

Hidalgo County Pct 3 Constable Department



Operation Border Star
LBSP - 13
APPLICATION

LOCAL BORDER SECURITY PROGRAM FY 2013 (LBSP-13) APPLICATION

1. APPLICANT NAME (Jurisdiction):	Hidalgo County Pct 3 Constable Department
2. COUNTY:	Hidalgo County
3. TYPE:	<input type="checkbox"/> City Government <input checked="" type="checkbox"/> County Government
4. PAYMENT TYPE:	<input checked="" type="checkbox"/> Reimbursement <input type="checkbox"/> Will you want the ONE TIME advance
4. REQUESTED PERIOD OF PERFORMANCE (NOT TO EXCEED AUGUST 31, 2013)	January 1, 2013 – August 31, 2013
6. CHECKLIST OF APPLICATION ATTACHMENTS: (See the Local Border Security Program 2013 (LBSP- 13) Guide for information on completing these forms.)	<input checked="" type="checkbox"/> 1. Designation of Grant Officials (Form A-2). <input checked="" type="checkbox"/> 2. Application for State Assistance (Form A-3). The Authorized Official must sign this form. <input checked="" type="checkbox"/> 3. Financial Cost Estimate (Form A-4). The Grant Financial Officer must sign this form. <input checked="" type="checkbox"/> 4. Assurances and Certifications (Form A-5). The Authorized Official must sign this form. <input checked="" type="checkbox"/> 5. Statement of Work (Form A-6) <input checked="" type="checkbox"/> 6. Direct Deposit Authorization Form (Form 74-176). The Grant Financial Officer must sign this form. <input checked="" type="checkbox"/> 7. Copy of local overtime policy <input checked="" type="checkbox"/> 8. Copy of pay schedule during the grant period <input checked="" type="checkbox"/> 9. Copy of resolution with the verbiage given in Section 3 number 10 of the LBSP Grant Guidance.
7. CERTIFICATION	<p>This Application, together with the Local Border Security Program FY2013 (LBSP-13) Guide, constitutes the work plan for the participants listed above. The undersigned agree to comply with all terms, conditions, and statements of work in the Local Border Security Program FY2013 (LBSP-13) Guide.</p> <p>The applicant is also assuring that the county (or counties) in which the applicant is located must have an overall 90% average on reporting adult and juvenile criminal history dispositions to the Texas Department of Public Safety for calendar years 2006 through 2010. This is reported via the Uniform Criminal Report Database (UCR).</p>
_____ Authorized Official (Original Signature)	_____ Date
_____ Grant Performance Officer (Original Signature)	<u>12/20/12</u> Date

Form A-1
(11/01)

Mail completed forms and application materials to:

LBSP – 13 Grant Coordinator
 C/O Brandy Prinz, Grant Coordinator
 Texas Rangers Division
 Texas Department of Public Safety
 PO Box 4087
 Austin, TX 78773-0602
 brandy.prinz@dps.texas.gov

**LOCAL BORDER SECURITY PROGRAM FY2013 (LBSP-13)
DESIGNATION OF GRANT OFFICIALS**

GRANT:	LOCAL BORDER SECURITY PROGRAM FY2013 (LBSP-13)
---------------	--

GRANT PERIOD:	January 01, 2013 – August 31, 2013
----------------------	------------------------------------

AGENCY NAME:	Hidalgo County Pct 3 Constable Department
---------------------	---

Grant Performance Officer	(This is typically your Chief or Sheriff)
<i>Name</i>	Lazaro Gallardo Jr
<i>Title</i>	Constable – Hidalgo County Pct 3
<i>Official Mailing Address</i>	730 North Breyfogle Ste B Missison, Texas 78572
<i>Daytime Phone Number</i>	956-581-6800
<i>Fax Number</i>	956-519-4245
<i>E-mail Address</i>	dan.broyles@co.hidalgo.tx.us

Grant Financial Officer	(This is typically your CFO or County Auditor)
<i>Name</i>	Raymundo Eufrazio, CPA
<i>Title</i>	Auditor – Hidalgo County
<i>Official Mailing Address</i>	2808 South Business Highway 281 Edinburg, Texas 78539
<i>Daytime Phone Number</i>	956-318-2511
<i>Fax Number</i>	956-318-2577
<i>E-mail Address</i>	ray.eufrazio@auditor.co.hidalgo.tx

Authorized Official	(This should be the County Judge, Mayor, or City Manager not the Sheriff or Police Chief)
<i>Name</i>	Ramon Garcia
<i>Title</i>	County Judge – Hidalgo County
<i>Official Mailing Address</i>	PO Box 1356 Edinburg, Texas 78540
<i>Daytime Phone Number</i>	956-318-2600
<i>Fax Number</i>	956-318-2699
<i>E-mail Address</i>	ramon.garcia@co.hidalgo.tx.us

If at any point during the grant period these POC's change make necessary changes and resubmit this form immediately.

