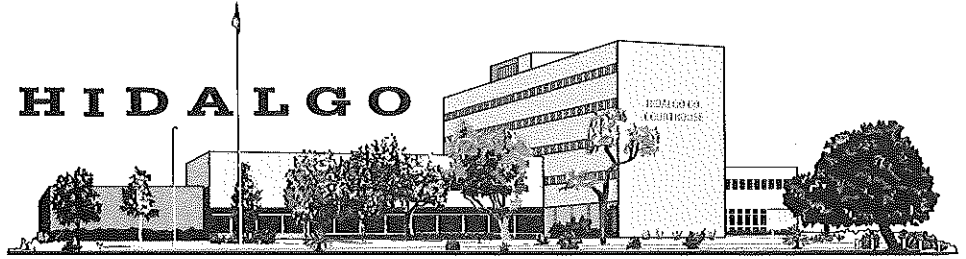


COUNTY of HIDALGO



EDINBURG, TEXAS 78539

HIDALGO COUNTY AUDITOR'S OFFICE
Hidalgo County Administration Building
2808 South Business Highway 281
Edinburg, Texas 78539-6243
PHONE: (956) 318-2511
FAX: (956) 318-2577
WEBSITE: www.co.hidalgo.tx.us/auditor

October 28, 2022

The Honorable Richard F. Cortez, Hidalgo County Judge
The Honorable David L. Fuentes, Commissioner, Precinct No. 1
The Honorable Eduardo "Eddie" Cantu, Commissioner, Precinct No. 2
The Honorable Everardo "Ever" Villarreal, Commissioner, Precinct No. 3
The Honorable Ellie Torres, Commissioner, Precinct No. 4

RE: Certification of Revenue

Dear Judge and Commissioners:

Pursuant to Local Government Code § 111.0707 SPECIAL BUDGET FOR REVENUE FROM INTERGOVERNMENTAL CONTRACTS:

The county auditor shall certify to the commissioner's court the receipt of all revenue from intergovernmental contracts that is available for disbursement in a fiscal year but not included in the budget for that fiscal year. On certification, the court shall adopt a special budget for the limited purpose of spending the revenue from intergovernmental contracts for its intended purpose.

I, Linda Fong, Interim County Auditor of Hidalgo County, certify to the Hidalgo County Commissioners Court the receipt of an award from U.S. Immigration and Customs Enforcement (ICE), Special Agent in Charge (SAIC), San Antonio, Texas. These funds may now be made available by creating a new special budget or amending a current budget for its intended purposes.

AMOUNT
\$60,000.00

PURPOSE
ICE FY23 Overtime Reimbursement
Hidalgo Co. Sheriff's Office

CERTIFIED BY:

Linda Fong, CPFO
Interim County Auditor

10/28/2022

Date

HIDALGO COUNTY DISTRICT JUDGES

LUIS M. SINGLETERRY JUDGE, 82ND D.C. FERNANDO MANCIAS JUDGE, 89TH D.C. J. R. "BOBBY" FLORES JUDGE, 139TH D.C. ROSE GUERRA REYNA JUDGE, 206TH D.C. MARLA CUELLAR JUDGE, 275TH D.C. MARIO E. RAMIREZ, JR. JUDGE, 322ND D.C. NOE GONZALEZ JUDGE, 370TH D.C. LETICIA LOPEZ JUDGE, 389TH D.C. L. KENO VASQUEZ JUDGE, 398TH D.C. ISRAEL RAMON, JR. JUDGE, 435TH D.C. RENEE R. BETANCOURT JUDGE, 448TH D.C. JOSE "JOE" RAMIREZ JUDGE, 484TH D.C.

AI-88141

Sheriff's Office 15. A.

CC REGULAR AGENDA SPECIAL MTG

Meeting Date: 11/01/2022

Submitted For: David Friedlein, SHERIFF DEPT.

Submitted By: Jose Rodriguez, SHERIFF DEPT.

Department: SHERIFF DEPT.

CAPTION

Sheriff's Office - JLEO ICE (1284):

1. Approval to accept overtime agreement funding from U.S. Department of Homeland Security, Immigration and Customs Enforcement (ICE) FY2023 (10/01/2022 - 09/30/2023) in the amount of \$60,000 (\$15,000 per officer) in relation to joint law enforcement operations.
2. Authorization to pay overtime reimbursable under the agreement terms and conditions.
3. Approval of certification of revenues, as certified by the Co. Auditor, for FY 2023 ICE overtime agreement in the amount of \$60,000.00 and appropriation of the same.

BACKGROUND

MOU between ICE and Hidalgo County (Sheriff's Office) approved by CC on 3/31/15 (AI#49060), overtime is being provided for expenses of officer providing resources in joint operational/task forces. Fringe benefits associated with overtime pay of officer is not reimbursed through grant and will be charged to the Sheriff's Office General Fund account. Reporting period ends on 9/30/23 (FY 2023).

