 matters** to outside agencies including law enforcement, the State Auditor, or the State Ethics Commission.
- **Providing oversight to deter fraud, waste, and abuse:** We monitored contract activities involving **millions of taxpayers' dollars**.
- **Making government better:** We offered **105 recommendations** to government management to facilitate compliance with regulations or to be more efficient or effective.

We will continue to focus our efforts on those instances of waste, fraud, abuse, inefficiency, and ineffectiveness that impact the City of Albuquerque's citizens, and harm our government's legitimacy and transparency. The OIG has remained steadfast to the professional standards established by the Association of Inspectors General (AIG). Maintaining these standards and demonstrating best practices for the City of Albuquerque remains the cornerstone of our mission and fosters the trust of citizens and employees.

Thank you to the Accountability in Government Oversight Committee (AGO) for their insight and oversight. Additionally, I want to thank the OIG staff for their diligence in bringing about transparency, accountability, efficiency, and effectiveness for the City of Albuquerque.

Finally, we thank you, the citizens of the City of Albuquerque, who continue to be the bedrock support of our office and its mission.

Respectfully,

Melissa R. Santistevan, CIG, CIGE, CFE, CPA, CICA, CGMA
City of Albuquerque Inspector General

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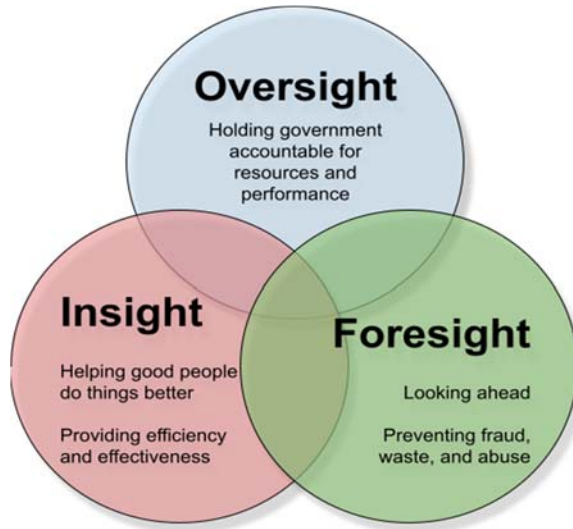
I Overview

A| Mission, Vision, and Values

Mission Statement

Our purpose is to serve as an independent and objective body to promote insight, oversight, and foresight in promoting integrity, efficiency, overall effectiveness, accountability, and transparency, and to deter fraud, abuse, mismanagement, and waste in government to safeguard and preserve the public trust.

We promise to accomplish our purpose through inspections, reviews, investigations, oversight, and outreach activities.



Vision Statement

Advancing transparency, accountability, and integrity in the governance of the City of Albuquerque through independent oversight.

Values

Professionalism – We take pride in our purpose, profession, products, results, and conduct.

Respect – We are respectful of others and recognize their value.

Integrity – We do the right thing, the right way, for the right reason.

Dedication – We are dedicated to our purpose, our work, and the people we serve.

Excellence – We strive for excellence in everything we do.

B| Authorities and Responsibilities

The purpose, duties, and responsibilities of the OIG are specified in the IG Ordinance (Chapter 2, Article 17, City of Albuquerque Code of Ordinances). The IG Ordinance is available at https://codelibrary.amlegal.com/codes/albuquerque/latest/albuquerque_nm/0-0-0-84884#JD_Chapter2Article17. Some of the authority, powers, function, and mandated requirements include:

The Office of the Inspector General has the authority to receive and evaluate complaints referred to her by any official, employee, contractor, or the public and initiate an investigation when deemed appropriate. The Inspector General shall receive and investigate complaints referred by the Board of Ethics and Campaign Practices (BOE). The Inspector General may also initiate investigations for proactive reasons, or in reaction to another complaint.

The Inspector General shall not investigate complaints that are under the jurisdiction of the Civilian Police Oversight Agency (CPOA) or the Internal Affairs Division of the Albuquerque Police Department, nor shall they access any Internal Affairs files.

The Inspector General can require the production of documents and receive full and unrestricted access to records. The Inspector General has the power to subpoena witnesses and administer oaths. Additionally, the Inspector General is the appropriate local official for whistleblower reporting and protection. People may also submit anonymous complaints to the Office of Inspector General.

All city officials, employees, and contractors are required to promptly notify the Inspector General of every instance of theft or other disappearance of cash, check, or property, misfeasance or nonfeasance, defalcation, improper governmental actions as defined in the Whistleblower Ordinance, and non-compliance with federal and state law, city ordinances and city regulations of which they are aware.

The Whistleblower Ordinance was established in January 2004 and protects City employees who fear having retaliatory actions taken against them, such as a demotion or employment termination, for reporting activities such as violations of policies and laws, etc. Certain requirements of the Ordinance must be met before the Ordinance is applicable. The person making the complaint can report the situation to a supervisor, director, or the Inspector General. The Inspector General can encourage the employee to report the matter to the Department Director or can decide to investigate the matter if appropriate. It is important to understand that the Whistleblower Ordinance does not apply in situations where no reporting and no suspected retaliatory actions have taken place. Mere fear of retaliatory action if something is reported, is not a violation of the policy.