APPLICATION FOR STATE ASSISTANCE

(Instructions on Reverse)

1 NAME OF PROGRAM/ ASSISTANCE: LOCAL BORDER SECURITY PROGRAM FY2013 (LBSP- 13)	2. APPLICANT STATUS: <input type="checkbox"/> City <input checked="" type="checkbox"/> Reimbursement <input checked="" type="checkbox"/> County <input type="checkbox"/> One time Advance
3 START DATE: JANUARY 01, 2013	4. END DATE: AUGUST 31, 2013
5. APPLICANT INFORMATION	
a. Legal Name of Applicant Organization (as it appears on the LSBP- 13 Application/Form A-1): Hidalgo County Pct 3 Constable Department	b. Name & Telephone Number of Grant Performance Officer: Lazaro Gallardo Jr. 956-581-6800
c. Mailing Address: 730 North Breyfogle Ste B Mission, Texas 78572	d. Physical Address (if different from Mailing Address):
6. EMPLOYER IDENTIFICATION NUMBER / TAX ID # <u>746000717</u>	
7. ESTIMATED EXPENSES:	
a. Salary & Benefits (from line ___ Form A-4)	\$86,498.93
b. Travel Expenses (from line ___ Form A-4)	0
c. Operating Expenses (from line ___ Form A-4)	\$10,656.00
d. Total Expenses (A + B + C)	\$97,154.93
8. CERTIFICATION: I certify that to the best of my knowledge and belief this application and its attachments are true and correct.	
a. Typed Name of Authorized Official:	Ramon Garcia
b. Title of Authorized Official:	County Judge – Hidalgo County
c. Original Signature of Authorized Official:	
d. Date Signed:	

FINANCIAL COST ESTIMATE

1. NAME OF PROGRAM / ASSISTANCE: Local Border Security Program FY 2013
2. APPLICANT NAME: Hidalgo County Pct 3 Constable Department

3. ESTIMATED MONTHLY EXPENSES:

a. Personnel Estimate

Position	Number of Personnel	Hourly Rate	Overtime Rate (Time and 1/2)	Number of O/T Hours per Person per Day	Number of Days	Salary	FICA 7.65%	Total Salary & Fringe
Chief Deputy	1	\$25.93	\$38.90	6	4	\$933.48	\$71.41	\$1,004.89
Sergeant	1	\$23.57	\$35.36	6	4	\$848.52	\$64.91	\$913.43
Deputy	10	\$22.95	\$34.43	6	4	\$8,262.00	\$632.04	\$8,894.04
			\$0.00			\$0.00	\$0.00	\$0.00
			\$0.00			\$0.00	\$0.00	\$0.00
			\$0.00			\$0.00	\$0.00	\$0.00
Total Personnel Estimates								\$10,812.37

b. Travel & Per Diem Estimate

Position	Number of Personnel	Commercial Travel Costs	Mileage from / to County	Estimated Ave. Daily Miles	Number of Days	Total Mileage Cost	Hotel Rate \$85 Maximum	Hotel Tax Rate	Meals \$36 Maximum	Travel Totals
						\$0.00		\$0.00		\$0.00
						\$0.00		\$0.00		\$0.00
Total Travel & Per Diem Estimate										\$0.00

c. Operational Cost Estimate

	Number of Cars	Number of Miles per Car	Number of Days	Rate per Mile	Subtotal
Mileage	6	100	4	\$0.555	\$1,332.00
Fuel Costs					
Other Costs					
Total Operational Cost Estimate					\$1,332.00

FILL IN SHADED FIELDS ONLY

*NOTE: Estimate either for fuel or mileage, not both.