Fiscal Impact

CALENDAR YEAR: 2022

ACCT. #: 2-1284-421-00-280-055-3-131

FUNDS AVAILABLE Y/N?: Y

MATCHING FUNDS Y/N?: N

BUDGETARY IMPACT:

HCSO JLEO-ICE-OVERTIME PAY; Appropriation of overtime funds from ICE in relation to joint law enforcement operations agreement for FY 2023 (10-1-2022 to 9-30-2023) in the amount of \$60,000.00, pending COR by Co. Auditor. Agreement excludes fringe benefits associated to overtime expenses; fringe benefits are to be reclassified and paid via Sheriff's G/F budget.

Revenue acct #2-1284-331-11-280-055-3-000 *HCSO JLEO-ICE REVENUES*

Attachments

FY2023 Award Letter

MOU

Appropriation

Form Review

Inbox

Budget & Management

Ivan Cantu

Final Approval

Reviewed By

Veronica Ortiz

Date

10/26/2022 04:32 PM

Form Started By: Jose Rodriguez

Started On: 10/26/2022 03:10 PM

**MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN
IMMIGRATION AND CUSTOMS ENFORCEMENT AND LOCAL,
COUNTY, OR STATE LAW ENFORCEMENT AGENCY FOR THE
REIMBURSEMENT OF JOINT OPERATIONS EXPENSES FROM
THE TREASURY FORFEITURE FUND**

This Agreement is entered into by the Hidalgo County Sheriff Office, (NCIC CODE # TX 1080000) and Immigration and Customs Enforcement (ICE), Special Agent in Charge (SAIC), San Antonio, Texas for the purpose of the reimbursement of costs incurred by the Hidalgo County Sheriff Office in providing resources to joint operations/task forces.

Payments may be made to the extent they are included in the ICE Fiscal Year Plan, and the money is available within the Treasury Forfeiture Fund to satisfy the request(s) for the reimbursement of overtime expenses and other law enforcement expenses related to joint operations.

I. LIFE OF THIS AGREEMENT

This Agreement becomes effective on the date it is signed by both parties. It remains in force unless explicitly terminated, in writing, by either party.

II. AUTHORITY

This Agreement is established pursuant to the provisions of 31 USC 9703, the Treasury Forfeiture Fund Act of 1992, which provides for the reimbursement of certain expenses incurred by local, county, and state law enforcement agencies as participants of joint operations/task forces with a federal agency participating in the Treasury Forfeiture Fund.

III. PURPOSE OF THIS AGREEMENT

This Agreement establishes the responsibilities of both parties and the procedures for the reimbursement of certain overtime expenses and other law enforcement expenses pursuant to 31 USC 9703.

IV. APPLICABILITY OF THIS AGREEMENT

This agreement is valid for all joint investigations led by ICE SAC, San Antonio, Texas, with the participation of the Hidalgo County Sheriff Office, and until terminated, in writing, by either party.

V. TERMS, CONDITIONS, AND PROCEDURES

A. Assignment of Officer(s)

To the maximum extent possible, the Hidalgo County Sherriff Office shall assign dedicated officers to any investigation or joint operation.

Included as part of this Agreement, the Hidalgo County Sherriff Office shall provide ICE SAC San Antonio, Texas with the names, titles, four last digits of SSNs, badge or ID numbers, and hourly overtime wages of the officer(s) assigned to the joint operation. This information must be updated as necessary.

B. Submission of Requests for Reimbursement (Invoices) and Supporting Documentation

1. The Hidalgo County Sherriff Office may request the reimbursement of overtime salary expenses directly related to work on a joint operation with ICE SAC San Antonio, Texas, performed by its officer(s) assigned to this joint operation. In addition, the Hidalgo County Sherriff Office may request reimbursement of other investigative expenses, such as travel, fuel, training, equipment and other similar costs, incurred by officer(s) assigned as members of the designated joint operations with ICE SAC San Antonio, Texas.

The Hidalgo County Sherriff Office may not request the reimbursement of the same expenses from any other Federal law enforcement agencies that may also be participating in the investigation.

2. **Reimbursement payments will not be made by check.** To receive reimbursement payments, the Hidalgo County Sherriff Office must ensure that Customs and Border Protection, National Finance Center (CBP/NFC) has a current ACH Form on file with the agency's bank account information, for the purposes of Electronic Funds Transfer. The ACH Form must be sent to the following address:

CBP National Finance Center
Attn: Forfeiture Fund
6026 LAKESIDE BLVD.
INDIANAPOLIS, IN 46278

If any changes occur in the law enforcement agency's bank account information, a new ACH Form must be filled out and sent to the CBP/NFC as soon as possible.