"Inspectors General with no independence or authority result in the mere appearance of oversight, which is much worse than no oversight at all"

Stephen B. Street, Jr., Past President
Association of Inspectors General

C| Standards, Accreditation, and Staff Qualifications



The Association of Inspectors General (AIG) is a national professional organization comprised of IGs from federal, state, and local governments. The AIG *Principles and Standards for Offices of Inspectors General* is one of the main standards used. It provides guidelines for the overall operations of OIGs, as well as, specific standards for investigations and inspections.

Inspector General Staff Qualifications

Staff members bring an array of experience from State Investigation Communities, state and local government, and public accounting firms. Staff members have backgrounds in and/or academic degrees or certifications in:

- Accounting
- Auditing
- Business Administration
- Criminal Justice
- Digital Forensics
- Financial Analysis
- Fraud Examination
- Grant Administration
- Inspections
- Internal Controls
- Investigations

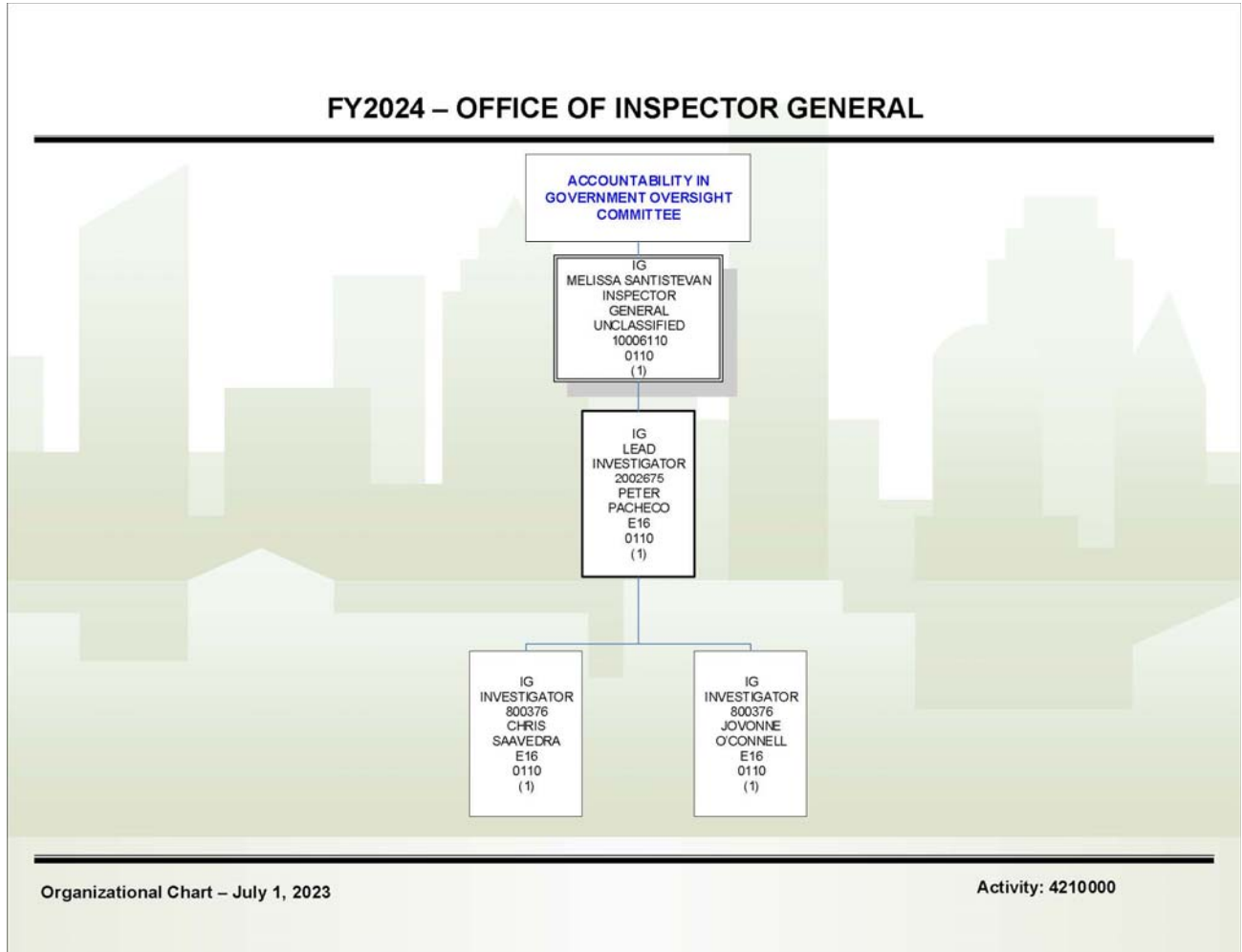
Successful high-performing organizations are built upon the foundation of hiring, retaining, and developing high-quality staff.