4. NUMBER OF MONTHS IN THE GRANT PERIOD:
5. ARE YOU PAID MONTHLY OR BI-MONTHLY:
6. INDICATE THE NUMBER OF HOURS IN YOUR PAY PERIOD:

X _____
 Signature of Grant Official

7. TOTAL AMOUNT OF APPLICATION

	Total Grant
a. Personnel Estimate	\$86,498.93
b. Travel & Per Diem Estimate	\$0.00
c. Operational Cost Estimate	\$10,656.00
Total Expenses	\$97,154.93

8. TYPE OF PAYMENT YOU PREFER: (check one)

Reimbursement **XX** ONE TIME Advance Payment Request

**State of Texas Assurances and Certifications
State Uniform Administrative Requirement for Grants and Cooperative Agreements,
Subpart B, §.14**

Note: Certain of these assurances may not be applicable to your program. If you have any questions, please contact the awarding agency.

NAME OF APPLICANT	GRANT PROGRAM
Hidalgo County Pct 3 Constable Department	Local Border Security Program FY 2013 (LBSP-13)

This form includes Assurances and Certifications that must be read, signed, and submitted as a part of the Application for State Assistance.

As the duly authorized representative of the applicant, I hereby certify that the applicant (subgrantee) will comply with the assurances and certifications below.

Ramon Garcia	County Judge – Hidalgo County
Typed Name of Authorized Official	Title
Signature of Authorized Official	Date Signed

ASSURANCES

(1) RELATIVES. A subgrantee must comply with Texas Government Code, Chapter 573, by ensuring that no officer, employee, or member of the applicant's governing body or of the applicant's contractor shall vote or confirm the employment of any person related within the second degree of affinity or the third degree of consanguinity to any member of the governing body or to any other officer or employee authorized to employ or supervise such person. This prohibition shall not prohibit the employment of a person, who shall have been continuously employed for a period of two years, or such other period stipulated by local law, prior to the election or appointment of the officer, employee, or governing body member related to such person in the prohibited degree.

(2) PUBLIC INFORMATION. A subgrantee must insure that all information collected, assembled, or maintained by the applicant relative to a project will be available to the public during normal business hours in compliance with Texas Government Code, Chapter 552, unless otherwise expressly prohibited by law.

(3) OPEN MEETINGS. A subgrantee must comply with Texas Government Code, Chapter 551, which requires all regular, special, or called meetings of governmental bodies to be open to the public, except as otherwise provided by law or specifically permitted in the Texas Constitution.

(4) CHILD SUPPORT PAYMENTS. A subgrantee must comply with Section 231.006, Texas Family Code, which prohibits payments to a person who is in arrears on child support payments.

(5) HEALTH, HUMAN SERVICES, PUBLIC SAFETY OR LAW ENFORCEMENT AGENCY. If the subgrantee is a health, human services, public safety, or law enforcement agency, it will not contract with or issue a license, certificate, or permit to the owner, operator, or administrator of a facility if the license, permit, or certificate has been revoked by another health and human services agency or public safety or law enforcement agency.

(6) LAW ENFORCEMENT AGENCY. If the subgrantee is a law enforcement agency regulated by Texas Occupations Code, Chapter 1701, it must be in compliance with all rules adopted by the Texas Commission on Law Enforcement Officer Standards and Education pursuant to Chapter 1701, Texas Occupations Code or must provide the grantor agency with a certification from the Texas Commission on Law Enforcement Officer Standards and Education that the agency is in the process of achieving compliance with such rules.

(7) ADMINISTRATION. When incorporated into a grant award or contract, standard assurances contained in the application package become terms or conditions for receipt of grant funds. Administering state agencies and local subrecipients shall maintain an appropriate contract administration system to insure that all terms, conditions, and specifications are met.

(8) SUSPECTED CHILD ABUSE. A subgrantee must comply with the Texas Family Code, Section 261.101, which requires reporting of all suspected cases of child abuse to local law enforcement authorities and to the Texas Department of Child Protective and Regulatory Services. Subgrantees shall also ensure that all program personnel are properly trained and aware of this requirement.

(9) TAXES. Subgrantees will comply with all federal tax laws and are solely responsible for filing all required state and federal tax forms.

(10) COMPLIANCE WITH REQUIREMENTS. Subgrantees will comply with all applicable requirements of all other federal and state laws, executive orders, regulations, and policies governing this program.

(11) INELIGIBLE APPLICANTS. The applicant certifies that it and its principals are eligible to participate and have not been subjected to suspension, debarment, or similar ineligibility determined by any federal, state, or local governmental entity and it is not listed on a state or federal government's terrorism watch list as described in Executive Order 13224. Entities ineligible for federal procurement are listed at <http://www.epls.gov>.