3. In order to receive the reimbursement of officers' overtime and other expenses related to joint operations, the Hidalgo County Sherriff

Office must submit to ICE SAC San Antonio, Texas the TEOAF Form "Local, County, and State Law Enforcement Agency Request for Reimbursement of Joint Operations Expenses (Invoice)", signed by an authorized representative of that agency and accompanied by supporting documents such as copies of time sheets and receipts.

4. The Hidalgo County Sheriff Office remains fully responsible, as the employer of the officer(s) assigned to the investigation, for the payment of overtime salaries and related benefits such as tax withholdings, insurance coverage, and all other requirements under the law, regulation, ordinance, or contract, regardless of the reimbursable overtime charges incurred. Treasury Forfeiture Fund reimburses overtime salaries. Benefits are not reimbursable.
5. The maximum reimbursement entitlement for overtime worked on behalf of the joint investigation is set at \$15,000 per officer per year.
6. The Hidalgo County Sheriff Office will submit all requests for the reimbursement of joint operations' expenses to ICE Acting Assistant Special Agent in Charge, Mario H. Campbell at the following address: 5901 S. International Parkway, McAllen, Texas 78503, Attn. Cristina Torres, Mission Support Specialist, Ph. (956) 984-6918.

VI. PROGRAM AUDIT

This Agreement and its provisions are subject to audit by ICE, the Department of the Treasury Office of Inspector General, the General Accounting Office, and other government designated auditors. The Hidalgo County Sheriff Office agrees to permit such audits and agrees to maintain all records relating to these transactions for a period not less than three years; and in the event of an on-going audit, until the audit is completed.

These audits may include reviews of any and all records, documents, reports, accounts, invoices, receipts of expenditures related to this agreement, as well as interviews of any and all personnel involved in these transactions.


VII. REVISIONS

The terms of this Agreement may be amended upon the written approval by both parties. The revision becomes effective on the date of approval.

VIII. NO PRIVATE RIGHT CREATED

This is an internal government agreement between ICE SAC San Antonio, Texas and the Hidalgo County Sheriff Office, and is not intended to confer any right or benefit to any private person or party.

Signatures:


Special Agent in Charge
Immigration and Customs Enforcement
San Antonio, Texas

Date: 20 APR 2011


J.E. "Eddie" Guerra
Hidalgo County Sheriff
Hidalgo County Sheriff Office

Date: _____

DATE: October 26, 2023

DEPARTMENT HEAD: Sheriff J.E. Eddie Guerra

DEPARTMENT NAME: Hidalgo County Sheriff's Office

ACCOUNT NUMBER: 2-1284-421-00-280-055-3-XXX

Contact Person: Jose Rodriguez Ph#: (956) 393-6176

2022
Appropriation
AI- 88141



SUBJECT: Budget Amendments (increase (decrease)) in accordance with Local Government Code, Chapter 111, § 111.070, Item C (2).

Honorable Commissioners' Court of Hidalgo County:

I would like to request the following Budget Amendments (increase (decrease)) in accordance with Local Government Code, Chapter 111, § 111.070, Item C (2).

INCREASE ACCOUNT NUMBER(S)	ACCOUNT (OBJECT) NAME	AMOUNT
2-1284-421-00-280-055-3-131	HCSO ICE FY23 OVERTIME PAY	60,000.00
2-1284-331-11-280-055-3-00	HCSO ICE FY23 REVENUES	60,000.00
TOTAL BUDGET INCREASE (DECREASE)		60,000.00

REASON:

To appropriate the budget for the overtime hours for 3 officers assigned to ICE investigations
 Funding period is from 10/01/22 to 09/30/23

Note: Expenses relating fringe benefits for the overtime hours are to be charged to the
 Hidalgo County Sheriff's Office general fund budget (2-1100-421-00-280-001-0-XXX)

DEPARTMENT HEAD SIGNATURE

APPROVED COMMISSIONERS' COURT

DATE

ATTEST COUNTY CLERK



Jose Pena <jose.pena@auditor.co.hidalgo.tx.us>

AI-88141 ICE FY23 Certification of Revenues

Jose Rodriguez <jose.rodriguez@hidalgo.org>

Wed, Oct 26, 2022 at 4:20 PM

To: Jose Pena <jose.pena@auditor.co.hidalgo.tx.us>

Cc: Minerva Diaz <minerva.diaz@auditor.co.hidalgo.tx.us>, Myra Montoya <myra.montoya@hidalgo.org>, David Friedlein <david.friedlein@hidalgo.org>, Rogelio Mendez <roy.mendez@hidalgo.org>


Good afternoon,

Can you please prepare a COR for ICE FY23 in the amount of \$60,000.00? The agenda item is on the CC meeting of Nov. 01th, 2022 under AI-88141.

Jose L. Rodriguez
Program Manager I
Hidalgo County Sheriff's Office
jose.rodriguez@hidalgo.org
956-393-6176

2 attachments

 **Appropriation 2023.xls**
244K

 **AI-88141.pdf**
75K