D| Structure and Staffing of the Office of Inspector General

The Accountability in Governance and Oversight Committee shall accept applications from candidates, interview candidates, and shall submit to the City Council the name of three candidates that it finds to be the best qualified to be Inspector General, indicating their ranking, and the Council shall appoint the Inspector General from the three. Instead of recommending three candidates to the Council, the Committee may recommend to the Council the reconfirmation of the incumbent Inspector General, whom the Council may choose to reconfirm.

The Inspector General shall have, subject to appropriation by the City Council, the power to appoint, employ, and remove such assistants, employees, and personnel and establish personnel procedures as deemed necessary for the efficient and effective administration of the activities of the Office of the Inspector General.

Currently, the Office of Inspector General has three investigator positions in addition to the Inspector General. As of June 30, 2024, all OIG positions are filled.

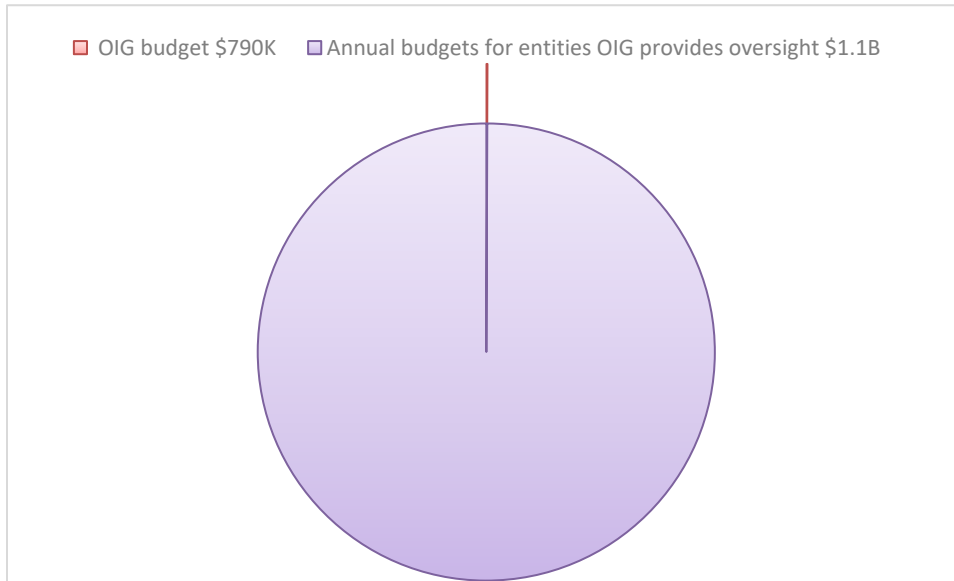


E| Office of Inspector General Budget

During fiscal year 2024, the OIG expended \$667,617.61 (85%) of its approved budget. The financial resources dedicated to the OIG are 0.07% of the estimated \$1.1 billion in the annual budgets of the City of Albuquerque for which the OIG provides independent oversight. The actual resources used by the OIG in fiscal year 2024 represent 0.06% of the estimated \$1.1 billion budget.

OIG oversight responsibilities include:

- 28 Departments with total annual budgets of approximately \$1.1 Billion
- Full-time equivalent employees numbering approximately 7,020 people
- Thousands of vendors and contractors
- Oversight of millions of dollars in contracting activities



Budgeted Cost \$790K = Approx. \$1.38 per Citizen

F| Return on Investment

The OIG serves a city that employs a workforce of more than 7,020 employees and is home to an estimated 573,383 residents. For fiscal year 2024, the Office had a total budget of \$790,000. Approximately 71% of the budget was dedicated to the payment of salaries for the Office’s four full-time employees. Beyond salaries, the remaining funds were spent on a variety of items including legal fees, continuing education, software programs, office supplies, and membership fees to the Association of Fraud Examiners and the Association of Inspectors General. Based on Albuquerque’s population of 573,383 the actual cost to operate the Office during fiscal year 2024 was \$1.16 per City resident which is significantly less than the cost of a cup of regular coffee in New Mexico.

G| Outreach, Education, and Prevention

Outreach is an important component of OIG operations, both inside and outside of government. OIG outreach includes education on what our office does, common trends and best practices, red flags to identify fraud, waste, and abuse, and ways to contact our office. In fiscal year 2024, we created and published OIG FAQs, a flowchart of the Investigative Process, and a whitepaper on *What to expect when you are contacted by a member of the Office of Inspector General Investigative staff*. The addition of these to our website provided more transparency into the investigative process. Additionally, the OIG continues to present *Who We Are* at the Supervisory Development Training offered every nine weeks. The OIG facilitated budget training for the AGO Chair. We also provided training to New Council Members accepting our invitation.