(12) HIV/AIDS. Subgrantees must adopt and implement applicable provisions of the model HIV/AIDS work place guidelines of the Texas Department of Health as required by the Texas Health and Safety Code, Ann., Sec. 85.001, *et seq.*

(13) LEGAL AUTHORITY. The applicant has the legal authority to apply for State assistance, and the institutional, managerial, and financial capability (including funds sufficient to pay the non-state share of project costs) to ensure proper planning, management and completion of the project described in this application.

(14) RECORDS. The applicant will give the awarding agency, the State Comptroller, and if applicable, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.

(15) PERSONAL GAIN. The applicant will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal gain.

(16) COMPLETION. The applicant will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.

CERTIFICATIONS

1. **DRUG-FREE WORKPLACE** - The applicant certifies that it will provide a drug-free workplace by:
 - A. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition.
 - B. Establish a drug-free awareness program to inform employees about:
 - i. the dangers of drug abuse in the workplace;
 - ii. the applicant's policy of maintaining a drug-free workplace;
 - iii. any available drug counseling, rehabilitation, and employee assistance programs; and
 - iv. the penalties that may be imposed upon employees for drug abuse violations.
 - C. Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a).
 - D. Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will:
 - i. abide by the terms of the statement, and
 - ii. notify the employer of any criminal drug statute conviction for a violation occurring in the workplace not later than five days after such conviction.
 - E. Notifying the agency within ten days after receiving notice under subparagraph (d) (ii) from an employee or otherwise receiving actual notice of such conviction.
 - F. Taking one of the following actions with respect to any employee who is so convicted:
 - i. taking appropriate personnel action against such an employee, up to and including termination; or
 - ii. requiring such employee to participate satisfactorily in drug abuse assistance or rehabilitation program approved for such purposes by a federal, state, or local health, law enforcement, or other appropriate agency.
 - G. Making a good faith effort to continue to maintain a drug-free workplace through the implementation of paragraphs (a), (b), (c), (d), (e), and (f).
2. **LOBBYING – The applicant certifies that:**
 - A. It will not use grant funds, either directly or indirectly, in support of the enactment, repeal, modification, or adoption of any law, regulation or policy, at any level of government.
 - B. If any non-grant funds have been or will be used in support of the enactment, repeal, modification, or adoption of any law, regulation or policy, at any level of government, it will notify the Governor's Division of Emergency Management to obtain the appropriate disclosure form.
 - C. It will include the language of paragraphs A and B of this section in the award documents for all sub-awards at all tiers and will require all sub-recipients to certify accordingly.

Statement of Work (SOW) for LBSP Grant Funds 2013

State Objective of LBSP 2013 Funds

The State of Texas will assist in the execution of coordinated border security operations and facilitate the conduct of sustained interagency law enforcement activities in conjunction with Federal, Local and Tribal agencies to disrupt, deter, interdict, and thereby dominate criminal activity associated with the movement—northbound and southbound—of illicit traffic through the Texas border region and throughout Texas in order to reduce border-related crime, contribute to the reduction of potential acts of terror within Texas and the United States, and increase the security and quality of life of Texans in order to:

- Increase the effectiveness and impact of Steady State and surge operations.
- Increase the amount of field intelligence (BIAR, INT-7, or similar field reporting of gang, cartel, drug, and violence information to the JOIC's and BSOC for overall unified command partner awareness.
- Reduce border-related criminal activity in Texas.
- Implement and increase the effectiveness of operational methods, measures, and techniques for outbound/southbound operations.
- Decrease the supply of drugs smuggled into and through Texas from Mexico.
- Disrupt and deter operations of gang and cartel criminal organizations.
- Decrease specifically targeted tactics (such as conveyance methods) for drugs in the Texas border region.
- Decrease use of specific areas for crime as targeted in directed action missions.
- Increase the effectiveness of air operations mission planning and prioritization.
- Continue to exercise and integrate air-ground team operations to include TMF aviation, CBP Air and Marine, DPS Aircraft Section, and USCG aviation support.
- Based upon intelligence and analysis, increase the effectiveness of directed action missions to ensure they target against and are conducted in high pay off areas.
- Increase the number and quality of analytical intelligence products developed at Unified Command and State levels.
- Increase intelligence based operations at Unified Command level through integration of TxMAP, sector specific information, and employment of intelligence analysts.

1). How do you locally plan to ensure that the State Objectives are executed in your area?

- Enhance uniformed patrol activities within Hidalgo County Pct 3.
- Increase patrol activities in rural areas / routes commonly used by border criminal elements and not normally addressed by other Law Enforcement agencies.
- Continuation in multi law enforcement operations.

2). Explain in detail what strategies/tactics you will use to accomplish these objectives?

- Increased number of patrol units with designation of identification, apprehension and disruption of border criminal elements within Hidalgo County Pct 3 and /or border criminal elements who utilize Hidalgo County Pct 3 to facilitate acts of narcotic smuggling, human smuggling and acts of border related violence. Hidalgo County Pct 3 borders Mexico to the south and Starr County, Texas to the west, both designated at source areas.
- Maximize continued efforts with multi-agency intelligence while working operations / details with local state and federal law enforcement agencies within Hidalgo County Pct 3.
- Increased timely reports to JOIC, by BIARs and / or by teleconference, based on but not limited to independent intelligence, enforcement actions, suspected smuggling routes and citizen contributions.
- Participate in south bound operations ay US Ports of Entry. Hidalgo County Pct 3 currently had two (2) ports of entry located within jurisdiction.

Norma G. Garcia

Hidalgo County Treasurer

2810 South Business Hwy 281, Edinburg, Texas 78539-6243

Telephone: (956) 318-2506 Fax: (956) 318-2507



2013 PAYROLL SCHEDULE

Listed below is the payroll schedule for the year 2013. In order to assure the preparation of checks, timesheets should be submitted in accordance with the schedule below. The timesheets shall be delivered to the Payroll Section of the County Treasurer's Office (Manually or through Time & Attendance) no later than 10:00 a.m.

Paychecks cannot be guaranteed to those who do not meet the Timesheet Due Date deadline.

Payroll checks will be prepared on a biweekly basis and will cover the days as shown on the Work Period Covered column. Checks are to be distributed as indicated on the Payday column.

PAY PERIOD	WORK PERIOD COVERED	TIMESHEET DUE DATE	PAY DAY
1	12/17/2012-12/30/2012	01/02/2013	01/11/2013
2	12/31/2012-01/13/2013	01/14/2013	01/25/2013
3	01/14/2013-01/27/2013	01/28/2013	02/08/2013
4	01/28/2013-02/10/2013	02/11/2013	02/22/2013
5	02/11/2013-02/24/2013	02/25/2013	03/08/2013
6	02/25/2013-03/10/2013	03/11/2013	03/22/2013
7	03/11/2013-03/24/2013	03/25/2013	04/05/2013
8	03/25/2013-04/07/2013	04/08/2013	04/19/2013
9	04/08/2013-04/21/2013	04/22/2013	05/03/2013
10	04/22/2013-05/05/2013	05/06/2013	05/17/2013
11	05/06/2013-05/19/2013	05/20/2013	05/31/2013
12	05/20/2013-06/02/2013	06/03/2013	06/14/2013
13	06/03/2013-06/16/2013	06/17/2013	06/28/2013
14	06/17/2013-06/30/2013	07/01/2013	07/12/2013
15	07/01/2013-07/14/2013	07/15/2013	07/26/2013
16	07/15/2013-07/28/2013	07/29/2013	08/09/2013
17	07/29/2013-08/11/2013	08/12/2013	08/23/2013
18	08/12/2013-08/25/2013	08/26/2013	09/06/2013
19	08/26/2013-09/08/2013	09/09/2013	09/20/2013
20	09/09/2013-09/22/2013	09/23/2013	10/04/2013
21	09/23/2013-10/06/2013	10/07/2013	10/18/2013
22	10/07/2013-10/20/2013	10/21/2013	11/01/2013
23	10/21/2013-11/03/2013	11/04/2013	11/15/2013
24	11/04/2013-11/17/2013	11/18/2013	11/27/2013
25	11/18/2013-12/01/2013	12/02/2013	12/13/2013
26	12/02/2013-12/15/2013	12/16/2013	12/27/2013

RESOLUTION

WHEREAS, The Hidalgo County Commissioners' Court finds it in the best interest of the citizens of Hidalgo County that the Project Title: Local Border Security Program (LBSP-13) be approved for the application and acceptance of any LBSP grant funds that the Texas Department of Public Safety, Texas Rangers Division issues for the period of performance of January 1, 2013 through August 31, 2013; and

WHEREAS, Hidalgo County Commissioners' Court understands that there is no matching fund requirement for the said project; and

WHEREAS, Hidalgo County Commissioners' Court agrees that in the event of loss of misuse of the Criminal Justice Division funds, Hidalgo County assures that the funds will be returned to the Texas Rangers Division in full; and

WHEREAS, Hidalgo County Commissioners' Court designates Hidalgo County Judge Ramon Garcia as the grantee's authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of Hidalgo County.