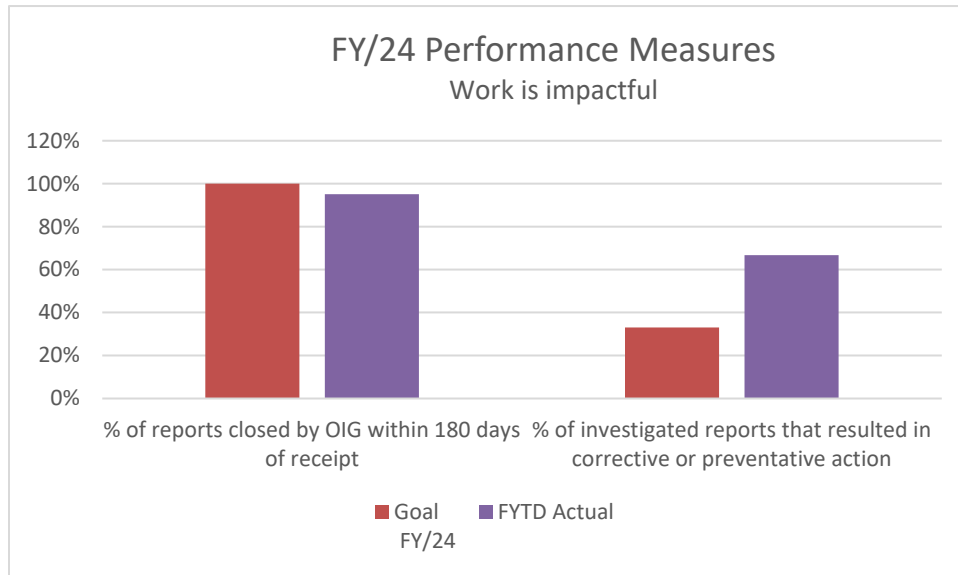
II Activities

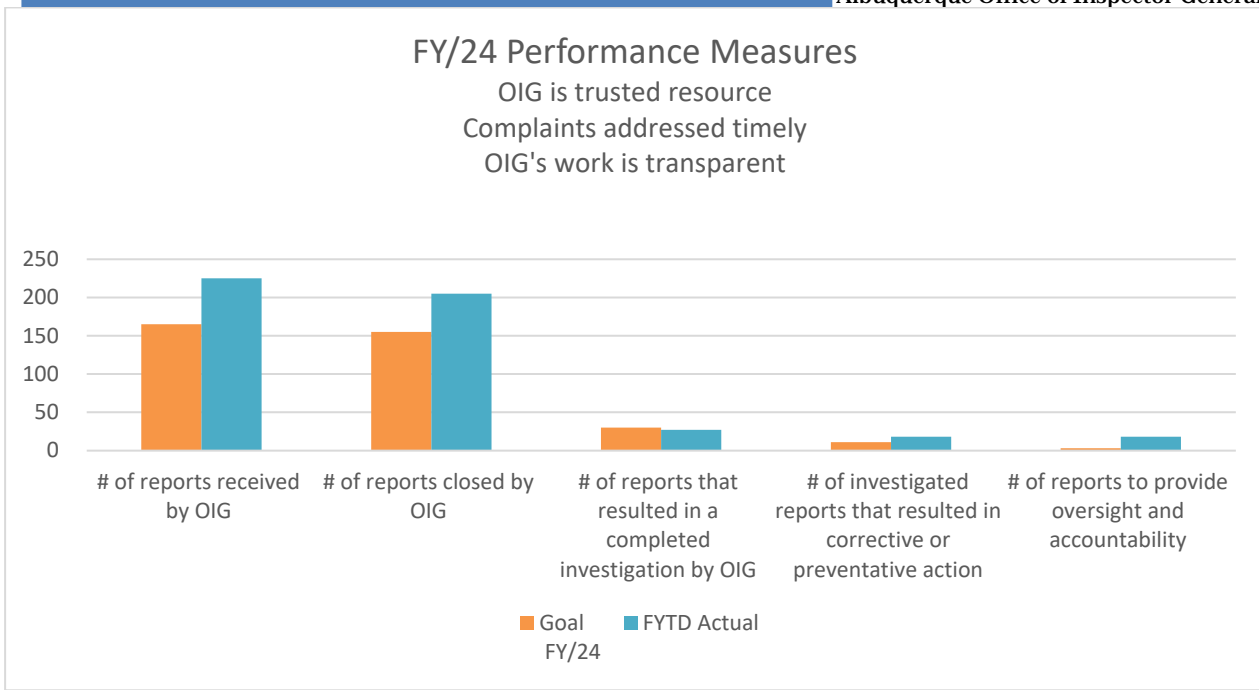
The investigative activities conducted by the OIG adhere to the Principles and Standards for Offices of Inspectors General (Green Book).

The OIG has the authority to conduct both criminal and administrative investigations regarding the conduct of City officers, employees, and other entities transacting business with the City of Albuquerque, including contractors, subcontractors, and lobbyists. When a determination has been made that the subject of an investigation has potentially committed a criminal violation, those findings are discussed with local, state, or federal law enforcement agencies, and are referred to prosecuting agencies and the NM State Auditor’s Office.

Activity Highlights

During fiscal year 2024, the OIG received 225 complaints and closed 205 complaints. The OIG issued 26 Reports of Investigation encompassing 62 similar complaints and issued 1 Report of Inspection. 18 reports resulted in recommendations for corrective action to improve effectiveness and efficiency in government. In fiscal year 2024, the actual number of complaints received exceeded our estimate of 165 complaints received by 60 complaints and the actual number of closed complaints exceeded our estimate of 150 closed complaints by 50 complaints. The OIG addressed 95% of complaints received within 180 days. The OIG met or exceeded the remaining performance measures set for the department during the prior year’s budgeting process.