NOW THEREFORE, BE IT RESOLVED that the Hidalgo County Commissioners' Court approves the submission of the grant application for Hidalgo County Local Border Security Program (LBSP-13)-Hidalgo County project to the Office of Texas Ranger Division, Texas Department of Public Safety and acceptance thereof.

Passed and approved by Commissioners' Court on the 28th of December, 2012.

Signed by:

Ramon Garcia
Hidalgo County Judge

HIDALGO COUNTY, TEXAS CIVIL SERVICE COMMISSION

RULES

Includes All Revisions through June 26, 2003

CHAPTER VII

WORK HOURS, LEAVE AND BENEFIT PROGRAMS

WORK HOURS

7.00 County and/or District work hours are scheduled so that all County and/or District offices are open by 8:00 a.m. and close no earlier than 5:00 p.m., Monday through Friday, except on official Holidays. Each Elected Official/Department Head establishes work hours for employees in his or her Department. In setting work hours, an Elected Official/Department Head considers the needs of the Department and the County and/or District, and ensures that any changes in work hours are in the County's and/or District's best interest.

7.01 Effective May 1, 1995, the County's (effective April 18, 2002, for the District) regular work period for all employees, except law enforcement personnel, is a seven day period which commences at 12:01 a.m. on Monday of each week and ends at 12:00 p.m. midnight on the following Sunday. The County's regular work period, effective May 1, 1995, for "law enforcement personnel," as such term is used in the federal Fair Labor Standards Act, is a fourteen day period which commences at 12:01 a.m., on Monday and ends at 12:00 p.m. midnight 14 days later.

7.02 There are 40 regular work hours in a seven day work period and 86 regular work hours in a fourteen day work period; however, the County schedules employees subject to a fourteen (14) day work period to work a minimum of 80 hours during such work period. In the event of a conflict between the work hours rules set forth in Sections 7.01 through 7.08 hereof for Head Start Program employees, the work hours set forth in the County's approved grant application for operation of the County's Head Start Program shall control. (Amended September 20, 1995)

7.03 An employee is required to be present at his or her duty station at the beginning of each workday.

7.04 Every employee is allowed one hour for lunch each workday.

7.05 Each Elected Official/Department Head should schedule his or her employees each workday for a fifteen (15) minute rest break in the morning and a fifteen (15) minute rest break in the afternoon.

7.06 An employee's time and attendance record (Form SFA-CA-008 for non-law enforcement personnel and Form SFA-CA-046 for law enforcement personnel) should coincide with an employee's work period. A completed time and attendance record is completed and turned in to the payroll section of the County Auditor's office and/or similar office in the District no later than 10:30 a.m. on the first employee work day following two seven day work periods or one fourteen day work period. Head Start Program employees shall follow procedures established by the Head Start Program Director for preparing and processing time and attendance records. (Amended September 20, 1995)

7.07 Effective May 1, 1995, all County employees (effective April 18, 2002, for District employees) are paid biweekly on the Friday following the end of two seven day work periods or one fourteen day work period. If that Friday is a holiday, employees will generally receive their pay checks on the last work day which precedes the holiday.

7.08 An employee's pay check is based on the hours worked by the employee during the applicable work period(s), plus any eligible hours of paid leave, all as shown on a signed time and attendance record.

FAIR LABOR STANDARDS ACT ("FLSA")

7.09 The Fair Labor Standards Act ("FLSA") is the federal law which governs overtime compensation for employees covered by the provisions of that Act. Most County and/or District non-management employees are covered by the overtime compensation requirements of the FLSA. An FLSA covered employee receives: (i) time and one-half compensation; or (ii) compensatory leave of one and one-half hours; for each hour physically worked in excess of 40 hours for employees with a seven (7) day work period and 86 hours for those employees with a fourteen (14) day work period. The County provides straight hourly pay or compensatory leave on an hour for hour basis for employees with a fourteen (14) day work period who work between 80 and 86 hours in such work period. Hours for which an employee receives pay, such as paid leave and holiday hours, but which are not physically worked, are not considered hours worked for purposes of calculating FLSA overtime.

7.10 Each Elected Official/Department Head must require that his or her employees keep daily records of time worked and leave taken. Each Elected Official/Department Head must report all additional time worked for FLSA covered employees.

7.11 Except in unusual circumstances, the Elected Official/Department Head must have requested and approved, in advance, that an employee work extra hours or overtime hours. An example of an unusual circumstance is when an off-duty worker responds to an emergency. In this case, the employee is required to report the emergency and its circumstances to the Elected Official/Department Head at the beginning of the employee's next workday.

7.12 An employee who works extra hours or overtime hours without supervisory approval shall be compensated for the extra or overtime hours, but such employee is subject to disciplinary action.

7.13 The Elected Official/Department Head tracks and reports hours worked and leave used using the following forms:

- a. Form SFA-CA-008, Time and Attendance Record - Non-Law Enforcement Personnel;
- b. Form SFA-CA-046, Time and Attendance Record - Law Enforcement Personnel;
- c. Form SFA-CA-044, Leave Request Form;
- d. Form P-2, Summary of Vacation and Sick Leave; and
- e. Form P-3, 12 Month Period Summary of Leave Taken under the Family and Medical Leave Act of 1993 (FMLA).

7.14 To minimize the County and/or District's liability under FLSA for overtime or extra work hours, each Elected Official/Department Head is expected to manage work hours efficiently and effectively. An Elected Official/Department Head may need to adjust work hours for an FLSA covered employee to accomplish work assignments. When an FLSA covered employee's time and attendance record reflects hours worked in excess of that employee's standard work period, the Elected Official/Department Head and the County Auditor and/or similar office for the District shall immediately notify the County Judge and/or similar office within the District of such fact by forwarding to such party a copy of the time and attendance record for such employee (Form SFA-CA-008 or Form SFA-CA-046).

7.15 When an Elected Official/Department Head allows or requires an FLSA covered employee to work extra hours or overtime hours, the Elected Official/Department Head should make every effort to adjust the work hours during the applicable work period so that the employee

does not physically work in excess of 40 hours if the employee is on a seven day work period or in excess of 80 hours if the employee is on a fourteen (14) day work period.

ADMINISTRATION OF LEAVE AND BENEFIT PROGRAMS

7.16 The Governing Authority is solely responsible for authorizing compensated leave and benefit programs for County and/or District employees and such leave and benefit programs may be changed at any time by appropriate order of the Governing Authority. The County and/or District's existing compensated leave and benefit programs are as set forth in this Chapter.

7.17 Elected Officials and Department Heads administer the County and/or District leave and benefit programs according to law and regulations. Elected Officials/Department Heads are responsible for determining eligibility for paid leave for their employees. Each Elected Official/Department Head is also responsible for insuring that a leave account is established and maintained on each of his/her employees.

7.18 An Elected Official/Department Head may designate personnel from his or her office to be responsible for controlling absence and leave administration. Such delegation, however, does not relieve each Elected Official/Department Head of his or her ultimate responsibility for maintaining leave records on his or her employees.

7.19 Regular attendance at work is important to the overall operation of all County and/or District Departments. Any non-emergency leave, whenever practical, must therefore be scheduled in advance. Each Elected Official/Department Head may establish rules for requesting and scheduling leave not inconsistent with this Chapter. Each employee will be given a copy of any Department leave rules and amendments, and will acknowledge, in writing, receipt of such rules. A copy of the written acknowledgment shall be maintained in the employee's personnel file.

7.20 Every request for leave must:

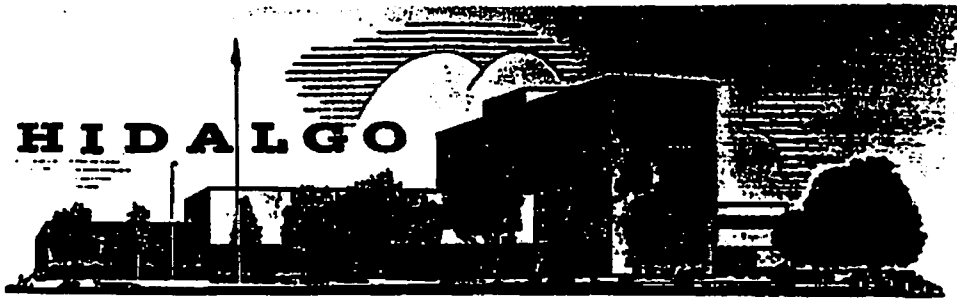
- a. Be submitted to the Department Head/Elected Official, in writing, on a Form SFA-CA-044 which is signed by the employee;
- b. Clearly reflect when the requested leave is to begin and end;
- c. Include a brief explanation setting forth the reasons for taking the requested leave;
- d. To the extent applicable, be accompanied by any required documentation, such as a doctor's statement or military orders; and
- e. Be approved or disapproved, in writing, by the employee's supervisor, and if required, by the Department Head/Elected Official and/or the Governing Authority or its representative.