Where allegations were substantiated, the OIG referred administrative or disciplinary actions to the Department Directors and City Administration. Additionally, the OIG referred 30 complaints to outside agencies including the NM Department of Justice, Federal Offices of Inspectors General, Federal Bureau of Investigation, or local law enforcement. These reports and management responses can be found at <https://www.cabq.gov/inspectorgeneral/investigation-reports>.

A| Complaint Intake

In determining whether to open an investigation into misconduct alleged in a complaint, among other factors, OIG evaluates the potential magnitude or significance of the allegations, both individually and programmatically, and assesses investigative viability. Following this review, the OIG may open an investigation, decline a complaint, refer it to another agency or City department, or retain it for non-investigative inquiry. The following information outlines the actions OIG has taken in response to complaints received this fiscal year. The OIG received and assessed 225 complaints during the fiscal year 2024.

Addressed by OIG (225 allegations)

Complaints that were addressed by the OIG.

OIG Investigative Activities (155 or 69%)

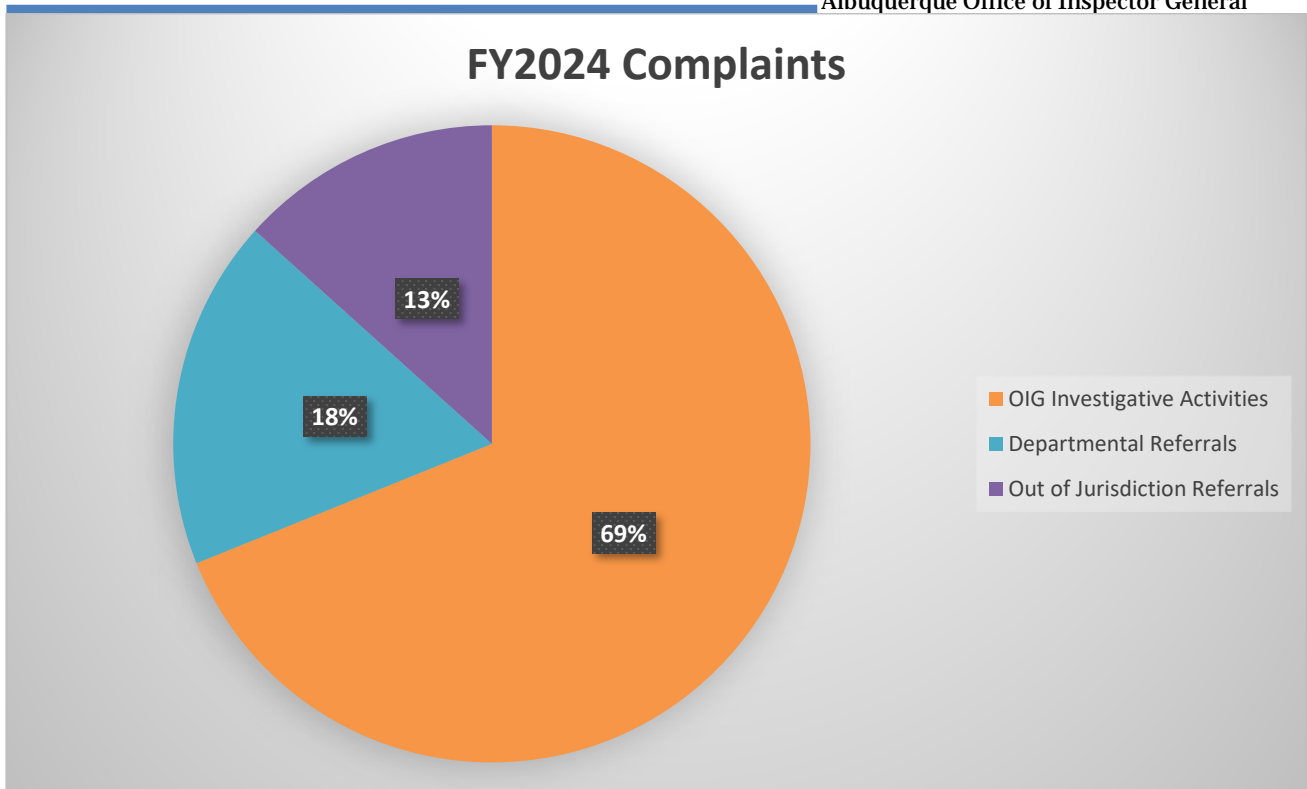
Complaints investigated by the OIG.

Department Referrals (40 or 18%)

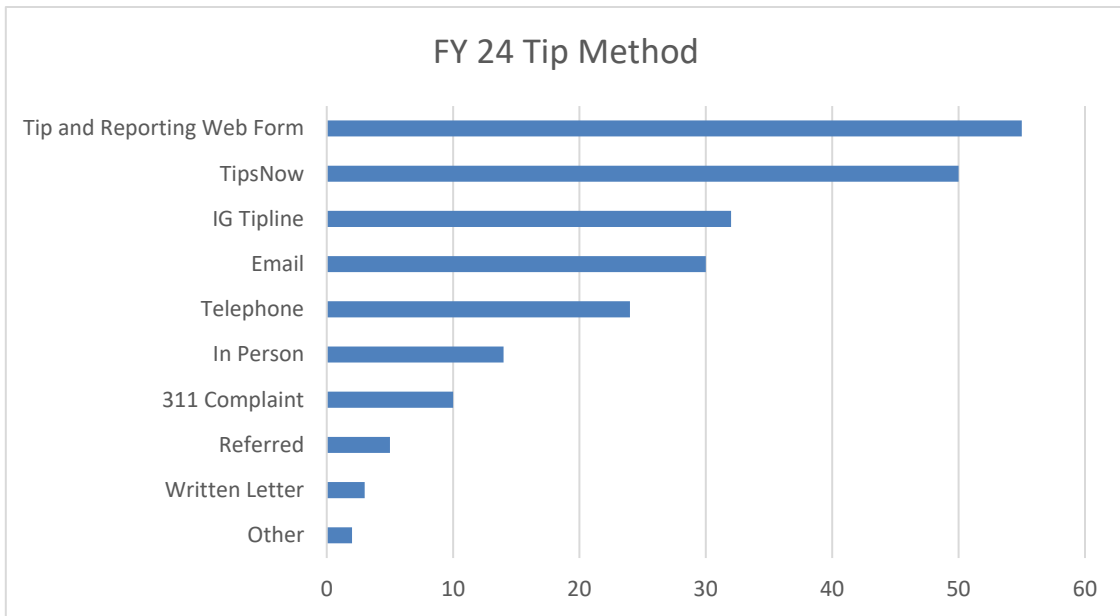
Complaints forwarded to respective departments to address and to provide OIG with a response to include any action taken.

Non-Jurisdictional Referrals (30 or 13%)

Complaints not in the OIG’s jurisdiction are referred to the appropriate jurisdiction.



B) Tip Method



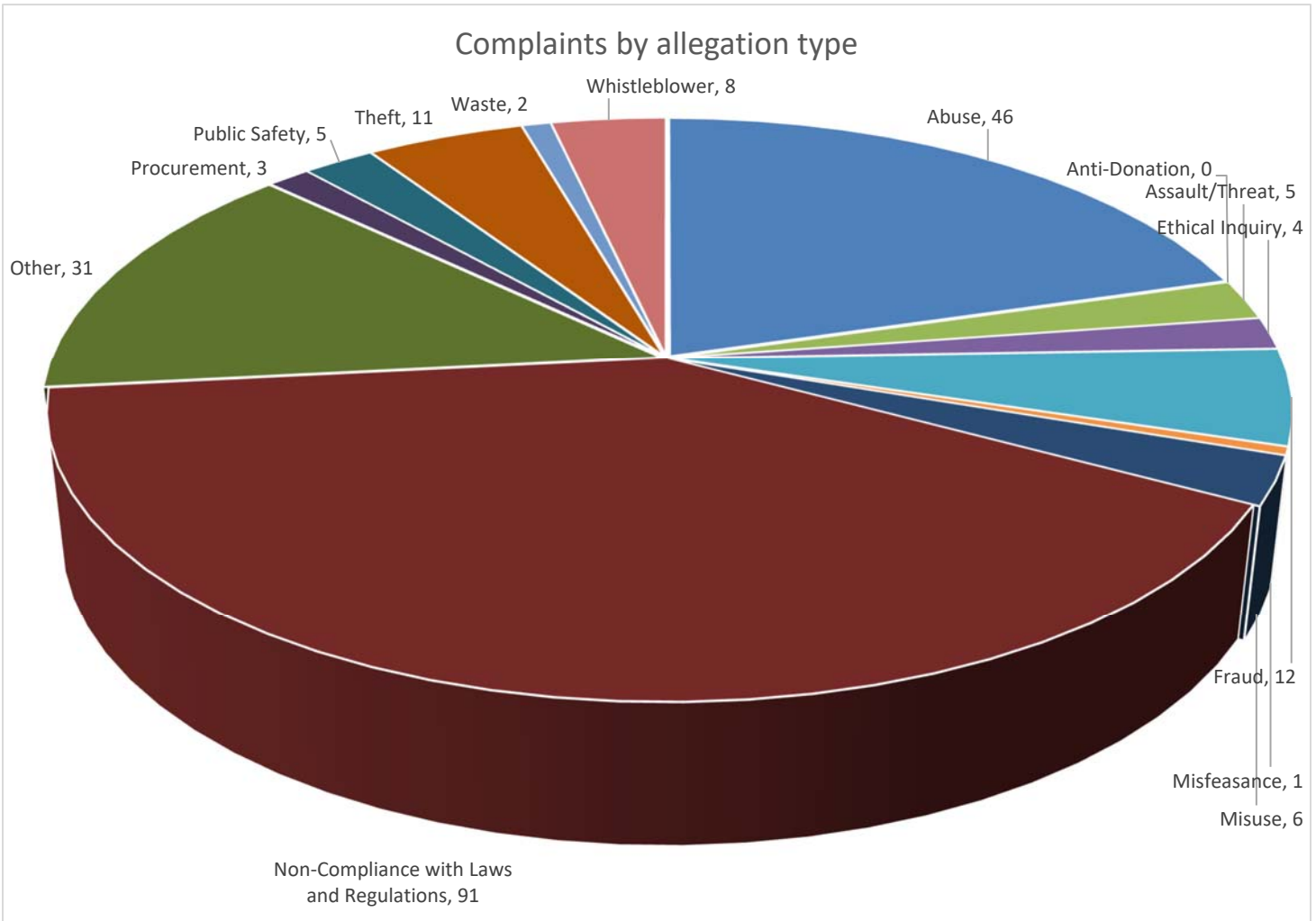
In 2024, the quantity of 311 complaints reported to the OIG remained consistent, between 8-10 complaints, with those reported in FY 2023. News articles between September 2023 and April 2024 revealed that the 311 Call Center experienced an increase to approximately 90,000 calls per month. The OIG has repeatedly expressed concerns that 311 complaints regarding fraud, waste, and abuse are being referred to individual departments and are not being forwarded to the OIG as required by IG Ordinance §2-17. The number of 311 complaints referred to the OIG represents 0.0000093% of the total 311 complaints.

C| Complaints by Department

Department	Complaints
Albuquerque Community Safety	5
Animal Welfare	3
Arts and Culture Department	7
Aviation Department	11
City Clerk's Office	2
City Council	4
Civil Rights Office	0
Civilian Police Oversight Agency	0
Economic Development Department	1
Emergency Management Office	2
Environmental Health Department	5
Equity and Inclusion Office	0
Finance & Administrative Services Department	10
Fire Rescue Department	0
General Services Department	6
Health, Housing & Homelessness	4
Human Resources Department	16
Inspector General's Office	0
Internal Audit Office	2
Legal Department	3
Management & Budget Office	0
Mayor's Office	6
Municipal Development Department	53
Office of Consumer Protection	0
Parks & Recreation Department	7
Planning Department	18
Police Department	8
Senior Affairs Department	1
Solid Waste Department	2
Technology & Innovation Department	3
Transit Department	3
Violence Intervention Program	0
Youth and Family Services	1
Unidentified Dept	6
Out of Jurisdiction	36

D| Complaints by Allegation Type

The following table shows the complaints received by allegation type.



F| Cases in progress

As of June 30, 2024, the OIG has 50 cases in progress.

F| Special Investigations

In addition to its reactive investigative work in response to complaints, OIG is responsible for conducting special investigations into Campaign Practices during election years as mandated by the City Ordinance. During the fiscal year 2024, the OIG did not conduct any Special Investigations at the direction of the Board of Ethics and Campaign Practices.

G | Recoveries

As of June 30, 2024, the City recovered taxpayer dollars totaling \$37,092.62 that had been identified through OIG reports.

III Investigations and Informative Case Synopses

A | Summary of reports issued and the identified potential cost savings in fiscal year 2024

Case ID	Title	Disposition	\$ Identified
22-0162-C	Nonfeasance and misrepresentation of fact	Substantiated	\$ -
22-0189-C	Lack of Controls, Procurement, misappropriation, and anti-donation	Partially Substantiated	\$ 97,268.63
23-0003-N	CDBG-CV Inspection	Inspected	\$ 12,855.52
23-0011-C	Violation of regulations	Substantiated	\$ 12,116.25
23-0030-I	Abuse of time	Substantiated	\$ 2,789.73
23-0036-C	Alleged violation of IDO regarding notice to Neighborhood Associations	Partially Substantiated	\$ -
23-0038-C	Retaliation/harassment for participation in the GHH investigation	Not Substantiated	\$ -
23-0041-C/23-0048-C	Harassment/Retaliation for participation in the GHH investigation and no action by HR	Substantiated	\$ -
23-0047-C	Retaliation/harassment	Not Substantiated	\$ -
23-0049-C	Allegation of Abuse of Authority and Harassment	Not Substantiated	\$ -
23-0053-C	Retaliation/harassment for participation in the GHH investigation	Not Substantiated	\$ -
23-0060-C	Hiring Practices	Substantiated	\$ -
23-0061-C	Harassment, Bullying, and Retaliation	Substantiated	\$ -
23-0074-C	Misuse of position and violation of laws, regulations, policies, or procedures	Substantiated	\$ -
23-0080-I	Abuse of time	Substantiated	\$ 979.44
23-0088-C	Misuse of City Funds	Not Substantiated	\$ -
23-0096-C	Retaliation	Not Substantiated	\$ -
23-0099-C	Alleged False Claims and negligence resulting in vandalism and loss of personal property	Not Substantiated	\$ -
23-0104-C	Nonfeasance within the Traffic Engineering Division	Substantiated	\$ -
23-0114-C	Park User Agreement	Substantiated	\$ -
23-0118-C/ 24-0009-C	Theft/Non-compliance and abuse of position	Substantiated	\$ 1,404.92
24-0005-C	Abuse of Power and Hazardous Working Conditions	Not Substantiated	\$ -
24-0011-C/24-0020-C	Violation of regulations and abuse of position	Substantiated	\$ 110,785.03
24-0027-C	Harassment	Not Substantiated	\$ -
24-0031-C	Return from Physical Layoff	Substantiated	\$ 5,158.80
24-0033-C- 24-0124-C	Violations of Laws, Regulations, Policies and Procedures by Parking Enforcement	Partially Substantiated	\$ -
24-0060-C	Violation of Veterans Hiring Initiative	Substantiated	\$ -

B | Summary of reports with corrective actions

Case ID	Department	Report Name	Findings	Corrective Action Status
21-0081-C	Human Resources	Veterans Hiring	2	Resolved
22-0004-C	Department of Technology	ISC meetings not following the Open Meetings Act	1	Resolved
22-0045-C	Animal Welfare Department	Compliance with the HEART Ordinance	6	Open
22-0067-C	General Services Department	Misappropriation of time	1	Resolved
22-0116-C	Transit Department	Retaliation and Misuse of Budget	5	Resolved
22-0160-C	Health, Housing and Homelessness	Poor Conditions at WEHC	1	Resolved
22-0168-C	Health, Housing and Homelessness	Abuse of Time	2	Resolved
22-0176-C	Planning Department	Violation of laws for CBO	1	Resolved
22-0201-C	Municipal Development Department	Waste by Parking Division	1	Open
22-0203-C	Parks and Recreation	Misuse of City funds for turf	1	Resolved
22-0205-C	Solid Waste	Relocation of bus stop for profit	1	Resolved
22-0207-C	Aviation	Waste related to EAGL	1	Open
22-0208-C	Department of Technology	Non-compliance with City policy for outside work	1	Resolved
22-0212-C	Cultural Services	Waste of resources due to unnecessary hiring	1	Resolved
23-0018-C	General Services Department	Violation of OSHA	7	Open
22-0162-C	Transit Department	Nonfeasance and Misrepresentation	6	Open
22-0189-C	Cultural Services	Lack of Controls, Procurement, misappropriation, and anti-donation	7	Open
23-0003-N	Health, Housing and Homelessness	CDBG-CV Inspection	6	Open
23-0011-C	Human Resources	Violation of regulations	4	Open
23-0030-I	Environmental Health Department	Parking permit misuse and improper time reporting	4	Open
23-0036-C	Council Services	Alleged violation of IDO regarding notice to Neighborhood Associations	1	Open
23-0041-C/23-0048-C	Finance and Administrative Services	Harassment and retaliation and City's HR did not address	2	Open
23-0060-C	Finance and Administrative Services	City not following hiring processes	3	Open
23-0074-C	Animal Welfare Department	Violations of laws, regulations, policies, and procedures	1	Resolved
23-0080-I	Finance and Administrative Services	Abuse of time	4	Open
23-0104-C	Municipal Development Department	Nonfeasance within the Traffic Engineering Division	2	Open
23-0114-C	Parks and Recreation	Park User Agreement	1	Open
23-0118-C/ 24-0009-C	Human Resources	Theft/Non-compliance and abuse of position	4	Open
24-0011-C/24-0020-C	Human Resources	Violation of regulations and abuse of position	3	Open
24-0031-C	Cultural Services and Human Resources	Return from Physical Layoff	1	Open
24-0033-C- 24-0124-C	Municipal Development Department	Violations of Laws, Regulations, Policies and Procedures by Parking Enforcement	4	Open
24-0060-C	Finance and Administrative Services	Violation of Veterans Hiring Initiative	1	Open

We are pleased to report that during the fiscal year 2024, the City resolved 18 findings identified in 12 reports issued by the OIG.

IV Contact Information

Please contact the Office using one of the methods below if you have any questions about this report, the Office, and its mission, or if you have a complaint that could be addressed by our Office. We look forward to hearing from you.

The Ways to Report Fraud, Waste, and Abuse to the Office of Inspector General:

Hotline – 505-768-4TIP (4847)

711 (TTY) for the hearing impaired

Email – TipsNow@cabq.gov

**For more information go to the Office of Inspector General's
Website**

www.cabq.gov/inspectorgeneral



Scan this QR Code with your smartphone to access our website.

The City of Albuquerque Office of Inspector General is an independent office of the City Government. The Office is not part of the City's executive branch or the City Council. The Inspector General reports to the Accountability in Governance and Oversight Committee.

OIG's authority to produce reports of its findings and recommendations is established in the City of Albuquerque's Code of Ordinances §2-17-1 through §2-17-12. For further information about this report, please contact the City of Albuquerque's Office of Inspector General, P.O. Box 1293, Suite 5025, Albuquerque, NM 87103, or call us at 505-768-3160.

A copy of this report has been made available for public inspection at the Office of the Inspector General and is posted on the Office of Inspector General, City of Albuquerque website.