7.21 Departments shall respond to leave requests within a reasonable time, generally not to exceed five (5) business days.

7.22 After a leave request (Form SFA-CA-044) has been approved or disapproved, such completed form is processed as follows:

- a. The original is placed in the employee's personnel file; (Amended April 10, 1996)
- b. A copy is returned to the employee; and

COUNTY *of* HIDALGO



HIDALGO COUNTY AUDITOR'S OFFICE
Administration Building 3rd Floor
100 East Cano
Edinburg, Texas 78539-3587
PHONE: (956) 318-2511
FAX: (956) 318-2577
E-mail: hidalgoauditors@hotmail.com

EDINBURG, TEXAS 78539

MAILING ADDRESS:
HIDALGO COUNTY AUDITOR'S OFFICE
P O Box 689
Edinburg Texas 78539

MEMORANDUM

TO: All Elected Officials and Department Heads
FROM: A. R. Sandoval, Hidalgo County Auditor
DATE: April 17, 2003
SUBJECT: Recording Of Law Enforcement Compensatory Time (Comp-Time)

Effective March 24, 2003, the Hidalgo County Commissioners' Court approved the recording of compensatory time for all law enforcement officers to be based on an 80 hour pay period instead of an 86 hour pay period.

Time sheets submitted erroneously for Pay Period No. 08 (03/24/03-04/06/03) have been corrected by payroll personnel. Copies of these time sheets have been forwarded to the department.

Please do not hesitate to call Ms. Loni Salinas, Payroll Supervisor, at (956) 318-2550, if you have any questions regarding this memo.

A. R. Sandoval [®]

HIDALGO COUNTY DISTRICT JUDGES

EDWARD G. APARCIO
JUDGE, 92ND D.C.
OVERSEER

RODOLFO DELGADO
JUDGE, 93RD D.C.

LETICIA HINOJOSA
JUDGE, 138TH D.C.

ROSE GUERRA REYNA
JUDGE, 206TH D.C.

JUAN R. PARTIDA
JUDGE, 276TH D.C.

MARIO E. RAMIREZ, JR.
JUDGE, 332ND D.C.

NOE GONZALEZ
JUDGE, 379TH D.C.

LETICIA LOPEZ
JUDGE, 389TH D.C.

ANITA SALINAS FLO
JUDGE, 396TH DJ

15. Head Start: (SEE EXHIBIT Q)

- A. Requesting approval of the Western Road Head Start Lease Agreement between Hidalgo County Head Start Program and the Roman Catholic Diocese of Brownsville, San Martin de Porras Catholic Church of Alton, Texas in the amount of \$ 400.00 per month**

On motion of Commissioner Garza seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval.

16. County Auditor: (SEE EXHIBIT R)

- A. Discussion and action on creating the position of PC Specialist**
- B. Approval of budget amendment**
- C. Set salary**

NO ACTION taken on item 16.A, B, & C.

- D. Approval of line item transfer for CO's 2002 – County Auditor office furniture in the amount of \$ 3,000.00**

On motion of Commissioner Handy, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval.

17. WIC: (SEE EXHIBIT S)

- A. Approval to pay back wage payment for overtime worked during the period 10/07/00 to 07/06/03 for 152 employees**
- B. Approval to create obj. 131 in Acct. #3-1292-441-00-350-001-3 & line item transfer - \$ 22,709.59**

NO ACTION taken on item 17.A. & B.

18. Sheriff Department: (SEE EXHIBIT T)

- A. Approval to appropriate the December 31, 2002 fund balance (unreserved) in the amount of \$ 52,135.78 in the Sheriff's Inv. Fund 104**

On motion of Commissioner Flores, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval.

- B. Approval to appropriate the December 31, 2002 fund balance (unreserved) in the amount of \$ 12,303.43 in the Sheriff's Inv. Fund 102**

On motion of Commissioner Garza, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval.

- C. Discussion and action to change the work week of Law Enforcement Personnel from 86 hours a week to 80 hours a week**

On motion of Commissioners' Handy, and Flores, seconded by Commissioner Garza, the Court made a UNANIMOUS vote of approval, effective March 24, 2003.

- D. Approval of budget amendment for Adult Detention Facility - \$ 27,595.03**

On motion of Commissioner Handy, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval.